

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

29 Jun 2024



Factory Information

FLA Affiliates	Mainland Headwear Holdings Lim
Country	Bangladesh
Number of Workers	4225

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

FLA Code Element	Number of Violations
Compensation (C)	2
Employment Relationship (ER)	8
Harassment Or Abuse (H/A)	2
Health, Safety And Environment (HSE)	24
Hours Of Work (HOW)	4
Nondiscrimination (ND)	1

Assessment Information

Assessor	SCSA
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Assessment Date	29 Jun 2024
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Assessment Purpose	
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ASSESSMENT RESULTS

Compensation (C)

Benchmark ID	C.18.1
Benchmark Details	Employers shall not use hidden or multiple payroll records in order to hide overtime, to falsely demonstrate hourly wages, or for any other fraudulent reason.
Finding Details	The assessment found inconsistencies between the timecards and payment records provided by factory management & the information obtained by the audit team. The canteen records indicate that workers worked on January 5, February 2, and May 24, 2024; however, time and payment records showed that all workers, including the canteen workers, were off on these dates. The factory management attributed these to human errors on the date of these records.
Recommendation for Immediate Action	Ensure that all workers' working hours and payment related records are complete and accurately reflect workers' actual working hours and payment status.
Compliance Classifications	Uncorroborated Risk of Non-Compliance
Local Law	In accordance with Bangladesh Labor act 2006, chapter 9, section 113: No adult worker shall work or required to work otherwise than in accordance with the notice under section 111(1) and the entries made before hand against his name in the register maintained under section 9. In accordance with Bangladesh Labor Rules 2015, chapter 12, section 111, sub-section 1: Every factory or institute shall preserve the records of wage payment of all of workers in order of their sequence in the registry, as per wage time, in compliance with Form-38. The person responsible for the payment of wages can preserve the record in computer for his/her convenience. However, the signature of the workers must be taken in the printed copy along with using revenue stamp while paying the wages.

Benchmark ID	C.21.1
Benchmark Details	Employers shall provide all legally mandated benefits, including holidays, leave, bonuses, severance payments and 13th month payments to all eligible workers within legally defined time periods.
Finding Details	(1) Food in the canteen is sold based on face value (value mentioned on the packet of the product) instead of purchase value (buying price). (2) Furthermore, there is no canteen facility available for workers on the night shift (3) The facility provides breaks of one hour, instead of two hours, to workers who work in hazardous positions such as boiler operator, electrician, generator operator, and compressor operator.
Recommendation for Immediate Action	(1) Sell food items at the canteen at a fair price. (2) Provide canteen service for the night workers. (3) Provide a break of 15 minutes for each working hour to workers in hazardous positions.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules, 2015, chapter 8, section 89: 1) The foods, drinks and other materials supplied in the canteen shall be sold without gaining profits. The quality and price of the supplied food items shall be fixed and approved by the Management Committee. In accordance with Bangladesh Labor Law 2006, chapter 8, section 92: (i) Where more than 100 workers are ordinarily employed an adequate canteen shall be provided for the use of workers (ii) There must be standard in respect of construction, accommodation, furniture and other equipment of the canteen. n accordance with Bangladesh Labor Rules 2015, Chapter-9, Section-99, sub-section 2, amendment 2022: The workers who are employed in construction, re-rolling, steel mills, ship breaking industry and hazardous works mentioned in Section/Rule 68 cannot be made to work again without giving them 15 minutes break after every hour of work alternately. However, in order to materialize the purposes mentioned in Section 101 (d), the Owner cannot deduct the wages of the workers for giving this type of rest.

Employment Relationship (ER)

Benchmark ID	ER.11.2
Benchmark Details	Employers must ensure the following minimum terms and conditions are met in the employment of contract/contingent/migrant/temporary workers: Contract/contingent/migrant/temporary workers shall be provided an employment agreement in their native language setting out the employment terms and conditions. for migrant workers, a copy of their employment contract in their native language shall be provided prior to departure from their country of origin;
Finding Details	During the factory tour, the assessor noted that at least six workers in the belt and wallet section had been working at the factory for 7 to 10 days. However, these workers had not received appointment letters and Identification cards, in violation of local law.
Recommendation for Immediate Action	Provide appointment letters and workplace identification cards to all workers on their first day of work.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules, 2015 chapter 1, section 19, sub section 5 (amendment 2022): Every owner shall provide identity card with photo as per form 6 to every worker employed in his establishment at owner's expense and shall provide said identity card and employment letter in Bengali. Provided, however, that if necessary, the identity card and appointment letter shall be provided in English long with Bengali language.
Benchmark ID	ER.1.2
Benchmark Details	Employers shall assign responsibility for the administration of human resources to a clearly defined and adequately qualified staff member or staff members and ensure workers at all levels receive communication and training about existing policies and procedures or any revisions.

Finding Details	(1) The factory's social compliance staff do not have responsibility for managing Human Resources aspects (recruitment, compensation, nondiscrimination, termination, grievance, etc.). (2) Based on management interviews, the assessment found that the facility did not provide health safety and hygiene training to the workers working at the dormitory.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	The factory does not have written procedures on personnel development that encourage ongoing training with the goal of raising or broadening workers' skills so they can advance in their careers, nor does the factory have a written policy & procedure on job demotion and job reassignment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.6.1

Benchmark Details	Employers shall have written policies and procedures and implement practices that encourage ongoing training of all categories of workers with the goal of raising or broadening skills in order to advance in their careers within the factory or beyond.
Finding Details	The factory does not have written procedures on personnel development that encourage ongoing training with the goal of raising or broadening workers' skills so they can advance in their careers. The facility only has a written policy on personnel development.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.7.1
Benchmark Details	Employers shall have written policies and procedures with regard to performance reviews that outline the review steps and process, demonstrate linkages to job grading, prohibit discrimination, are provided in writing and seek feedback and agreement/disagreement from employees in writing, and that follow all local legal requirements.
Finding Details	(1) The factory does not have policies and procedures on performance reviews that include steps and processes, linkages to job grading, nondiscrimination, written feedback, and compliance with legal requirements. (2) There is no option for workers to provide feedback regarding their performance evaluation (3) Necessary information for workers to understand their evaluation is provided in English.
Recommendation for Immediate Action	
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	It was noted that the factory does not have policies and procedures on demotion and job reassignment for the workers. The facility only has a written policy and procedure on promotion.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.19.1
Benchmark Details	Employers shall maintain on file all documentation needed to demonstrate compliance with the FLA Workplace Code and required laws.
Finding Details	1. The factory license, fire license, and trade license all expired on July 1, 2024 2. The contracted security company's trade license expired on July 1, 2024. 3. The facility hired security personnel from an outsourced security service company, but this provider did not open bank accounts in the name of the 'Employees Social Protection Fund' as required by local law.
Recommendation for Immediate Action	(1) Take necessary steps to renew the trade license, fire license, and factory license for the factory and security company. (2) Ensure that a bank account is opened in the name of the "Employees Social Protection Fund" for the security company.

Compliance Classifications	Immediate Action Required
Local Law	<p>In accordance with The Trade Organizations ordinance 1961, section 3(1) Notwithstanding anything contained in the act or in any other law for the time being in force relating to registration of societies, bodies or associations of person, no trade organization shall be registered under the or such other law unless it holds a license granted by the Government Authorizing nit to be so registered. In accordance with Fire Protection Act, 2003 (Fire Service & Civil Defiance), Section -4: Every factory or, warehouse should have updated fire licenses. In accordance with Bangladesh Labor Rules 2015, chapter 19, section 354:-Each of the owners or occupiers shall have to forward application (2 sets) as per Form-77 to the Inspector General for registration and license of factory, industrial firm, commercial firm, shop and contracting firm within the following timeline:--- (a) Six months from date of these rules being in force for factories, industrial firms, commercial establishments, commercial bank and insurance firm, shop and contracting firm existing or engaged in production process to which laws apply and (b) 30 (thirty) days before start of work for factories, industrial firms, commercial establishments, commercial bank and insurance firm, shop and contracting firm which are established before enforcement of these rules or which are in production In accordance with Bangladesh Labor Rules 2015, chapter 2, section 11, sub-section 1: Each contracting firm should deposit the money fixed as the security with 'Contracting firm security firm' for the issuance of the license.</p>
Benchmark ID	ER.1.3
Benchmark Details	Employers should implement an annual, review process with input from workers of all policies, procedures and their implementation to ensure they meet legal requirements and the FLA Workplace Code.
Finding Details	Workers are not consulted or integrated in the decision-making process concerning their workplace and working conditions (e.g., creation or revision of policies and procedures, changes on production processes, hours of work, etc.). The facility only consults the existing worker representatives to set holidays.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Harassment Or Abuse (H/A)	
Benchmark ID	H/A.10.1.2
Benchmark Details	Body searches and physical pat downs shall only be undertaken when there is a specific, legitimate reason to do so and upon consent of workers, unless a state official with the power to do so (e.g. police officer) has ordered the search.
Finding Details	The facility does not obtain workers' consent before performing body searches. All male workers receive body searches in an open place, without ensuring their privacy. The facility conducts body searches of workers on a regular basis.
Recommendation for Immediate Action	There should be no routine body search implementation.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	H/A.10.1.3
Benchmark Details	Body searches shall not be undertaken in public and the person who undertakes the search shall be of the same sex as the person who is being searched.
Finding Details	It was noted that male workers' body searches are conducted by security personnel in an open place near the security gate, in front of female workers, without ensuring their privacy.
Recommendation for Immediate Action	All body searched must be conducted privately and not in public.

Compliance Classifications	Immediate Action Required
Local Law	
Health, Safety And Environment (HSE)	
Benchmark ID	HSE.30.1
Benchmark Details	Employers shall develop, maintain, and regularly review health, safety, and environmental policies to ensure that they comply with all national laws, regulations and the FLA Workplace Code concerning health, safety, and environmental standards, regulations and procedures.
Finding Details	The facility has established a written policy on Environmental Protection, but there are no written procedures on environmental protection.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.5.3
Benchmark Details	Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually.
Finding Details	The facility has not conducted a fire evacuation drill. The assessment noted that the facility had applied on August 9, 2023 to the Bangladesh Service and Civil Defense to conduct a drill.
Recommendation for Immediate Action	Conduct a fire evacuation drill in conjunction with the Bangladesh Fire Service and Civil defense.

Compliance Classifications	Immediate Action Required
Local Law	<p>In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 55, sub -section 14: As per Section 62(8), fire drills and emergency evacuation drills have to be arranged at least once in every six-month period and the same has to be preserved in respective record books, in accordance with Form- 22. In addition, the concerned Inspector and nearby Fire Service Station has to be informed minimum 15 days before the drills are held. In accordance with Bangladesh Labor Law 2006, chapter 9, section 62, sub-section 8, amendment 2013: in every establishment or factory wherein fifty or more than fifty workers are employed, a fire fighting demonstration must be held at least once in six month and a record book shall be maintained for this purpose in the manner prescribed by the employer. In accordance with Bangladesh National Building Code 2020, part 4, Appendix A, section A.7, Sub-Section A.7.1: Fire drill shall be conducted as detailed under the fire safety plan. The frequency of fire drill shall be as per table shown below. All occupants of the buildings, building service employees including fire safety and evacuation plan staff shall participate in the fire drill. However, the very old, convalescent patients or otherwise incapacitated inmates are not obliged to actively take part in the exercise, except the fire man and his staff and family members of such person shall chalk out a clear plan as to how to evacuate in a real emergent situation with such incapacitated people.</p>
Benchmark ID	HSE.5.1
Benchmark Details	<p>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.</p>

<p>Finding Details</p>	<p>(1) The facility does not prohibit smoking within 50 feet (15 meters) of the building premises, entrance, exit, and windows; nor does it prohibit smoking in all closed areas, (2) The designated assembly point is not large enough to accommodate more than 6000 employees in case of an evacuation. (3) A compressed gas cylinder is stored beside the assembly point, and the assembly point is located in front of the utility building and main entrance and exit gate. (4) At least six aisles, such as on the 4th floor and 5th floor, are 29 inches to 31 inches wide, instead of one meter as required. (5) There is no exit sign provided at some designated exits, such as two exits of conference room 1, one exit of conference room 2, one exit of conference room 3, two exit of conference room 4, one exit of the accounts office, one exit of the IT server room, one exit of the waste storage area, one exit of the design room, and one exit of the finished goods warehouse. (6) Sliding exit doors are in place at one out of two exits of the dormitory building from 1st floor to the 2nd floor. Inward-opening doors are in place for at least two exits of conference room #1 and four exits of auditorium, where various meetings and programs are held (seating capacity is more than 40 in the conference room and more than 100 in the auditorium). (7) Aisle floor markings are faded in at least five aisles at the sewing section, four aisles of the hanger base production line, and ironing section. (8) There is no arrow floor marking or directional sign to show the direction of exit for at least three passage ways of the empty carton storage area, one passageway of the cutting section, four passageways of the sewing section, six passageways of the hanger base production line, three passageways of the finishing section , one passageway of the accessories warehouse, and two passageways of the fabric warehouse. (8) The publicly-posted evacuation plan does not indicate an assembly point or directional signs.</p>
<p>Recommendation for Immediate Action</p>	<p>(1) Prohibit smoking within 50 feet (15 meters) of the building premise, entrance, exit, windows, and all closed areas (2) Provide adequate space for the assembly point and avoid parking any vehicle on the assembly point. (3) Provide sufficient width of aisles at the workshop. (4) Install functional exit signs at all required exits. (5) Provide outward-opening exit door at all required exits. (6) Re-paint all faded aisles & arrow floor markings. (7) Provide exit directional arrow floor markings or exit directional signs at all required passageways. (8) Include the assembly point and direction from the floor to the assembly point on the evacuation plan.</p>

Compliance
Classifications

Immediate Action Required

Local Law

In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 66: There has to be prohibition of smoking and usage of the source of ignition (such as- candle, match, gas lighter etc.) in hazardous places or in places where the Inspector thinks fit. In addition, the concerned institute must write and notify precautionary statements in easily understandable Bengali language in noticeable places in cases where the possibility of fire accidents is high. In accordance with Bangladesh National Building Code, Part IV, Appendix A, section A (10), sub-section a(iv): Assemble on the ground floor at the location indicated on the following plan. For clarification, contact the fire fighter or Deputy Safety Director. Plan of assembly point in ground floor to be provided here. In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 59 (Amendment 2022) : In case of installation of any equipment in any place of the company , the distance of the equipment from the wall must be at least 1 meter and near the installed equipment or the row of the equipments at least 1 meter wide passage must have: Provided that, at present in case of the running institution if there is no place , the distance of equipment from the wall and passage can be kept at least 0.75 meter. However, there is a further condition that in the case where the equipment is placed in contact with the wall and no worker has to work next to the wall, the provisions regarding the distance of the equipment from the wall shall not be applicable. In accordance with Bangladesh National Building Code 2020, part 4, chapter 3, section 3.16, sub- section 3.16.1: All required means of exit or exit access in buildings or areas requiring more than one exit shall be signposted. The signs shall be clearly visible at all times, where necessary supplemented by directional signs. All exit doors shall be clearly marked for easy identification. n accordance with Bangladesh Labor Law 2006, chapter 6, section 62, sub-section 3 (2) amendment 2013: The door shall be constructed such way that immediately opened from inside while any person is in the room and it should be outward open. (2) Where the door is between two rooms, in the direction of the nearest exit from the building and no such door shall be locked or obstructed while work is being carried on in the room. In accordance with Bangladesh Labor Law 2006, Chapter- 6, Section – 62, Sub section-4: In every factory every window, door, or other exit affording means of escape in case of fire, other than the means of exit in ordinary use, shall be distinctively marked in a language understood by the majority of the workers and in red letters of adequate size or by some other effective and clearly understood sign. In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 55, sub -section 8: The arrangement should be made to

	show evacuation plan of exit in one or more places easily visible in each floor of each floor of the factory.
Benchmark ID	HSE.5.1.4
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following: ensuring aisles/exits are not blocked and that workers are not blocked within their workstations
Finding Details	(1) Evacuation routes were partially obstructed by goods, equipment, and workstations in the cutting section, embroidery section, sewing section, ironing section, packing section, and finishing section. (2) One exit of the packing section found partially blocked by cartons.
Recommendation for Immediate Action	Ensure aisles and passage ways are free of blockages. Exits shall be free of obstruction to easy evacuation in case of any emergency.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Law 2006, Chapter- 6, Section – 62, sub- section 6, a free passage-way giving access to each means of escape in case of fire shall be maintained for the use of all workers in every room of the factory.
Benchmark ID	HSE.2
Benchmark Details	All documents required to be available to workers and management by applicable laws (e.g. health and safety policies, MSDS, environmental emergency plans) shall be made available in the prescribed manner and in the local language or language spoken by the workers, if different from the local language.
Finding Details	The facility has total four compressors. However, the facility has not conducted hydraulic tests of the compressor vessels.
Recommendation for Immediate Action	Conduct hydraulic tests of the compressor vessels. Ensure tests are conducted by a competent and certified personnel/organization.

Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules 2015, chapter 6, section 62, sub-section 1(GHA) – Following test should be done by the competent personnel: (A) For ensure the general condition of the vessel and the effectiveness of its fittings, external part should be tested once in every six months; (B) Should be tested once in a year inner side, inside of vessel and outside wall, effectiveness of the seams and spares parts of vessel and the fault of seroson. But, provided that, if it is not possible to check the inner part for the vessel due to construction problem, in that case Hydraulic test should be done once in every two years.
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	(1) The factory does not keep food samples for the necessary length of time. (2) The medical center is located at the 2nd floor of the building, directly connected to the production floor, instead of on a separate floor or in a separate building/shed as required by local regulation.
Recommendation for Immediate Action	(1) Keep food samples for the necessary length of time. (2) Take necessary steps to relocate the medical center as separate from productions areas as possible and away from sound or noise.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules, 2015, chapter 8, section 77, Sub section 2: The medical room must be separate from all other parts of the institute as much as possible and it must lie far off the sections of the institute that produces high level of sound and noise.
Benchmark ID	HSE.22.1

Benchmark Details	All food made available to workers shall be prepared, stored, and served in a safe and sanitary manner in accordance with all applicable laws and international standards.
Finding Details	The assessment observed food stored directly on the kitchen floor without any covering.
Recommendation for Immediate Action	Avoid keeping food directly on the kitchen floor. Keep food covered at all times to protect from flies or mosquitoes.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Food Safety Act 2013, chapter six, section 33- No person, by himself or by any other person acting on his behalf shall manufacture, import, process or sell any article of food or food ingredient in unhygienic process, in contravention of the conditions and in deviation from the standard process specified by regulations or under any other law for the time being in force, which may cause harm to human health.
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	The facility has some high noise areas over 85 dB such as the generator room (93.7 dB), compressor room (87.7 dB), embroidery section (86.5 to 87.7 dB), and auto visor section (85.9 dB).
Recommendation for Immediate Action	Take necessary steps to keep noise level within 80 dB.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules 2015, chapter 7, section 68, sub-section 1: Manufacturing environment where noise level more than 80 dB is considered as hazard. So the maximum permissible noise level is 80 dB.

Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.
Finding Details	(1) The traffic lane and walk path is not clearly marked at the entrance & exit gate or inside the factory premises where vehicles move. (2) Forklift vehicle operators do not have appropriate licenses to drive forklift vehicles. The drivers only hold licenses to drive light motorbikes. (3) At least six trolleys in the finished goods warehouse and fabric warehouse do not have brakes. (4) For the high-speed sewing machines, at least 10% of the machines have needle guards installed too high to serve their function. Eye safety guards were out of place for at least 10% of machines in the sewing and auto visor section. (5) No auto sensors are provided for at least three auto-spreading machines. (6) It was noted that the facility uses at least 15 compressed gas cylinders, but the cylinders are not stored and transported properly. Gas cylinders are not properly chained and not provided with safety labels in the utility area and kitchen area.
Recommendation for Immediate Action	(1) Clearly mark traffic lane and walk path. (2) Take necessary steps to obtain appropriate license for fork lift driver. (3) Provide speed control break on the wheel of the moving trolley. (4) Ensure workers use machine safety guards with proper manner. (5) Provide auto sensor for at least three auto spreading machines. (6) Store gas cylinder with proper manner & properly label the gas cylinder.
Compliance Classifications	Immediate Action Required

Local Law	<p>In accordance with FLA requirement. n accordance with Bangladesh Road Transport Act 2018 (Sarak Poribahan Act 2018) Chapter 2, Section 4- Nobody allowed to drive motor vehicle without license or with expiry license. In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 67: (1) Safety measures and health safety must be arranged in accordance with the directions of this Rule or the regulations of the concerned govt. department for the workers who are employed in the procedures of manufacturing processes that have high risks of physical injury or loss. In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 67, sub- section 2: n addition to the arrangement of safety and health protection measures mentioned in Sub-section (1), the concerned manufacturing institute must provide necessary equipment's, including safety shoes, helmets, goggles, masks, hand gloves, ear muffs, ear plugs, waist belts, aprons etc. and arrange training programs for the workers in using these materials and ensure their usage. In accordance with Bangladesh Rules 2015, chapter 7, section 64, sub-section 2: Effective machine guard or eye safety goggles must be installed/used in all cases where the possibility of having injuries in the eye is high. In accordance with Bangladesh Gas Cylinder act 1991, chapter 2, section 11 : Each cylinder should be clearly marked and the name, address and name of the gas intruder and a label on whether the gas is toxic or flammable.</p>
Benchmark ID	HSE.6.1
Benchmark Details	<p>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.</p>
Finding Details	<p>(1) There is no signage to warn against obstructing the firefighting equipment at the production floor, dining hall, dormitory, office, or utility areas. (2) There were 8 fire extinguishers found partially blocked by goods in the fabric warehouse, packing section, and sewing section. (3) 1 fire hose and 1 fire point were blocked by a goods carton at the front side of the cutting section (4) 2 fire extinguishers were not properly installed & mounted in the show room. They were directly placed on the floor. (5) The water pressure of the eye washing station at the belt and wallet section of 8th floor of the new extension building (Building #3) was not sufficient.</p>

Recommendation for Immediate Action	(1) Provide floor markings or signs to warn against blocking firefighting equipment. (2) Ensure all firefighting equipment are free of obstruction. (3) Properly install fire extinguishers. (4) Ensure fully functional eye wash stations at all required areas.
Compliance Classifications	Immediate Action Required
Local Law	<p>In accordance with Bangladesh National Building Code 2020, part 4, chapter 4, section 4.4, sub-section 4.4.3: Portable fire extinguishers shall be fully charged, operable at any time and conspicuously located where they will be readily accessible. Portable fire extinguishers shall not be obstructed or obscured from view. In large rooms, means shall be provided to indicate the extinguisher location. In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 55, sub -section 7 : Each fire extinguisher mentioned in the sub-rule (2): (a) should be installed in such a place from where all can see it; (b) should be installed in an accessible place from every part for using it instantly; (c) should be installed near the exit or stair landing of each floor as far as possible. But it should be kept watch so that the emergency exit isn't intercepted in any way; (d) In applicable case, supporting wall or cabinet made of wood, metals or plastic should be installed in such a way so that the bottom of the fire extinguisher remains 1000 mm high from the ground level; (e) should be installed in the same place of each floor; (f) should be installed in fire prone areas of the building such as: kitchen, crowded area, warehouse, electric dividing point, area with combustible materials etc. and it should be portable. In accordance with Bangladesh Labor Law 2006, Chapter- 5, Section – 53: in every factory in which, by reason of the manufacturing process carried on, there is given off any dust or fume or other impurity of such a nature and to such an extent as is likely to be injurious or offensive to the workers employed therein. Effective measures shall be taken to prevent it's accumulation in any work-room and its inhalation by workers.</p>
Benchmark ID	HSE.22.2
Benchmark Details	All workers handling food must be trained and/or certified to work in the facility preparing or serving food.
Finding Details	The facility did not provide health & safety training or hygiene training to the canteen/kitchen workers.

Recommendation for Immediate Action	Provide training on health & safety and on hygiene to the canteen workers.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 67, sub-section 3: No worker can be employed in the relevant works without ensuring safety and health protection measures and the training related therewith. In addition, personal safety equipment's must be preserved in accordance with Information Form-23.
Benchmark ID	HSE.18.2.1
Benchmark Details	An appropriate number of medical staff shall be on duty during all working hours, including any type of overtime, as required under national law.
Finding Details	The facility does not have medical personnel onsite during all working hours, particular when workers are performing overtime. There are no medical personnel available during overtime hours. The doctor and nurses' duty hours are only 8 hours per day. The doctor and nurse duty hours are from 8:00 until 17:00 for the general shift, and the nurse duty hours are from 20:00 until 5:00 (next day).
Recommendation for Immediate Action	Ensure that medical personnel are onsite during all working hours.
Compliance Classifications	Immediate Action Required

Local Law	In accordance with Bangladesh Labor Rules, 2015, chapter 8, section 77, Sub section 1 (Amendment 2022) : At least one registered Physician shall be in each Treatment Unit of the institute or factory with the facility of dispensary. Additionally, at least one trained compounder or medical assistant, nurse and subordinate employee shall be employed for helping him/her, provided that at least two registered Physicians shall be recruited in case of an Institute where more than three thousand employees/workers work and necessary number of medical assistant and nurse shall be recruited for helping the Doctors: There is also a condition that if the workers of an organization work in three shifts, there will be a diploma certified medical assistant instead of a registered doctor in the night shift.
Benchmark ID	HSE.27.1
Benchmark Details	Childcare facilities shall not physically overlap with production areas and children shall not have access to production areas.
Finding Details	(1) The factory's childcare center is located at the ground floor of the building number #1, the same floor with the embroidery section, maintenance room, and compressor room. (2) The exit and entrance gate of the childcare center is connected with the factory's entrance & exit route for workers and vehicles. (3) The childcare center is not effectively functioning, and there were no children using the childcare center.
Recommendation for Immediate Action	(1) Relocate childcare center to a separate building (2) Promote the childcare facility and take other necessary steps to make it fully functional and useful to workers.
Compliance Classifications	Immediate Action Required

Local Law	In accordance with Bangladesh Labor Law 2006, chapter 8, section 94, (i) In every establishment, where more than 40 women workers are employed, there shall be provided and maintained a suitable room or room for the use of children under the age of six years of such women. (ii) Such rooms shall provide adequate accommodation, be adequately lighted and ventilated and maintained in a clean and sanitary condition, and shall be under the charge of women trained or experienced in the care of children and infants. (iii) Such rooms shall be conveniently accessible to the mothers of the children accommodated therein and so far as is reasonably practicable it shall not situated in close proximity to any part of the factory where fumes, dust or odious are given off or in which excessively noisy processes are carried on.
Benchmark ID	HSE.25.1
Benchmark Details	Dormitory facilities, including those provided by employment agencies or intermediaries associated with the employer, shall meet all applicable laws and regulations related to health, safety, and environment, including fire safety, sanitation, risk protection and electrical, mechanical, and structural safety.
Finding Details	Instructions for first aid in case of electrical shock are not posted near the electrical SDB board at the dormitory.
Recommendation for Immediate Action	Post first aid instructions to respond to electrical shock near the electrical SDB board at the dormitory
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules 2015, chapter 7, section 58, sub-section1: The line of power supplying in every company and all electric appliances have to be in appropriate size and in sufficient strength and have to be made and kept and effective, so that it is not the cause of any physical risk of any person
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 facility has two kitchens, one for foreign management which is situated at the ground floor of the dormitory building and another for local staff which is situated in the dining hall shed. However, the facility has obtained a kitchen permit only for one kitchen with total area of 150 square feet. (2) The factory's kitchen operating permit expired on July 1, 2024. The facility applied for renewal on June 3, 2024 but has yet to get the updated license or permission.
Recommendation for Immediate Action	(1) Obtain a kitchen operating permit for another kitchen (2) Renew the existing kitchen operating permit from the relevant authority.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Food Safety Act 2013, chapter six, section 39- No person shall manufacture, import, process, store or sell any article of food or food ingredient without registering a food business which is mandatory under any law for the time being in force
Benchmark ID	HSE.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.

<p>Finding Details</p>	<p>(1) The facility has not obtained a fire safety plan approval from Bangladesh Fire Service and Civil Defense. (2) The facility does not dispose of waste through authorized waste facilities. The facility has contracted with a service provider who has obtained a trade license from the local authorities, but this license does not cover waste disposal work. (3) The factory does not provide training to all health and safety committee members. (4) The following issues were identified during the facility tour: (a) There is no medical assistant appointed for the medical center. (b) The facility has a total of 6347 employees (workers and staff) and therefore requires two doctors for the medical center under local regulations. However, currently, the facility has appointed only one doctor for the medical center. (c) The facility does not have a six-month trained fire safety officer.(Bangladesh Fire Service & Civil Defense) (d) There is no ambulance for the medical center.</p>
<p>Recommendation for Immediate Action</p>	<p>(1) Facility shall take necessary step to obtain fire safety plan approval from Bangladesh Fire Service & Civil Defense (2) Ensure the disposal of waste was done by authorized organization (3) Provide health & safety training to the safety committee members (4) Appoint medical nurse & another doctor for the medical center (5) Arrange six months trained fire safety officer. (6) Ensure to provide an ambulance for the medical center.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>

Local Law	<p>In accordance with Bangladesh Labor Rules 2015, chapter six, section 55, sub-section 13: The Manager of the factory/institute shall prepare a 'Fire Fighting Plan', detailing the necessary steps to be taken if fire breaks out and the plan shall also include the procedures for making the same as effective. In accordance with Bangladesh National Building Code 2020, part 4, Appendix A, section A.6, Sub-Section A.6.1: A fire safety plan shall be developed in line with the details elaborated as below and must have the approval of the local Department of Fire Service and Civil Defense regarding its adequacy. In accordance with Bangladesh Labor Rules, 2015, chapter 8, section 77, Sub section 1 (Amendment 2022) : At least one registered Physician shall be in each Treatment Unit of the institute or factory with the facility of dispensary. Additionally, at least one trained compounder or medical assistant, nurse and subordinate employee shall be employed for helping him/her, provided that at least two registered Physicians shall be recruited in case of an Institute where more than three thousand employees/workers work and necessary number of medical assistant and nurse shall be recruited for helping the Doctors : There is also a condition that if the workers of an organization work in three shifts, there will be a diploma certified medical assistant instead of a registered doctor in the night shift. In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 55, sub -section 12 (Amendment 2022): A trained Safety officer shall be recruited in the factory/institute where at least 300 workers are employed. The duties of the safety officer shall be ensuring the preservation and maintenance of all fire-fighting equipment's and keeping them fit and arranging trainings for the three teams mentioned in Sub-section 10 after every six-month period. In accordance with Bangladesh Labor Rules, 2015, chapter 8, section 77, Sub section 6: If there is no arrangement of transports from the hospital, the institute must arrange speedy transports in the appropriate and efficient state in order for tackling the accidents or sickness efficiently</p>
Benchmark ID	HSE.28
Benchmark Details	Employers shall create a system to ensure that all necessary Health and Safety protections are provided for external contractors; including protection when working within , confined spaces, maintenance issues, and general Health and Safety Issues.
Finding Details	The facility does not provide safety information to contractors.

Recommendation for Immediate Action	Provide relevant safety information to contractors who work onsite.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 67, sub-section 1: Safety measures and health safety must be arranged in accordance with the directions of this Rule or the regulations of the concerned govt. department for the workers who are employed in the procedures of manufacturing processes that have high risks of physical injury or loss.
Benchmark ID	HSE.14.3
Benchmark Details	Employers shall ensure safety instructions are either displayed or posted near all machinery or are readily accessible to the workers in language(s) spoken by workers.
Finding Details	There is no safety display in the correct language posted beside hazardous machines and equipment such as the belt making machine, wallet machine, cutting machine, auto spreading machine, air compressor, boiler, generator, and fusing machine. Some safety instructions are posted in English & Chinese. In addition, there is no safety instruction posted for at least 12 exhaust fans at the different floors of the facility.
Recommendation for Immediate Action	Post safety warnings and operating instructions in the correct language near all hazardous machines and equipments.
Compliance Classifications	Immediate Action Required
Local Law	Law Reference: In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 67, sub-section 1: Safety measures and health safety must be arranged in accordance with the directions of this Rule or the regulations of the concerned govt. department for the workers who are employed in the procedures of manufacturing processes that have high risks of physical injury or loss.
Benchmark ID	HSE.12

Benchmark Details	Employers shall ensure that women are not engaged in work that constitutes a substantial risk to their reproductive health.
Finding Details	The generator room is located at the ground floor, near the security gate of the utility building. High levels of noise were noted in the generator room and surrounding areas when the the generators were operating. In addition, a noise test report (dated 10 August 2023) provided by the facility management measured 93.7 decibels of noise inside the generator room and 82.3 decibels outside of the room. The utility section workers and security guards who work in nearby areas reported discomfort from the high level of noise. There was no system adopted to protect, limit, or reduce the impact of this noise, but the facility had provided PPEs (such as - earmuffs, earplugs etc.) to generator operators.
Recommendation for Immediate Action	Take necessary steps to reduce noise level of the generator and keep generator noise in acceptable limit.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules 2015, chapter 7, section 68, sub-section 1: Manufacturing environment where noise level more than 80 dB is considered as hazard. So the maximum permissible noise level is 80 dB.
Benchmark ID	HSE.30.3
Benchmark Details	Environmental policies shall include procedures to minimize environmental impacts with respect to energy, air emissions, water, waste, hazardous materials, and other significant environmental risks.
Finding Details	The factory's environmental protection policy does not include a general statement or commitment on energy and water efficiency or on minimizing impacts with respect to air emissions, waste, hazardous materials, and other applicable environmental risks.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.18.2
Benchmark Details	Medical staff shall be fully licensed and recognized under applicable national rules and regulations.
Finding Details	The facility has three nurses for the medical center, but one nurse has not obtained proper registration from the Bangladesh Nursing & Midwifery council.
Recommendation for Immediate Action	Arrange required registration for all nurses from the Bangladesh Nursing & Midwifery Council.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Nursing and Midwifery Council act 2016, section 21, sub-section 1: Notwithstanding anything contained in any other law, no person shall practice or hold out to be a nurse or midwife or allied profession without registration under this Act.
Benchmark ID	HSE.8
Benchmark Details	Workers shall be provided with training on the use and maintenance of personal protective equipment. Training shall be upon hire with periodic refresher training offered to all workers. Management will ensure use of PPE as necessary.

Finding Details	(1) At least 20% of workers were working without wearing face masks in the cutting section, sewing section, ironing section, finishing section, and sublimation section. (2) 6 cutting machine operators and 8 embroidery machine operators were working without wearing ear plugs under noisy working conditions. (3) 4 maintenance workers were working with sharp metals item without wearing any safety shoes or hand gloves. (4) Cooks were cooking without PPE at the time of the assessment. (5) The forklift driver was driving without a helmet or safety shoes. (6) The facility 6347 total employees (production workers & staff), but last year only 1427 employees received training on PPE. The last batch of training provided on May 19, 2024 had only 30 total participants.
Recommendation for Immediate Action	(1) Provide refresher training to workers on proper PPE. (2) Provide training on the proper usages of PPE to all workers periodically.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules, 2015, chapter 5, section 46, sub section 2: The workers engaged in such places with dust and fume should wear mask. In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 67: (1) Safety measures and health safety must be arranged in accordance with the directions of this Rule or the regulations of the concerned govt. department for the workers who are employed in the procedures of manufacturing processes that have high risks of physical injury or loss. 2) In addition to the arrangement of safety and health protection measures mentioned in Sub-section (1), the concerned manufacturing institute must provide necessary equipment's, including safety shoes, helmets, goggles, masks, hand gloves, ear muffs, ear plugs, waist belts, aprons etc. and arrange training programs for the workers in using these materials and ensure their usage. 3) No worker can be employed in the relevant works without ensuring safety and health protection measures and the training related therewith. In addition, personal safety equipment's must be preserved in accordance with Information Form-23.
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	The facility has more than 3800 machine operators, but in the last year only 187 operators received training on safe operating of machines. The last batch of training provided on June 27, 2024 had 11 total participants.
Recommendation for Immediate Action	Provide training to all relevant workers on machine operation.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 67, sub-section 3: No worker can be employed in the relevant works without ensuring safety and health protection measures and the training related therewith. In addition, personal safety equipment's must be preserved in accordance with Information Form-23.
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	(1) There are no anti-fatigue mats provided for at least 10% of workers in the cutting, sewing, quality and finishing section, who stand for long periods to perform their work. (2) There is no adjustable chair or workstation provided for the sewing machine operators. The facility provides wooden chairs to the sewing machine operators, which are fixed and cannot be adjusted. (3) There is no sitting arrangement provided for workers in the ironing section, who work standing up, to take rests.
Recommendation for Immediate Action	(1) Provide anti-fatigue mat for standing workers (2) Provide adjustable workstations and chairs for the workers (3) Arrange ergonomic chairs for standing workers for take rests during working hours.
Compliance Classifications	Immediate Action Required

Local Law	In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 67: (1) Safety measures and health safety must be arranged in accordance with the directions of this Rule or the regulations of the concerned govt. department for the workers who are employed in the procedures of manufacturing processes that have high risks of physical injury or loss. 2) In addition to the arrangement of safety and health protection measures mentioned in Sub-section (1), the concerned manufacturing institute must provide necessary equipment's, including safety shoes, helmets, goggles, masks, hand gloves, ear muffs, ear plugs, waist belts, aprons etc. and arrange training programs for the workers in using these materials and ensure their usage.
Hours Of Work (HOW)	
Benchmark ID	HOW.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning hours of work, public holidays and leave.
Finding Details	(1) The factory did not obtain consent from female workers before they worked night shifts at least on a monthly basis as required by local law. Documents indicate that the facility confirmed female workers' consent on March 18, 2024, but has not done so again. (2) The facility did not maintain the legally-prescribed format for obtaining female workers' consent for night-shift work.
Recommendation for Immediate Action	Confirm female workers' consent for night-shift duty every month, using the proper format, as required under local law.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules 2015, amendment 2022, sub-section 1: Written consent of the female worker as per Form-35 has to be obtained if she is to work from 10:00 PM (22:00 hours) to 06:00 AM (06:00 hours). 2) The consent of the female worker, which is mentioned in Sub-section (1), shall remain valid for 1 (one) month if she does not withdraw the same.
Benchmark ID	HOW.20

Benchmark Details	Employers shall have in place practices that conduct regular analysis of hours of work in their workplaces and procedures that demonstrate a commitment to progressively reducing excessive hours of work.
Finding Details	It was noted that the facility developed its production plan based on 10 hours of work per worker per day, instead of 8 hours.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HOW.3
Benchmark Details	Employers shall provide reasonable meal and rest breaks, which, at a minimum, must comply with national laws.
Finding Details	Based on document review and management interviews, the assessment found that the facility provided a break of one hour instead of two hours to workers in hazardous position such as boiler operator, electrician, generator operator, and compressor operator.
Recommendation for Immediate Action	Provide 15 minutes break each hour to workers in hazardous positions such as boiler operator, electrician, generator operator, and compressor operator.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules 2015, Chapter-9, Section-99, sub-section 2, amendment 2022: The workers who are employed in construction, re-rolling, steel mills, ship breaking industry and hazardous works mentioned in Section/Rule 68 cannot be made to work again without giving them 15 minutes break after every hours of work alternately. However, in order to materialize the purposes mentioned in Section 101 (d), the Owner cannot deduct the wages of the workers for giving this type of rest.

Benchmark ID	HOW.22.5
Benchmark Details	Time records maintained shall be authentic and accurate.
Finding Details	The assessment found inconsistencies between the timecards and payment records provided by factory management & information obtained by the audit team. The canteen records at the facility indicate that workers worked on January 5, February 2, and May 24, 2024; however, time and payment records showed that all workers, including the canteen worker, were off on these dates. The factory management attributed these to human errors on the date of these records.
Recommendation for Immediate Action	Ensure that all workers' working hours and payment related records are completely and accurately recorded, to reflect workers' actual working hours and payment status.
Compliance Classifications	Uncorroborated Risk of Non-Compliance
Local Law	In accordance with Bangladesh Labor act 2006, chapter 9, section 113: No adult worker shall work or required to work otherwise than in accordance with the notice under section 111(1) and the entries made before hand against his name in the register maintained under section 9. In accordance with Bangladesh Labor Rules 2015, chapter 12, section 111, sub-section 1: Every factory or institute shall preserve the records of wage payment of all of workers in order of their sequence in the registry, as per wage time, in compliance with Form-38. The person responsible for the payment of wages can preserve the record in computer for his/her convenience. However, the signature of the workers must be taken in the printed copy along with using revenue stamp while paying the wages. In accordance with FLA requirement.

Nondiscrimination (ND)

Benchmark ID	ND.3
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Benchmark Details	Recruitment and employment policies and practices, including job advertisements, job descriptions, application and interview questions and job performance/evaluation policies and practices shall be free from any type of discriminatory bias.
Finding Details	The job advertisement for the position of nurse (published on May 11, 2024) and the advertisement for the position of merchandiser (published on May 14, 2024) both have age and gender restriction. For the nurse position, the advertisement stated that only women aged 22 to 30 years could apply for the position. For the merchandiser position, the advertisement stated that only men between 25 to 35 years old could apply for this position.
Recommendation for Immediate Action	Avoid any discriminatory practice during the hiring process. Remove all discriminatory restrictions from job advertisements.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with the constitution of the Peoples Republic of Bangladesh 1973, chapter 3, section 29, sub-section 2: No citizen shall, on grounds only of religion, race, caste, sex or place of birth, be ineligible for, or discriminated against in respect of, any employment or office in the service of the Republic.

