

# Fair Labor Association: Independent External Factory Assessment

Assessment Date :

**27 Aug 2024**



## Factory Information

FLA Affiliates	alphabroder
Country	India
Number of Workers	560

## 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)	5
Employment Relationship (ER)	18
Forced Labor (F)	2
Freedom Of Association And Collective Bargaining (FOA)	1
Harassment Or Abuse (H/A)	2
Health, Safety And Environment (HSE)	28
Hours Of Work (HOW)	4

## Assessment Information

Assessor	InSync Global
Assessment Date	27 Aug 2024
Assessment Purpose	Factory Assessment (In-Person)

## ASSESSMENT RESULTS

### Compensation (C)

Benchmark ID	C.6
Benchmark Details	All wages, including payment for overtime, shall be paid directly and in full within legally defined time limits. When no time limits are defined by law, compensation shall be paid at least once a month.
Finding Details	1. 96% of the factory's workforce is employed by contractors who invoice the factory monthly at the end of pay period. The factory pays this sum to the contractors, who then pay their workers. Under local law, with the factory being the principal employer, it is legally responsible for full and timely payment to workers employed by contractors. However, the factory does not obtain or maintain documentation/evidence of payments from contractors to their workers. Without documentation, the assessment could not verify if these workers' wages were paid in full and within legally defined timelines. For the 4% of workers employed directly by the factory, wages were paid in full and within legally defined timelines.
Recommendation for Immediate Action	Maintain documentation of all wage payments to individual workers, including employees of the contractors.
Compliance Classifications	Immediate Action Required

Local Law	<p>1. THE CONTRACT LABOUR (REGULATION AND ABOLITION) ACT, 1970- CHAPTER V - Section 21. Responsibility for payment of wages.- (1) A contractor shall be responsible for payment of wages to each worker employed by him as contract labor and such wages shall be paid before the expiry of such period as may be prescribed. (2) Every principal employer shall nominate a representative duly authorized by him to be present at the time of disbursement of wages by the contractor and it shall be the duty of such representative to certify the amounts paid as wages in such manner as may be prescribed. (3) It shall be the duty of the contractor to ensure the disbursement of wages in the presence of the authorized representative of the principal employer. (4) In case the contractor fails to make payment of wages within the prescribed period or makes short payment, then the principal employer shall be liable to make payment of wages in full or the unpaid balance due, as the case may be, to the contract labor employed by the contractor and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor. 2. Payment of wages act 1936- Section 5 (1): Time of payment of wages The wages of every person employed upon or in-- (a) any railway, factory or industrial or other establishment upon or in which less than one thousand persons are employed, shall be paid before the expiry of the seventh day,</p>
Benchmark ID	C.20.2
Benchmark Details	Deductions for services to workers shall not exceed the cost of the service to employers.
Finding Details	<p>Factory management could not provide clarification on the functioning of the canteen. Management initially explained that workers pay the canteen's person in charge, an employee of the factory, for any food purchased. The person in charge then uses the amount paid by workers to purchase ingredients and suppliers. No documentation is maintained for the workers' payments or the staffer's purchases. Throughout the assessment, management and the canteen staffer provided multiple different explanations as to the amount of food sold, the amount of supplies purchased, and other points on how the system is managed. Ultimately, management was unable to provide records for any of the payments or purchases. As a result, the assessment could not confirm whether canteen costs for workers reflect the employer's costs.</p>

Recommendation for Immediate Action	Maintain complete information on procedures to operate the canteen, including a ledger of purchases.
Compliance Classifications	Immediate Action Required
Local Law	Uttar Pradesh Factories Rules 1950-CHAPTER V - 68. (1) The occupier of every factory wherein more than two hundred and fifty workers are ordinarily employed on any one day and which is specified by the State Government in this behalf shall provide, within six months from the date of specification, in or near the factory, an adequate canteen according to the standards prescribed in this rule. This rule shall come into force at once. Rule 68 (20) The Manager shall appoint a Canteen Managing Committee which shall be consulted from time to time as to— (a) The quality and quantity of foodstuff to be served in the canteen ; (b) the arrangements of the menus ; (c) times of meals in the canteen; and (d) any other matter as may be directed by the Committee Rule 68 (21) The Canteen Managing Committee shall constitute of an equal number of persons nominated by the occupier and elected by workers the number of elected workers shall be in the proportion of 1 for every 1,000 workers employed in the factory provided that in no case shall there be more than 5 or less than 2 workers on the committee.
Benchmark ID	C.20.3
Benchmark Details	Employers must be able to demonstrate the accuracy or reasonableness of these charges.
Finding Details	In absence of documentation pertaining to expenses of canteen services, it could not be verified if cost paid by workers exceeds cost of service.
Recommendation for Immediate Action	Ensure complete documentation of expenses in canteen is maintained and made available for review.
Compliance Classifications	Immediate Action Required

Local Law	Uttar Pradesh Factories Rules 1950-CHAPTER V - Rule 68(15): Food, drink and other items served in the canteen shall be sold on a no-profit basis and the prices charged shall be subject to the approval of the Canteen Managing Committee. Rule 68 (18) All books of accounts, registers and any other documents used in connection with the running of the canteen shall be produced on demand to an Inspector of Factories.
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	<p>1. For 7 of the employment contractors (see finding ER.14.1) present in the factory, records of terminal payouts were not available onsite for review. As a result, the assessment could not verify that employees of these 7 contractors receive proper payouts upon leaving the factory. 2. Review of pay records for 2 sampled workers on factory payroll revealed that for worker #1, 8.5 hours of overtime was not paid, resulting in a shortfall of INR 1034 in his final payout. For worker #2, the terminal payment was calculated based on an incorrect wage amount. Rather than using the worker's wage at the time of leaving employment, the factory used an earlier, lower wage. As a result, the worker had a gap of INR 424 in the terminal payout.</p>
Recommendation for Immediate Action	<p>1. Ensure pay records pertaining to payment of terminal dues of workers are maintained on site and made available for review. 2. Ensure that all terminal dues are calculated accurately and paid.</p>
Compliance Classifications	Immediate Action Required
Local Law	<p>THE PAYMENT OF WAGES ACT, 1936- 13A. Maintenance of registers and records.— (1) Every employer shall maintain such registers and records giving such particulars of persons employed by him, the work performed by them, the wages paid to them, the deductions made from their wages, the receipts given by them and such other particulars and in such form as may be prescribed. (2) Every register and record required to be maintained under this section shall, for the purposes of this Act, be preserved for a period of three years after the date of the last entry made therein.</p>

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	<p>1. When workers employed through contractors (see finding ER.14.1) leave the factory, their remaining days' wages are paid in the next month's pay period. For workers on factory payrolls, these wages and the payout for unused leave is paid with their terminal payments. A review of records for 2 factory payroll workers revealed that their terminal payments were made 5 days and 7 days post days of leaving employment, respectively. Under local law, these dues are to be paid within 2 working days.</p> <p>2. For all contractors present at the factory, records or evidence of terminal payments was not available onsite for review. As a result, the assessment could not verify if workers who left employment were paid complete dues within legally defined timelines.</p>
Recommendation for Immediate Action	<p>1. Ensure terminal dues are paid within legally defined timelines.</p> <p>2. Ensure evidence of payment of terminal dues is maintained on site and made available for review.</p>
Compliance Classifications	Immediate Action Required



Local Law	<p>1. Item 13(3) of Schedule 1 appended to Industrial Employment (Standing Orders) Rules 1946: Where the employment of any workmen is terminated, the wages earned by him and other dues, if any, shall be paid before the expiry of the second working day from the day on which his employment is terminated. Factories Act 1948, Chapter VIII section 79. Annual leave with wage (3)- If a worker is discharged or dismissed from service or quits his employment or is superannuated or dies while in service, during the course of the calendar year, he or his heir or nominee, as the case may be, shall be entitled to wages in lieu of the quantum of leave to which he was entitled immediately before his discharge, dismissal, quitting of employment, superannuation or death calculated at the rates specified in sub-section (1), even if he had not worked for the entire period specified in sub-section (1) or sub-section (2) making him eligible to avail of such leave, and such payment shall be made-- i) where the worker is discharged or dismissed or quits employment, before the expiry of the second working day from the date of such discharge, dismissal or quitting. 2. THE PAYMENT OF WAGES ACT, 1936- 13A. Maintenance of registers and records.— (1) Every employer shall maintain such registers and records giving such particulars of persons employed by him, the work performed by them, the wages paid to them, the deductions made from their wages, the receipts given by them and such other particulars and in such form as may be prescribed. (2) Every register and record required to be maintained under this section shall, for the purposes of this Act, be preserved for a period of three years after the date of the last entry made therein.</p>
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**Employment Relationship (ER)**

Benchmark ID	ER.17.5
Benchmark Details	Employers shall have in place procedures to track the number, types, and timing and resolution of grievances, and to communicate the resolution of grievances to the workforce.
Finding Details	1. The factory does not maintain a log of grievances. 2. Management shared that workers never report grievances; however, worker interviews confirmed that workers lodge grievances verbally and that these grievances were addressed. These verbal grievances included the need for fans in work areas or cleanliness of wash rooms.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.14.1
Benchmark Details	Employers shall use standard contract language with employment agencies or intermediaries that specifically imparts power to employers to directly pay wages to migrant/ contract/ contingent/ temporary workers and ensures equality of compensation and workplace standards as set under the FLA Workplace Code and national laws and regulations.
Finding Details	<p>1. During management interviews, managers explained that the factory engages with 10 employment contractors (see finding C.6) and shared a list of contractors. During the factory tour, the assessors randomly asked to examine workers' identity cards and found one worker employed by a contractor that was not included in the shared list nor in the list of approved contractors in the factory's legal registration certificate. Furthermore, workers employed through this 11th contractor were not included in the total worker count shared by management on day 1 of assessment. Upon inquiry, management explained that the 11th contractor had been in place since August 1, 2024 and that 30 workers provided by the contractor were engaged in the finishing department. Under local law, the factory was not legally permitted to use this contractor's services until the contractor was included on the factory's registration certificate. In addition to violating local law, having unlisted workers poses a risk in an emergency situation. On day 2 of the assessment, management provided an updated registration certificate dated August 28, 2024, which included the 11th contractor and updated the count to include the 30 workers.</p>
Recommendation for Immediate Action	Ensure services of contractors are not used prior to registering them with the factory.
Compliance Classifications	Immediate Action Required

Local Law	<p>1. THE CONTRACT LABOUR (REGULATION AND ABOLITION) ACT, 1970 ACT NO. 37 OF 1970- CHAPTER III -REGISTRATION OF ESTABLISHMENTS EMPLOYING CONTRACT LABOUR - 7. Registration of certain establishments.- (1) Every principal employer of an establishment to which this Act applies shall, within such period as the appropriate Government may, by notification in the Official Gazette, fix in this behalf with respect to establishments generally or with respect to any class of them, make an application to the registering officer in the prescribed manner for registration of the establishment. 9. Effect of non-registration.- No principal employer of an establishment, to which this Act applies, shall-- (a) in the case of an establishment required to be registered under section 7, but which has not been registered within the time fixed for the purpose under that section, 2. THE CONTRACT LABOUR (REGULATION AND ABOLITION) ACT, 1970- CHAPTER V - Section 21. Responsibility for payment of wages.- (1) A contractor shall be responsible for payment of wages to each worker employed by him as contract labor and such wages shall be paid before the expiry of such period as may be prescribed. (4) In case the contractor fails to make payment of wages within the prescribed period or makes short payment, then the principal employer shall be liable to make payment of wages in full or the unpaid balance due, as the case may be, to the contract labor employed by the contractor and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor.</p>
Benchmark ID	ER.11.2
Benchmark Details	<p>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;</p>
Finding Details	<p>The assessment noted that 85 production workers employed through a contractor did not have signed employment contracts, along with 2 workers working in the canteen. These 87 workers total 21% of the workforce.</p>

Recommendation for Immediate Action	Ensure employment contracts are signed with workers prior to starting work.
Compliance Classifications	Immediate Action Required
Local Law	No specific legal reference - FLA benchmark - ER.5.7 withholding from workers a copy of their employment contract in their native language that sets forth the general terms and conditions of engagement and employment.
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	Worker training at the factory does not include forced labor; recruitment, hiring and personnel development; termination and retrenchment; freedom of association; or benefits.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.2
Benchmark Details	Employers shall ensure managers and supervisors are fully familiar with the workplace disciplinary system and in applying appropriate disciplinary practices.
Finding Details	Managers and supervisors have basic awareness on how to discipline workers, but are not fully aware of the factory's disciplinary procedures. The HR team addresses all disciplinary related concerns.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.5.1
Benchmark Details	Employers shall ensure that all supervisors are trained in national laws, workplace regulations, and the FLA Code, workplace grievance systems, and the appropriate practices to ensure compliance.
Finding Details	The factory's training for supervisors does not include forced labor; recruitment, hiring, and personnel development; termination and retrenchment; freedom of association; or worker benefits.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.17.1
Benchmark Details	Employers shall have a clear and transparent system of worker and management communication that enables workers to consult with and provide input to management. This might include suggestion boxes, worker committees, designated spaces for worker meetings, union representatives, and meetings between management and workers' representatives.

<p>Finding Details</p>	<p>1. The factory's written procedure on grievance systems does not provide information on the channels available to raise grievances. There is no information on maintaining documentation or on the requirement to train workers on the system and responsible persons on handling grievances. 2. The written policy and procedure on grievance systems do not include the legally-recommended guidelines for the factory-level grievance redressal system. 3. Grievances that workers report verbally to their supervisors and managers are not documented. As a result, the assessment could not verify if all grievances are addressed. 4. The chairman of the grievance committee is not rotated every other year, as is legally required. 5. Approx. 90% of interviewed workers were not aware of the available channels for reporting grievances, aside from verbally discussing with supervisors. Awareness on how grievances were handled and addressed was also low. 6. A review of the grievance committee's meeting minutes revealed that the photos filed for meetings conducted on April 19, 2023 and July 19, 2023 were similar. In all meetings (held every 3 months), 10 to 13 persons were present in addition to the 6 committee members, as indicated from photos. Management initially explained that there were additional persons from the HR team who attended the meeting, however, the attendance log showed signatures of additional workers who attended the meeting. Management could not provide clarity on the steps followed for allowing additional persons to attend the meetings. There was no clarity on participation of additional workers or whether there was an opportunity for other workers to attend if they wished to. 7. Workers who serve on the grievance committee are nominated by management.</p>
<p>Recommendation for Immediate Action</p>	
<p>Compliance Classifications</p>	<p>Sustainable Improvement Required</p>
<p>Local Law</p>	<p>Industrial Disputes Act 1947- Section 9C (3) : Setting up of Grievance Redressal Machinery- The chairperson of the Grievance Redressal Committee shall be selected from the employer and from among the workmen alternatively on rotation basis every year.</p>
<p>Benchmark ID</p>	<p>ER.1.1</p>

<p>Benchmark Details</p>	<p>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.</p>
<p>Finding Details</p>	<p>1. 96% of workers working in the factory are employed through contractors (see finding ER.14.1). The factory's written policy and procedures on recruitment does not provide information on the use of contractors or steps to ensure required documentation is kept for contractors' employees. Step #4 of the written procedures states that workers will be on trial for 2 to 3 hours. However, in practice, workers are engaged on trial basis for at least 7 days before employment contracts are signed and identity cards are provided. 2. The factory does not have written procedures on nondiscrimination. 3. The factory's written procedures on forced labor do not include the need to train workers, supervisors, and managers on the policy and procedures pertaining to forced labor. 4. The factory's written procedures on child labor do not include the need to communicate and train contractors who provide workers to the factory. 5. The factory does not have written policies and procedures on retrenchment. A written procedure on termination states that terminal payments will be calculated within 15 days of resignation and will be paid upon approval by top management paid. This process does not meet legal requirements, which state that wages for days worked and unused leave should be paid with expiry of two working days from date of leaving employment. 6. The factory's written procedures on compensation state (a) Employees earning below INR 21000 will be covered under the Employees Provident Fund. However, under local law the ceiling is INR 15000 (b) The maximum amount of gratuity shall be INR 10 lakhs (1 million or 10,00,000) whereas under local law the maximum is 20 lakhs (2 million or 20,00,000). Furthermore, the written procedure does not include information on documentation that will be maintained and the requirement to train workers and the persons responsible for implementation. 7. There are no job descriptions for positions when conducting recruitment/hiring.</p>
<p>Recommendation for Immediate Action</p>	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.1
Benchmark Details	Employers shall have written disciplinary rules, procedures and practices that embody a system of progressive discipline (e.g. a system of maintaining discipline through the application of escalating disciplinary action moving from verbal warnings to written warnings to suspension and finally to termination).
Finding Details	The factory's written procedures on workplace conduct and discipline do not provide information on types of misconduct (late coming, absenteeism, theft, damage to company property/equipment/machinery, misconducts) and related disciplinary action that will be initiated. The procedures do not include requirements for training the responsible persons who implement the policy or trainings for all employees to create awareness. Information on suspension from employment pending inquiry, as part of disciplinary procedures, and suspension allowance that will be paid during suspension period, is not included. The procedures do include information about communication to impacted employee when disciplinary action is initiated and procedures that will be followed.
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's written procedure on career development does not include an element to make workers aware of the procedure. The HR team was not aware of the procedures, and none of the steps or elements in the written procedures are implemented in practice.
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's written procedure on performance reviews does not include elements to create awareness for workers or train responsible persons. The HR team was not aware of the procedure and none of the steps or elements documented in the procedure are implemented in practice. 2. The industrial engineering team at the factory chooses only some production workers to receive skill evaluations based on visual observation at work by supervisors and internal discussions within the production team. There are no defined criteria for evaluating performance of workers.
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	The factory lacks a transparent system for performance evaluations to ensure fairness and prevent discrimination: 1. The factory does not a specific policy and procedure on promotion. Some information is included in the policy and procedure on performance reviews. The factory also lacks a written policy and procedure on demotions and job reassignments. 2. The factory does not have formally defined procedures for evaluating workers' performance. Factory management explained that only some workers receive performance evaluations (see finding ER.7.1). Based on the results of these evaluations, the production manager presents a list of recommended raises and promotions to the HR team, who implement the recommendations. Management did not share any examples of these lists with assessors, explaining there were no promotions/increments awarded during the last 12 months.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.4
Benchmark Details	Employers shall inform workers about workplace rules, environmental protection systems, health and safety information, and laws regarding workers' rights with respect to freedom of association, compensation, working hours, and any other legally required information, and the FLA Code through appropriate means, including posted in local language(s) throughout the workplace's common areas.
Finding Details	Neither the FLA Code nor the member company's own code of conduct is made available to workers.

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	<p>1. The FLA member company's code is not made available to workers. 2. A credential/certificate for the external inspector who inspected the 2 lifts, 2 compressors, and 2 boilers was not available for review. Hence, a proper inspection could not be verified. 3. The personnel records and employee documents are not well organized in the factory's HR room. Employment documents were seen stored under tables rather than in proper cabinets. It took over 30 minutes to locate employment documents for 7 sampled workers. The factory could not provide proof of age documents for 2 out of 4 new workers and it took over an hour to provide these documents for the other 2 workers. There is no defined procedure in place for filing of documents. 4. Clause #1 in the employment letter signed by workers states that probation period would be for 6 months, which can be extended by 3 months, and total probation period can be for 1 year. Employment becomes permanent after 1 year. This clause does not meet legal and Code requirements limiting the length of probationary periods. 5. Workers' service cards are not maintained in their individual personnel files. 6. As a systematic practice, management shared that appointment letters and identity cards are provided to new workers 3 to 7 days after hiring, and not prior to start of work. Management explained that this practice is in place as workers often leave within 2 to 3 days of starting work if they find jobs with higher pay in other factories.</p>

<p>Recommendation for Immediate Action</p>	<p>1. Ensure that the member company's Code is posted in local language. 2. Obtain a competency certificate of external inspectors are maintained with inspection reports. 3. Keep files of employment documents of workers properly and easy to locate. 4. Ensure that probation period does not exceed 3 months. 5. Ensure that service cards of workers are updated and maintained. 6. Ensure that appointment letters are signed and provided to workers prior to starting work.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>1. Uttar Pradesh Factories Rules 1950- Rule 56(7-a): Every plant of machinery other than the working cylinders of prime movers used in a factory shall be thoroughly examined by a competent person. Uttar Pradesh Factories Rules 1950- Rule 55A (1): No lifting machine and no chain, rope or lifting tackle, except fibre 'rope or a fibre rope sling, shall be taken into use in any factory unless it has been tested and all parts have been thoroughly examined by a competent person and certificate to that effect, specifying the safe working load or loads, has been obtained from that person and is kept available for inspection. 2. Industrial employment (standing orders) rules 1946- Rule 2(C) of schedule 1: A "probationer" is a workman who is provisionally employed to fill a permanent vacancy in a post and has not completed three months' service therein. 3. Industrial Employment (standing orders) rules 1946- Form V- appended to Schedule 1-B: Service Card: Every industrial establishment shall maintain a service card in respect of each workman in the form appended to these orders, wherein particulars of that workman shall be recorded with the knowledge of that workman and duly attested by an officer authorized in this behalf together with date.</p>
<p>Benchmark ID</p>	<p>ER.3.1</p>
<p>Benchmark Details</p>	<p>Employers shall provide an orientation to new employees at the time of hiring, which includes explanations of the employers' rules, compensation package and policies for human resources, grievance systems, industrial relations, including respect of the right to freedom of association, workers' rights and responsibilities, FLA Code of Conduct, health and safety, and environmental protection.</p>

Finding Details	The factory does not conduct an orientation program for new workers. Workers sign a document listing orientation topics along with various other intake forms, but interviewed workers were not aware of these documents' contents and reported that no orientation program was conducted.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	The factory does not consult workers at all when changes to policy and procedures are made. Decisions are taken by management and communicated to workers.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.17.2
Benchmark Details	There shall be a mechanism that allows workers to report harassment and grievances confidentially, including any concerns or problems they may be experiencing around legally owed payments during a retrenchment process.

Finding Details	Suggestion boxes are installed at locations such as the factory gate, in the packing department, the basement, and the canteen that do not allow for use of the channel in a confidential manner. Management was not aware of the importance and need to have a fully confidential channel for reporting grievances.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.3.3
Benchmark Details	Workers should be provided with written documentation that substantiates all the issues covered in orientation briefings.
Finding Details	The factory does not conduct an orientation program for new workers (see finding ER.3.1). Workers sign a document with basic information like name of factory, name of owners, working hours, break hours, wages and deductions, leaves, and basic information on machine safety and health and safety. The contents do not include grievance procedures, workplace conduct and discipline, freedom of association, procedures to apply for leave, or termination procedures. Worker interviews with recent hires showed that these new hires are generally aware of hours, wages, and basic PPE and fire safety. These hires are not aware of workplace codes of conduct; the procedures for leave; discipline systems; freedom of association; harassment and abuse; child labor or forced labor; or more advanced HSE concepts.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

**Forced Labor (F)**

Benchmark ID	F.7.1.6
Benchmark Details	Employers shall not utilize, nor shall they use employment agencies or intermediaries that utilize, practices that restrict any worker's freedom of movement, or ability to terminate their own employment, or that create a threat of penalty. Examples of such practices include, but are not using false information to recruit workers.
Finding Details	Approx. 40% of interviewed workers were not aware of the name of their direct employer, which is a contractor. They believe that they are employed by the factory directly, when in fact they are employed by contractors.
Recommendation for Immediate Action	Ensure workers are made aware of employment practices with clarity and that they understand their employment relationship and terms.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	F.2.2
Benchmark Details	Employment terms shall be those to which the worker has voluntarily agreed, in as far as those terms do not fall below provisions of national laws, freely negotiated and valid collective bargaining agreements, or the FLA Workplace Code.
Finding Details	The assessment noted that 85 production workers employed through a contractor, along with 2 workers working in the canteen, did not have signed employment contracts. These 87 workers account for 21% of total work force.
Recommendation for Immediate Action	Ensure employment contracts (appointment letters) with all terms of employment are signed with workers in the appropriate language/s prior to starting work.
Compliance Classifications	Immediate Action Required

Local Law	No Direct legal reference. FLA Benchmark - ER.5.7 withholding from workers a copy of their employment contract in their native language that sets forth the general terms and conditions of engagement and employment.
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**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	1. The same worker representatives serve on the works committee, health & safety committee, and grievance committee, rather than having different workers on each. 2. The assessment observed that awareness on Freedom of Association is generally low among workers. 3. Clause #4 in the factory's written procedures on Freedom of Association states that employees will be informed of the "negative effects of having more than one union in the organization" and that there should not be more than one union at the factory. The procedure does not provide information on the works committee or how its representatives are elected, to align with legal requirements on elections in a workplace with a union.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	Industrial Disputes Act 1947- Section 43: Where under rule 42 the workmen’s representatives are to be elected in to two groups, the workmen entitled to vote shall be divided in to two electoral constituencies, the one consisting of those, who are members of a registered trade union and the other of those who are not.

**Harassment Or Abuse (H/A)**



Benchmark ID	H/A.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning discipline, violence, harassment and abuse, including that which is gender-based
Finding Details	1. The factory has not conducted a sensitization program on harassment in the workplace. 2. The factory has not conducted capacity-building trainings for members of the internal complaints committee. 3. The factory does not publicly post the penal consequences for workplace harassment. 4. In the Internal Complaints committee, there are 3 female workers, all from the checking department. There are no representatives from other production departments.
Recommendation for Immediate Action	1. Conduct the legally-required sensitization program on harassment in the workplace. 2. Conduct capacity-building trainings for all members of the Internal Complaints committee. 3. Post the penal consequences for workplace harassment in the factory in the appropriate language/s. 4. Ensure there is adequate representation from all production processes in the Internal Complaints committee.
Compliance Classifications	Immediate Action Required
Local Law	1. Sexual harassment of women (prevention, prohibition & redressal) at workplace act 2013- section 19(c): Every employer shall organize workshops and awareness programs at regular intervals for sensitizing the employees with provisions of the act. 2. Sexual harassment of women at workplace (prevention, prohibition & redressal) rules 2013- Rule 13(d): Every employer shall conduct capacity building and skill building programs for the Members of the Internal Committee. 3. Sexual harassment of women (prevention, prohibition & redressal) at workplace act 2013- section 19(b): Every employer shall display at any conspicuous place, the penal consequences of sexual harassment. 4. Sexual harassment of women (prevention, prohibition & redressal) at workplace act 2013- section 19(c): Every employer shall organize workshops and awareness programs at regular intervals for sensitizing the employees with provisions of the act.
Benchmark ID	H/A.8.3

Benchmark Details	Employers, shall develop, implement and monitor policy and procedures for eliminating the risk of violence, harassment, and abuse in the workplace. Policies and procedures shall include a clear statement that violence, harassment, and abuse will not be tolerated, procedures for the investigation of allegations, and measures to protect any complainants, victims, and witnesses.
Finding Details	The factory's written procedure on harassment does not include the need to train workers, supervisors, and managers on the policy. Interviews during the assessment found that awareness on reporting and addressing concerns of harassment was low among workers and managers/supervisors.
Recommendation for Immediate Action	Ensure that all employees (managers, supervisors, and workers) are made aware of the the legally-provided guidelines on harassment at the workplace, formation and functioning of Internal Complaints Committee, and the available channels to report concerns. Train managers and supervisors on the proper steps to address concerns that are reported.
Compliance Classifications	Immediate Action Required
Local Law	Sexual harassment of women (prevention, prohibition & redressal) at workplace act 2013- section 19(c): Every employer shall organize workshops and awareness programs at regular intervals for sensitizing the employees with provisions of the act.

### Health, Safety And Environment (HSE)

Benchmark ID	HSE.6.2
Benchmark Details	A sufficient number of workers shall be trained in first aid and firefighting techniques. Training shall be upon hire and with periodic refresher training.

Finding Details	1. The factory has trained the fire fighting team on the use of extinguishers, but not on the use of hydrants. A review of photos from trainings does not indicate training on operation of fire hydrants. The team has not been assigned specific responsibilities for procedures during fire fighting. 2. Although 20 workers are listed as being trained in first aid, certificates of training were available for only 18 workers. Of these 18 certificates, 12 were for workers' whose names were not listed on the list of 20 trained workers.
Recommendation for Immediate Action	1. Ensure training on use of fire hydrants is provided to fire fighting team. Assign responsibilities (including contacting the local brigade, hospitals, law authorities) to tje fire fighting team. 2. Ensure there are workers trained in first aid procedures and maintain complete and accurate lists of trained persons.
Compliance Classifications	Immediate Action Required
Local Law	1. Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health. 2. Factories Act 1948- Section 45 (3): Each first-aid box or cupboard shall be kept in the charge of a separate responsible person [who holds a certificate in first-aid treatment recognized by the State Government] and who shall always be readily available during the working hours of the factory.
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 logs of evacuation drills are missing verification photos, except for the drill conducted in August 2024. Hence, it cannot be verified if drills were physically conducted at legally defined intervals.
Recommendation for Immediate Action	Ensure complete documentation is maintained for drills conducted, including photos.

Compliance Classifications	Immediate Action Required
Local Law	Uttar Pradesh Factories Rules 1950- Rule 61 (13)(c) : Fire fighting drills shall be held at least once in every 3 months.
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. Inside the factory premises, parked passenger and cargo vehicles block access for emergency vehicles. 2. The assessment observed cars and cargo vehicles parked in designated and marked assembly areas. 3. Evacuation directions are faded in most work areas and in the finishing section. On the second floor, they are not marked between sewing lines and press tables. 4. A room designated as the childcare facility does not comply with legal guidelines, including having a designated nursing area for mothers, attached toilet and wash area, a qualified attendant employed, and an enclosed play area. The facility is not used by workers; instead, it is used as a waiting area for drivers of visitors and cargo vehicles.
Recommendation for Immediate Action	1. Maintained clear paths for emergency vehicles inside the factory at all times. 2. Ensure vehicles are not parking in designated assembly areas. 3. Mark evacuation directions clearly in all work areas and maintain them visible at all times. 4. Ensure the creche facility meets legal guidelines.
Compliance Classifications	Immediate Action Required

Local Law	1. Factories Act, 1948- Section 38 (1) (b): In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain the necessary equipment and facilities for extinguishing fire. 2. Factories Act, 1948- Section 38 (1) (a): In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain safe means of escape for all persons in the event of a fire. 3. The Maternity Benefit (Amendment) Act 2017, India - Creche Facility Organizations with 50 or more employees will now have to mandatorily provide a crèche
Benchmark ID	HSE.5.1.6
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following elements: evacuation procedures and fire drills
Finding Details	The factory does not conduct an assessment after evacuation drills to improve the process.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	One exit from the stain removing section, and one exit from the heat seal section, both lack proper illumination. An emergency light is not installed above these exits.

Recommendation for Immediate Action	Ensure all exits, including the exit from the stain removing section and the exit from the heat seal section that currently lack emergency lighting, are illuminated and have emergency lights installed.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948- Section 38 (1) (a): In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain safe means of escape for all persons in the event of a fire.
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	Smoke detectors are not installed in (a) the electric panel and electric switch rooms, (II) one half of fabric storage area (III) the accessories storage area and (IV) the ceilings in the center of the sewing sections.
Recommendation for Immediate Action	Ensure smoke detectors are installed to cover the entire premises, including the electric panel and electric switch rooms, the entire fabric storage area, the accessories storage area, and the sewing sections.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948- Section 38 (1) (b): In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain the necessary equipment and facilities for extinguishing fire.
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	Aisles in the heat seal and finishing section are partially blocked with packed cartons. Aisles between storage racks in the fabric storage area were completely blocked with fabric bundles, blocking the rear end of the storage area.
Recommendation for Immediate Action	Ensure all aisles and footpaths, including aisles in the heat seal and finishing section and in fabric storage area, are kept clear at all times.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948- Section 38 (1) (a): In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain safe means of escape for all persons in the event of
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. Spill response kits are not provided in the machine oil storage area, chemical storage and usage areas, or at the diesel storage tank located near the power generator and boilers. The assessment observed stains from oil spills on the floor near the diesel tank. 2. Secondary containment is not provided for individual chemical containers. A common trench with sand is in place for all stored chemicals, but does not have the capacity to contain the spread in case of leaks or to prevent mixing. 4. Hazard labels are not posted on chemical containers stored in the chemical storage area (on the terrace of the factory building).

<p>Recommendation for Immediate Action</p>	<p>1. Ensure spill response kits are provided in the machine oil storage area, all areas with chemical storage and usage, and near the diesel storage tank. 2. Ensure secondary containment with adequate capacity is provided either for all individual chemical containers, or for groups of the same chemicals to prevent mixing. 3. Ensure hazard labels are posted on all chemical containers in the correct language/s for the workforce.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances</p>
<p>Benchmark ID</p>	<p>HSE.19</p>
<p>Benchmark Details</p>	<p>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.</p>
<p>Finding Details</p>	<p>1. Empty packets of chewing tobacco were seen on the flush tanks in male and female toilets. 2 out of 3 flushes in the male toilet and 1 out of 2 flushes in female toilets on 1st floor were not functional. Walls in the corners of the toilets blocks had stains from chewing tobacco. One open dust bin is provided for common use in the female toilets, instead of providing closed bins in each individual stall. This open dust bin was dirty with chewing tobacco and used fabric pieces. 2. Hand drying facility is not provided in the toilets at all. 3. Gas cylinders are not kept at a safe distance from gas stoves, posing a fire risk. 4. A fire extinguisher is provided outside the childcare room, but fire alarms and smoke detectors are not installed in child care room.</p>
<p>Recommendation for Immediate Action</p>	<p>1. Ensure toilets are kept clean and are functional at all times. Provide closed bins in individual stalls in the female toilets. 2. Ensure hand drying facilities are provided in toilets. 3. Ensure gas cylinders are kept at safe distance away from gas stoves. 4. Ensure fire alarms and smoke detectors are installed in the childcare room to reduce risk when facility is used.</p>



Compliance Classifications	Immediate Action Required
Local Law	<p>1. Factories Act, 1948-Section 19(1) (a) : In every factory, sufficient latrine and urinal accommodation of prescribed types shall be provided conveniently situated and accessible to workers at all times while they at the factory. Factories Act, 1948-Section 19(1) (d): All such accommodation shall be maintained in a clean and sanitary condition at all times. 2. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 3. Factories Act, 1948- Section 38 (1) (b): In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain the necessary equipment and facilities for extinguishing fire.</p>
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 raw ingredients waiting to be cooked that were left uncovered. Fly arrestors are not installed in the kitchen and dining areas. Food handlers were not using hair caps, nose masks, or hand gloves when serving food.
Recommendation for Immediate Action	Keep raw food covered. Install fly arrestors in the kitchen and dining areas. Ensure food handlers use hair caps, nose masks, and hand gloves when serving food to prevent contamination of food.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
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	1. Management has not conducted any assessments for determining heat problem areas. 2. The assessment observed lint buildup on fans, electric cable trays, and ceiling lights in work areas.
Recommendation for Immediate Action	1. Conduct periodic assessments for determining heat problem areas, especially the summer months. 2. Ensure fans, electric cable trays, and ceiling lights in work areas are free of lint buildup at all times.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health.
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.
Finding Details	1. Traffic lanes and walking paths are not marked inside the factory. 2. The assessment observed that eye shields were pushed upwards on 100% of overlock machines, rendering them ineffective in preventing injuries to workers' eyes. 3. A lightning protection system is not installed for the factory building. 4. Management is not aware of lock-out/tag-out concepts and does not implement a LOTO system.

<p>Recommendation for Immediate Action</p>	<p>1. Ensure traffic lanes and walk paths are marked inside the factory. 2. Ensure eye shields are kept in place on overlock machines. 3. Ensure a lightning protection system is installed for the factory building. 4. Implement a lock-out/tag-out system, including proper devices, for the factory. Train workers on its implementation.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>1. Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health. 2. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 3. Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health. 4. Factories Act, 1948- Section 24 (3)- When a device, which can inadvertently shift from "off" to "on" position, is provided in a factory to cut off power, arrangements shall be provided for locking the device in safe position to prevent accidental starting of the transmission machinery or other machines to which the device is fitted.</p>
<p>Benchmark ID</p>	<p>HSE.6.1</p>
<p>Benchmark Details</p>	<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. Workers in the factory are trained for basic firefighting (in the event of a major fire, the local government fire station located 1.5 kms from the factory is informed), but the factory has not provided basic PPE such as respiratory masks for the workers trained on firefighting. 2. Fire extinguishers are refilled annually by an external service provider. Logs are maintained for the testing of fire equipment by factory staff, but the inspection reports are not signed by the inspectors and there are no pictures maintained as evidence of inspections. 3. The eye wash stations provided in the chemical storage room and near the stain removing section, where chemicals are used, do not have a foot pedal to operate them, preventing effective use. Access to the eye wash station near the stain removing section is restricted by steam pipes.</p>
Recommendation for Immediate Action	<p>1. Ensure basic PPE including gas masks is provided to fire fighting persons. 2. Obtain and record full records of fire equipment inspections and maintenance, including the signature of the inspecting person. 3. Provide foot operation arrangements for eye wash stations for effective and easy use. Keep access to eye wash stations clear at all times.</p>
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
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	Training on health & hygiene is not provided for canteen workers.
Recommendation for Immediate Action	Provide training on health & hygiene to canteen workers.
Compliance Classifications	Immediate Action Required

Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances
Benchmark ID	HSE.27.3
Benchmark Details	Children must not visit parents in workplace areas.
Finding Details	The factory has not employed a qualified childcare attendant. There is one designated person to fulfill this role, but that person is a worker from the sewing section who was instructed to be available in the childcare facility during the assessment. There were no children in the childcare facility during the assessment (see finding HSE.5.1).
Recommendation for Immediate Action	Ensure a qualified childcare attendant is employed in childcare facility.
Compliance Classifications	Immediate Action Required
Local Law	The Maternity Benefit (Amendment) Act 2017, India - Creche Facility Organizations with 50 or more employees will now have to mandatorily provide a crèche. Factories Act 1948- Section 48 (2): Such rooms shall provide adequate accommodation, shall be adequately lighted and ventilated, shall be maintained in a clean and sanitary condition and shall be under the charge of women trained in the care of children and infants.
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. Hazardous waste such as chemical containers are stored alongside fused electric lights and paper rolls in waste storage areas adjacent to 2 barrels (200 liters each) containing machine oil and 4 empty barrels of machine oil. 2. The factory does not provide training to Health &amp; Safety committee members. 3. Waste material was stored under the staircase between the basement and first floor, which could impede evacuation. 4. The assessment observed packed goods stored in the dining areas, and some production workers were seen eating lunch at their work stations. 5. An environmental statement for 2022 (due September 2023) was not available for review. 6. The required authorization from the local government for the hazardous waste collector engaged by the factory was not available for review.</p>
<p>Recommendation for Immediate Action</p>	<p>1. Ensure hazardous waste like chemical containers are stored separately and not with fused electric lights and paper rolls in waste storage areas. Barrels (200 liters each) containing machine oil and 4 empty barrels of machine oil should be stored away from other waste material. 2. Ensure training is provided to Health &amp; Safety committee members. 3. Ensure waste material is not stored under staircases to ensure evacuation process is not impacted. 4. Ensure packed goods are stored in designated areas and not in the canteen to allow workers to use the dining areas. Discourage workers from eating lunch in work areas. 5. Ensure that the environmental statement is maintained and available for review. 6. Ensure that the authorization from the local government for the hazardous waste collector engaged by the factory is maintained and made available for review.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>

Local Law	<p>1. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 2. Environment Protection Rules 1986 - Rule 14 - Submission of Environmental Statement - Every person carrying on an industry , operations or processes requiring consent under section 25 of the Water ( Prevention and Control of Pollution) Act 1974 or under section 21 of the Air (Prevention and Control of Pollution) Act 1981 or both or authorization under the Hazardous Wastes (Management and Handling) Rules 1989 issued under the Environmental ( Protection) Act 1986, shall submit an environmental ( statement) for financial year ending the 31st March in Form V to the concerned State Pollution Control Board on or before the 13th day of September every year beginning 1993. 3. Hazardous Wastes (Management and Handling) Rules 1989 - Section 5 Grant of authorization for handling hazardous waste ( 2) - Hazardous waste shall be collected , treated , stored and disposed of only in such facilities as may be authorized for this purpose. 4.Factories Act 1948- Section 47: Provided further that where a lunch room exists, no worker shall eat any food in the work room.</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 factory does not provide safety information to contractors engaged in major maintenance work.
Recommendation for Immediate Action	Ensure safety information is provided to contractors engaged in major maintenance work prior to start of work.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.

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	Safety instructions are not displayed near machinery.
Recommendation for Immediate Action	Ensure safety instructions are displayed near machinery in the proper language/s.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.29
Benchmark Details	Employers shall provide all necessary protection for workers when working at heights, confined spaces, and other high-risk areas.
Finding Details	<p>1. Warning signs are not posted near the confined spaces (diesel tank and water tank) inside the factory. The water tank in front of exit gate 2 from inside the factory is not marked as a potentially hazardous confined space. The manhole entry to the tank is covered, and the tank is located under the driveway between gate 2 and the factory. This poses a risk of accidental collapse.</p> <p>2. The underground diesel tank is cleaned by maintenance workers. Except for the use of nose masks, no other precaution such as anti-skid ladders, safety ropes, torches, helmets or safety shoes are used. The cleaning procedure is not supervised. No documentation or log is maintained for the cleaning process.</p> <p>3. Fall protection equipment like safety ropes and helmets are not provided to maintenance workers who work at heights.</p> <p>4. Maintenance equipment like portable drilling machines, welding machines, electric testers, or cutting pliers are not inspected to ensure user safety at all.</p>



<p>Recommendation for Immediate Action</p>	<p>1. Ensure that the confined space near exit gate 2 is marked and fenced. Post warning signs near confined spaces to warn workers. 2. Ensure safety equipment is used by persons entering confined spaces, the procedures are supervised, and logs are maintained. 3. Ensure fall protection equipment like safety ropes and helmets are provided to maintenance workers who work at heights. 4. Ensure maintenance equipment like portable drilling machines, welding machines, electric testers and cutting pliers are inspected at periodic intervals to ensure safety of user.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>1. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 2. Factories Act, 1948- Section 36 (2) (a): No person shall be required or allowed to enter any confined space as is referred to in sub-section (1), until all practicable measures have been taken to remove any gas, fume, vapor or dust, which may be present so as to bring its level within the permissible limits and to prevent any ingress of such gas, fume, vapor or dust and unless a certificate in writing has been given by a competent person, based on a test carried out by himself that the space is reasonably free from dangerous gas, fume, vapor or dust.</p>
<p>Benchmark ID</p>	<p>HSE.17.2</p>
<p>Benchmark Details</p>	<p>Employers shall train workers in proper lifting techniques, and items such as lifting belts shall be provided.</p>
<p>Finding Details</p>	<p>The factory does not conduct any training on ergonomics and lifting techniques.</p>
<p>Recommendation for Immediate Action</p>	<p>Provide training on ergonomics and lifting techniques for all employees.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>

Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.23.1
Benchmark Details	Safe and clean drinking water shall be freely available at all times, within reasonable distance of the workplace. Drinking water shall be of a reasonable temperature. The means to drink water (e.g. cups) must be safe and sanitary and available in an appropriate number.
Finding Details	A common set of drinking water taps and hand wash taps are located in between the male and female toilet blocks. This arrangement poses a risk of contamination of drinking water when a water tap is used to drink water and the adjacent tap is used for washing hands.
Recommendation for Immediate Action	Ensure drinking water points are identified and marked for that purpose. Drinking water points should not be used to wash hands to reduce risk of contamination.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 18 (1) : In every factory effective arrangements shall be made to provide and maintain at suitable points conveniently situated for all workers employed therein a sufficient supply of wholesome drinking water. Factories Act, 1948-Section 18 (2): All such points shall be legibly marked "drinking water" in a language understood by majority of the workers employed in the factory. Factories Act, 1948-Section 18 (2): No such point shall be situated within six meters of any washing place, urinal, latrine, spittoon, open drain carrying sullage or effluent or any other source of contamination.
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	The risk assessment conducted by the factory does not include (i) frequency of possible accidents/injury; (ii) a discussion of fire as a risk (iii) information on the number of persons working in the area and possible number of persons that could be impacted.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.30.2
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system within which the following are clear and regularly tested and reviewed; procedures for reporting death, injury, illness and other health and safety issues (for instance, near-miss accidents) and environmental emergencies
Finding Details	The factory's log of injuries does not provide information on root causes. For examples, the log indicates that a checker reported a cut finger. There is no information as to how the injury occurred, which is notable as checkers would not usually use any sharp tools. This could also be an indication of workers being assigned different jobs that they are not trained for, resulting in injuries.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
Benchmark ID	HSE.7
Benchmark Details	Workers shall be provided at no cost with all the appropriate and necessary personal protective equipment (e.g. gloves, eye protection, hearing protection, respiratory protection) to effectively prevent unsafe exposure (e.g. inhalation or contact with solvent vapors, noise, dust) to health and safety hazards, including medical waste.
Finding Details	1. Hand gloves are not provided to workers operating stain removal machines. 2. The cook in the factory kitchen is provided with only a cloth apron, which may not prevent burn injuries to skin from spills of hot oil or water. 3. Rubber hand gloves are provided to welders, rather than fire resistant welding gloves. These rubber gloves would not prevent from burn injuries. 4. The safety glass on one of the two welding face shields was broken.
Recommendation for Immediate Action	1. Provide hand gloves to stain removing machine operators. 2. Provide an apron of appropriate material for the cook and ensure it is used. 3. Ensure fire resistant hand gloves are provided to welders to prevent from burn injuries. 4. Ensure safety glass on welding face shield is replaced and shields are kept operational.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances
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. The assessment observed welders working without face shields. Two shields were located in the maintenance room but had gathered dust. 2. During the last 12 months prior to the assessment, training on the use of PPE was conducted for 200 out of 373 workers. The factory does not have a definite plan in place to conduct training for rest of workers.
Recommendation for Immediate Action	1. Ensure welding face shields are used by welders. 2. Ensure training on the use of PPE is conducted for all workers and that formal plans are in place for continuing refreshers.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances
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. The factory does not have a definite plan in place to train workers who operate machines. 2. The factory does not provide training on use of high-risk machinery, working at heights, confined spaces, safety precautions for electrical work, or the use of lock-out/tag-out. Management is not aware of lock-out/tag-out concepts.
Recommendation for Immediate Action	Conduct training for safe operation of machines, for workers using high-risk machines, working at heights, confined spaces, and on LOTO arrangement. Plan for refresher trainings at regular intervals.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.

Benchmark ID	HSE.9.2
Benchmark Details	Workers shall receive training, appropriate to their job responsibilities, concerning the hazards, risks and the safe use of chemicals and other hazardous substances.
Finding Details	Training on chemical management does not include use of spill kits, reporting health and safety concerns, the use of eye wash stations, or reading and interpreting chemical hazard labels. The training only includes the use of PPE. Factory management was not familiar with spill kits and their usage.
Recommendation for Immediate Action	Provide regular training in the appropriate language/s to all workers utilizing chemicals. Provide chemical spill kits where required.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
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. Anti fatigue mats and rest areas are not provided to workers with standing jobs. Workers were seen standing barefoot and few were seen resting their feet on the lower platforms of work tables. A review of the injury log revealed complaints of lower back pains among workers. 2. Workers with sitting jobs were seen sitting on hard stools with no back rests. A review of the injury log revealed complaints of back aches by sewing machine operators. 3. Work stations are not adjustable in height.
Recommendation for Immediate Action	1. Provide anti-fatigue mats and rest areas to workers with standing jobs. 2. Ensure workers with sitting jobs are provided chairs with back rests. 3. Ensure work stations are adjustable in height.

Compliance Classifications	Immediate Action Required
Local Law	1. Factories Act 1948- Section 44 (1): In every factory suitable arrangements for sitting shall be provided and maintained for all workers obliged to work in a standing position, in order that they may take advantage of any opportunities for rest which may occur in the course of their work. 2. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
<b>Hours Of Work (HOW)</b>	
Benchmark ID	HOW.22.1
Benchmark Details	Employers shall have in place policies for managing all working hour, overtime, and leave records in normal and exceptional circumstances.
Finding Details	The factory's written policy on hours of work states that working hours are from 9.00am to 5.30 pm, but its written procedures state working hours are from 9.30am to 6.00pm. The procedures indicate the requirement to obtain written consent from workers prior to working overtime, however, this requirement is not implemented in practice. There is no information in the policy or procedures on training the management staff responsible for implementation or on training workers.
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	Lunch break for some workers ends at 1.30 pm. After regular working hours end at 6.00pm, workers work overtime until 7.00pm or 8.00pm. The factory does not provide these workers with a 30-minute break after 5 hours of work (6.30pm) as legally required.
Recommendation for Immediate Action	Ensure all breaks are provided as legally required.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 55: The periods of work of adult workers in a factory each day shall be so fixed that no period shall exceed five hours and that no worker shall work for more than five hours before he has had an interval for rest of at least half an hour.
Benchmark ID	HOW.11.1
Benchmark Details	Employers shall provide workers with paid annual leave as required under national laws, regulations and procedures.
Finding Details	By reviewing the personnel records for 13 sampled workers, the assessment noted that 8 workers had accumulated from 31 to 63 days' leave, whereas only 30 days maximum accumulation is allowed by law.
Recommendation for Immediate Action	Ensure that workers can effectively enjoy annual leave and that leave is not accumulated beyond 30 days.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 79(5)- If a worker does not in any one calendar year take the whole of the leave allowed to him under sub-section (1) or sub-section (2), as the case may be, any leave not taken by him shall be added to the leave to be allowed to him in the succeeding calendar year: Provided that the total number of days of leave that may be carried forward to a succeeding year shall not exceed thirty in the case of an adult.
Benchmark ID	HOW.9.2



Benchmark Details	Employers shall take reasonable steps to inform workers about the nature and expected duration of the circumstances sufficiently in advance to allow workers to make alternative plans.
Finding Details	When the factory needs workers to work overtime, management provides notice only 2 hours prior to the overtime shift.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

