

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

14 Aug 2023



Factory Information

FLA Affiliates	League Collegiate Wear, Inc. (
Country	El Salvador
Number of Workers	503

Understanding this Report

Companies that join the FLA agree to uphold the FLA Workplace Code of Conduct throughout their entire supply chain. The Code of Conduct is based on International Labour Organization (ILO) standards, and defines labor standards that aim to achieve decent and humane working conditions.

FLA Code Element

Number of Violations

Compensation (C)	1
Employment Relationship (ER)	2
Freedom Of Association And Collective Bargaining (FOA)	1
Health, Safety And Environment (HSE)	12

Assessment Information

Assessor	VeLar International
Assessment Date	14 Aug 2023
Assessment Purpose	

ASSESSMENT RESULTS

Compensation (C)

Benchmark ID	C.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning the payment of compensation to workers.
Finding Details	The factory pays workers gratuity when the contract ends annually. This means that the final gratuity calculation is based only on the last year of work, instead of multiplying the total years of service by the last current legal minimum wage, and then deducting all payment advances previously provided to workers. This calculation reduces the total amount of severance money that workers should receive.
Recommendation for Immediate Action	Ensure to deliver the total severance payment corresponding to the employees' complete seniority at the time when employees are terminated.
Compliance Classifications	Immediate Action Required
Local Law	

Employment Relationship (ER)

Benchmark ID	ER.1.1
Benchmark Details	Employers shall have in place written policies and practices and maintain proper and accurate records governing all aspects of employment from recruitment, hiring and probation, including written terms and conditions of employment, job descriptions, administration of compensation, and working hours for all positions, through to retrenchment and termination processes.

Finding Details	1. The Freedom of Association policy does not mention that employees are protected from discrimination regardless of their decision to unionize and when exercising the freedom of association rights. 2. The retrenchment procedure (procedure for reduction and voluntary retirement of workers) does not include noting employees' feedback on the communication of the reduction plan .
Recommendation for Immediate Action	1. Ensure to update the freedom of association policy including the factory's respect to employees' right to be protected from discrimination, retaliation, or any reprisal for exercising their freedom of association. 2. Ensure to update the retrenchment procedure including noting employees' feedback on the communication of the reduction plan.
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.8
Benchmark Details	Employers shall have written policies and procedures with regard to promotion, demotion, and job reassignment that outline the criteria, demonstrate linkages to job grading, and prohibit discrimination or use of demotion or job reassignment as a form of penalty or punishment, are provided in writing and seek feedback from employees in writing, and follow all local legal requirements.
Finding Details	There is no promotion and demotion procedure in place in the facility.
Recommendation for Immediate Action	Ensure to develop and implement a promotion and demotion procedure.
Compliance Classifications	Sustainable Improvement Required
Local Law	

Freedom Of Association And Collective Bargaining (FOA)

Benchmark ID	FOA.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning freedom of association and collective bargaining. national laws, rules, and procedures protecting the rights of workers to organize and bargain collectively. Where local laws and FLA standards differ, the employer is expected to follow the highest applicable standard.
Finding Details	The Freedom of Association policy and procedure do not include commitments to: - prevent discrimination and retaliation, and steps for workers to report any form of discrimination or retaliation; - avoid interference in the union activities, their administration and the elections of union leaders; - the process to investigate complaints of violations of freedom of association and collective bargaining.
Recommendation for Immediate Action	Ensure to update the Freedom of Association policy and include: • the factory's commitment to prevent discrimination and retaliation; • avoid interference in the union, • and the steps to report and investigate violations.
Compliance Classifications	Sustainable Improvement Required
Local Law	

Health, Safety And Environment (HSE)

Benchmark ID	HSE.5.3
Benchmark Details	Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually.
Finding Details	An evacuation drill has not been carried out in Building S, this building was opened in June 2023.
Recommendation for Immediate Action	Ensure to complete evacuation drills in the building S.

Compliance Classifications	Immediate Action Required
Local Law	Article 49 literal H of the Regulations for Risk Prevention Management in Workplaces.
Benchmark ID	HSE.5.1
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all of the following elements: posting evacuation plans; the installation and maintenance of fire alarms; the installation and maintenance of emergency lighting; ensuring aisles/exits are not blocked and that workers are not blocked within their workstations; employee education and training; and evacuation procedures and fire drills.
Finding Details	1. Evacuation route maps for both buildings do not identify all available emergency exits. In Building N, none of the 13 emergency exits and in Building S, 2 of 5 emergency exits are not shown in the evacuation map. 2. 2 of 13 emergency exits in Building N are not marked in the production floor. 3. Module 9 and 11 of the sewing areas, the sole evacuation direction is not properly marked; and due to the infrastructure of the building, in Module 9, there is a risk of hitting your head or tripping due to X- shaped metal beams. In Module 11, the space of the evacuation route is considerably reduced at the end of the production line (the space between a sewing station and some beams is less than 60 centimeters). Therefore, both areas must be marked to guide personnel to evacuate in the opposite direction to these risk areas.
Recommendation for Immediate Action	1. Update the evacuation route maps for both buildings including all emergency exits available. 2. Identify all emergency exits. 3. Ensure to mark the evacuation routes.
Compliance Classifications	Immediate Action Required
Local Law	1. Articles 36 and 71 paragraph 1 of the General Law on Risk Prevention in the Workplace. 2. Article 36 of the General Law on Risk Prevention in Workplaces and Article 13, paragraphs 1 and 7 of the General Regulations on Risk Prevention in Workplaces. 3. Article 36 of the General Law on Risk Prevention in the Workplace.

Benchmark ID	HSE.5.1.3
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following elements: installation and maintenance of emergency lighting
Finding Details	There are no emergency lights on any of the evacuation routes in Building S, nor on 1st (cutting), 2nd (seconds warehouse), 3rd floor (raw material warehouse) of Building N.
Recommendation for Immediate Action	Ensure to install emergency lights in all required areas.
Compliance Classifications	Immediate Action Required
Local Law	Article 13, paragraph 7 of the General Regulations for Risk Prevention in the Workplace.
Benchmark ID	HSE.5.1.2
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following elements: installation and maintenance of fire alarms;
Finding Details	1. A visual and audible alarm is missing in the screen recovery area of Building S. 2. Neither of the two evacuation alarms in the two buildings (N and S) has an independent power source.
Recommendation for Immediate Action	1. Install visual and audible alarms in all required areas. 2. Ensure to have a backup power for evacuation alarms.
Compliance Classifications	Immediate Action Required
Local Law	1. Article 117 and 213 of the General Regulations for Risk Prevention in Workplaces. 2. Article 103 of the General Regulations for Risk Prevention in the Workplace.
Benchmark ID	HSE.9.1

Benchmark Details	All chemicals and hazardous substances shall be properly labeled and stored in secure and ventilated areas and disposed of in a safe and legal manner, in accordance with applicable laws and international standards.
Finding Details	1. Two barrels with flammable chemicals (Super Kleen QM77) were not grounded and did not have a safety diamond. They were also incorrectly labeled.
Recommendation for Immediate Action	1. Ensure to ground the flammable chemical containers. 2. Ensure to label all chemical containers with the safety diamond.
Compliance Classifications	Immediate Action Required
Local Law	Article 207 literal D of the General Regulations for the Prevention of Risks in the Workplace. Article 51 of the Law on Risk Prevention in the Workplace and article 202 and 214 literals B and D of the General Regulations for the Prevention of Risks in the Workplace
Benchmark ID	HSE.19
Benchmark Details	All facilities including workplace buildings, toilets, canteens, kitchens, and clinics, shall be kept clean and safe and be in compliance with all applicable laws, including relevant sanitation, medical, and safety and health regulations.
Finding Details	In the kitchen and dining room area, the following deficiencies were observed: a) the food prepared on previous days were reused on subsequent days without any production date and expiration date labels , b) some vegetables were stored in baskets placed on the floor, c) the gas cylinder on the table at the end of the dining room in building S was kept adjacent to the thermal table with open flame.
Recommendation for Immediate Action	1. Label all produced food with the preparation and expiration dates. 2. Store food in proper and clean area. 3. Remove the gas tanks from the area.
Compliance Classifications	Immediate Action Required

Local Law	Technical Health Standards for the Authorization and Control of Food Establishments. Article 16.3 of the Health Standard for the Authorization and Control of Canteens and Pupuserías and 302, 307 and 308 of the General Regulations for the Prevention of Risks in Workplaces.
Benchmark ID	HSE.13
Benchmark Details	All necessary ventilation, plumbing, electrical, noise and lighting services shall be installed and maintained to conform to applicable laws and to prevent or minimize hazardous conditions to workers in the facility.
Finding Details	No lighting assessment, noise level assessment and thermal assessment is conducted as legally required.
Recommendation for Immediate Action	1. Perform the lighting assessment. 2. Perform the noise level assessment. 3. Perform the temperature level assessment.
Compliance Classifications	Immediate Action Required
Local Law	1.- Article 126-134 of the General Regulations for Risk Prevention in the Workplace. 2.- Article 77, 162 paragraph 1 and 2, 163 paragraph 2, 3, 5, 9 and 164 of the General Regulations for the Prevention of Risks in the Workplace. 3.- Article 8, last paragraph of the General Law on Risk Prevention in Workplaces and Article 129 ordinal 1 of the General Regulations on Risk Prevention in Workplaces.
Benchmark ID	HSE.6.1
Benchmark Details	All safety and medical equipment (e.g. fire fighting equipment, first aid kits) shall be available in sufficient numbers throughout the workplace, maintained and stocked as prescribed, and easily accessible to workers.
Finding Details	There is no eyewash station in the ink mixing area, nor in the screen recovery area of Building S; and 1 of the 2 eyewash stations in Building N did not have enough water pressure when tested.

Recommendation for Immediate Action	1. Install the eye shower station in the ink mixing area 2. Ensure all eye showers have enough water pressure.
Compliance Classifications	Immediate Action Required
Local Law	Article 221 of the General Regulations for the Prevention of Risks in the Workplace.
Benchmark ID	HSE.4.1
Benchmark Details	Employers shall at all times be in possession of all legally required and valid permits and certificates related to health, safety, and environmental issues, such as: Purchase and storage of chemicals; Fire safety inspections; Machinery inspections; Waste disposal; Environmental licenses/permits; Sanitation permits, including those required for canteens; and Vehicle inspection and driver permits for all employer provided transportation.
Finding Details	1. The company's Environmental Operating Permit only includes Building N (main), it does not include Building S (in operation since June 2023). 2. Neither of the two buildings has a current Fire Department Certificate. In the case of Building N, the certificate expired on February 11, 2021 and Building S' was expired in June 2023. 3. The company does not have an emergency plan approved by the Fire Department.
Recommendation for Immediate Action	1. Ensure to obtain the Environmental Operating Permit for all premisses used. 2. Update the Fire Department Certification for all premisses used. 3. Ensure to obtain the emergency plan approval from the Fire Department.
Compliance Classifications	Immediate Action Required
Local Law	1. Article 22 of the Environmental Law. 2. Article 3 of Legislative Decree number 829, dated January 26, 2000. 3. Articles 8, 34 and 65 of the General Law on Risk Prevention in Workplaces, article 49 of the Risk Prevention Management Regulations in Workplaces.
Benchmark ID	HSE.30.2.6

Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system including a HS&E risk assessment within which the following are clear and regularly tested and reviewed:protections to workers who allege health, safety, and environmental violations;
Finding Details	No biological risk assessment and pollutants assessment is conducted as legally required.
Recommendation for Immediate Action	1. Perform the biological risk assessment. 2. Perform the pollutants assessment.
Compliance Classifications	Immediate Action Required
Local Law	1. Article 272 literal B, 274 of the General Regulations for Risk Prevention in the Workplace. 2. Article 8 numeral 2 and articles 41, 126 and 129 General Regulations for the Prevention of Risks in the Workplace.
Benchmark ID	HSE.14.2
Benchmark Details	Workers shall receive training in the proper use and safe operation of machinery, equipment and tools they use.
Finding Details	1. No training has been delivered for employees who operate steam generators in the last 12 months. The last training was held on May 19, 2017. 2. Employees who perform heat works have not received training in the last 12 months.
Recommendation for Immediate Action	1. Deliver training to the employees who operate the steam generator. 2. Deliver training to the employees who perform heat works.
Compliance Classifications	Immediate Action Required
Local Law	1. Article 79 number 20 of the General Law on Risk Prevention in the Workplace. 2. Article 79 number 20 of the General Law on Risk Prevention in the Workplace.

Benchmark ID	HSE.17.1
Benchmark Details	Workstations, including seating and standing arrangements and reach required to obtain tools, shall be designed and set-up in such a manner as to minimize bodily strains.
Finding Details	Several metal chairs in the sewing area are not equipped with ergonomic backrests.
Recommendation for Immediate Action	Install ergonomic backrests for the metal chairs.
Compliance Classifications	Immediate Action Required
Local Law	Articles 30 and 78 number 3 of the General Law on Risk Prevention in the Workplace.

