



FAIR LABOR
ASSOCIATION®

INDEPENDENT EXTERNAL ASSESSMENT REPORT



COMPANIES: Russell Brands/Fruit of the Loom

COUNTRY: Haiti

ASSESSMENT DATE: 10/13/16

ASSESSOR: Francisco Chicas

PRODUCTS: Apparel

NUMBER OF WORKERS: 1200

Summary of Code Violations

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.

While it is important to note when violations of the FLA Workplace Code of Conduct occur, the purpose of these assessments is not simply to test compliance against a particular benchmark, but rather to develop an understanding of where and how improvements can be made to achieve sustainable compliance. Code of Conduct violations can be found throughout the course of an assessment of the employment and management functions, and are addressed in companies' action plans.

Findings and Action Plans

FINDING NO.1

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

The recruitment process is implemented by the industrial park administration where the factory is located. The employment application form asks for information on the applicant's gender, marital status, number of children, and personal information on workers' life partners, specifically, their identification number. Collecting all this information during the recruitment process might lead to discrimination. Although there is no evidence that such information is requested for discriminatory purposes, factory management should only collect this data once the applicants have been hired rather than during recruitment.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.3.2; Non-Discrimination Benchmark ND.2.1)

Recommendations for Immediate Action

1. Remove questions about gender, marital status, number of children and other personal information about workers' life companions from the employment application form to ensure Recruitment & Hiring decisions are based solely on the qualifications of the applicant.
2. Revise the current Recruitment & Hiring procedures to ensure that information related to workers' gender, marital status, number of children and workers' life partner is collected only after workers have been hired. Recommend the factory consider collecting alternative forms of information on worker's partners, and to avoid asking for IDs.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Recruitment, Hiring and Personnel Development

Details

The recruitment document was developed when the company was founded, at that time these questions were not considered as discriminatory.

The Corporate Human Resources department will work on modified version of the current format and remove questions about gender, marital status, number of children and other personal information about workers' life companions.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

02/08/18 : 2/6/18 Factory has created a SOP for job application to ensure the factory is not requesting personal employee information until once the applicant has been hired.

FINDING NO.2

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

1. The factory does not have job descriptions for any production positions.
2. Orientation training for new employees does not include Personnel Development, Hours of Work or Industrial Relations/Freedom of Association.
3. The factory does not provide written documentation to new workers that covers all topics covered during the orientation training. The factory only provides written documentation on health and safety regulations.
4. The factory does not conduct performance reviews for production workers.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1.1, ER.15.1, ER.15.3 and ER.29.1)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Job Description

Details

The management never considered necessary to have a job description for production position. As factory considered the only function of our work force was specifically to sew.

The Corporate Human Resources department is developing a job description for the missing positions. The job description will be included in the workers file and shared with the worker.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : 2/6/18 Factory has created a job description for the production position.

Action Plan no 2.

Description

Action Plan Title

Orientation

Details

At the time when orientation program was created, the training was focused on each employee about personal health, work schedule, safety and sewing.

The Corporate recruitment department will be including this information in the orientation format. Factory will develop a policy to address personal development and promotion.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : 2/9/18 Factory has created a SOP to include Personal Development, Hours of Work, industrial Relations / FOA.

Action Plan no 3.

Description

Action Plan Title

Written documentation - orientation

Details

The management never considered necessary to give a written documentation to workers other than an orientation on personal health and safety.

The recruitment department will prepare a workers handbook document and proceed to give to all workers a copy of this information. The hand book will include information about working hours, all breaks, Freedom of Association and all items covered during orientation training.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : 2/9/18 The factory has created a SOP to include written documents that need to be provided to new workers during orientation training.

Action Plan no 4.

Description

Action Plan Title

Performance Reviews

Details

Since the performance of our workers is measured by the daily quality, efficiency and attendance report, we never considered it necessary to conduct a performance review.

Once the Human Resources department develops a job description for the remaining positions, the management will train supervisors and workers about the objectives of the performance evaluation and then conduct a performance review. A procedure for promotions, demotions and job reassignment should be developed as part of the performance review process.

The job descriptions have been reviewed by Management and the training will be provided to workers. The employees will receive training to understand the performance review process. Each worker's performance will be based on the job description and records will be maintained of the employee's performance.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : 2/9/18 The factory has created templates to be use for performance reviews. The workers have been trained to understand the template and the performance review process.

FINDING NO.3

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

Due to the lack of social security medical services and infrastructure in the region, the factory has not enrolled workers in the social security scheme (Insurance Office of Work Accident, Sickness and Maternity, known as OFATMA); hence, the factory does not deduct or pay social security contributions, as legally required. As a result, workers lack health and accident insurance.

Local Law or Code Requirement

Labor Code, Chapter VI, Annex VIII, Articles 24, 25, 29 and 32; FLA Workplace Code (Employment Relationship Benchmark ER.22.1 and Compensation Benchmarks C.1 and C.10)

Recommendations for Immediate Action

Recommend the Company and factory management to continue to engage with OFATMA, relevant Haitian governmental institutions, and other related stakeholders such as the International Labor Organization's (ILO) Better Work Program in order to work towards potential solutions that address the lack of insurance coverage affecting many Haitian workers in the region.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Insurance Provision

Details

OFATMA does not provide services in northern region of Haiti and only has one (1) hospital in Port au Prince; therefore, our workers cannot receive benefits.

In the event of an accident, The factory gives the employees all coverages stipulated by law including: Medical services, medicines, salaries and any compensation that would correspond to the person involved. The park will provide information on the status of OFATMA in the northern region of Haiti.

The Park has started to pay for the social security medical services and will continue to provide employees with internal services even though the Haitian government doesn't provide OFATMA services in the northern region. The Park will provide a written letter to the social security medical services for the region showing they have requested services in the region.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : The factory has submitted a letter to the Industrial Park for them to request the government to provide OFATMA services in the area in which the factory is located.

FINDING NO.4

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

According to the Haitian Labor Code, workers are entitled to 15-day annual leave after one year of service; however, in 2015, workers who were entitled to the 15-day annual leave, only took 11 vacation days. This affected around 99% of the workforce. Furthermore, the factory chose the dates for the annual leave.

Local Law or Code Requirement

Labor Code, Article 123; FLA Workplace Code (Employment Relationship Benchmark ER.22.1; Hours of Work Benchmarks HOW.1.1 and HOW.11 HOW.14; Compensation Benchmark C.1)

Recommendations for Immediate Action

1. Retroactively provide eligible workers with the pending four days of annual leave.
2. Ensure that all workers enjoy full annual leave, following legal requirements.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Implementation of Leave Benefits

Details

We comply with the requirements of the law by paying employees for 15 days of leave at the end of the work year in December. We have a CBA agreement between the factory and workers that allow us to split the leave days. So the decision and

understanding with the union are to use 11 days off for December and the remaining four days are taken during Holy Week allowing our employees to have the full week as time off from work including the two national holidays.

Planned Completion Date
03/01/18

Planned completion date
03/05/17

Company Action Plan Update

08/06/18 : 2/9/18 The factory has complied with the requirements of the law concerning the 15 days of leave provided to workers based on the CBA agreement.

FINDING NO.5

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Hours of Work

Finding Explanation

At the time of the assessment, the factory did not have time records available. According to management, the automatic system for recording hours of work had a recent glitch. Worker interviews confirmed the functionality of the time tracking system; however, the time records were not available at the time of the assessment. Assessors could not verify full compliance with payment of hours of work, including overtime hours even though worker interviews supported compliance of correct payment.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.2.1, ER.2.1.1, and ER.23.2)

Recommendations for Immediate Action

Ensure that time records are available to be reviewed at all times.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Recording Working Hours

Details

The IT department discovered a bug in the way our software collected the data from our tracking system.

A weekly audit procedure will be developed and will be conducted by the payroll office to ensure that the data is been collected correctly.

Planned Completion Date
03/01/18

Planned completion date
03/05/17

Company Action Plan Update

08/06/18 : The factory has created a SOP - Time Tracking System Procedure, The process will be implemented daily by payroll department, payroll will work with supervisors to identify the workers who have not used the automatic system for clocking in and out during working hours.

FINDING NO.6

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Industrial Relations

Finding Explanation

The factory does not provide workers a copy of the Collective Bargain Agreement (CBA).

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.16.2)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title Collective Bargaining Process Details The management never considered to give the workers a copy of the CBA since we understood that it was responsibility of the union. The CBA is still in the process of being renewed, once finalized and signed, a copy will be provided to the workers. The Human Resources department will provide a copy to all factory employees. Planned Completion Date 03/01/18

Planned completion date

03/05/17

Company Action Plan Update

9/1/20 The factory's collective bargaining process is on hold as one of the 5 unions has stopped the process to have their members elect new officials and define who is going to participate on the CBA process.

4/24/19 update Collective Bargaining, the process continues, they are bargaining with 3 out of the 5 unions (SOKOWA, SOFEZO, SYNTRAC), those 3 unions represent 90% of the population of the park. During a brand visit to the factory there was a meeting with the owner to follow up on the status of the renewal of the CBA. The CBA negotiations are still in process and our management was told by owner, they did not know when it would be finalized. The park has 6 unions, each one wants to negotiate their own CBA. The owner has reached out to the unions and asked them to send one delegation representing each union to the negotiating table. Based on this update, this will delay the process and it will not be completed by the end of February as we had previously been told. The renewal of the CBA is still being negotiated and the factory has closed for the holidays until January 7, 2019; therefore, the new CBA will not be finalized. The factory does not see a value to provide a copy of the current CBA to workers as it has expired and is being negotiated. The new agreement should be completed and signed by February 28, 2019. Once it has been completed the management will provide a copy of the new CBA to all workers.

FINDING NO.7

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Grievance System

Finding Explanation

1. One suggestion box out of two was not equipped with paper and pencil for workers to write their complaints or suggestions, making the system ineffective. Another suggestion box was missing a pencil.
2. The factory does not keep records of grievance or suggestions raised by workers and there is no record of follow up and remediation of any grievances or suggestions.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.2.1, ER.2.1.1 and ER.25.2)

Recommendations for Immediate Action

1. Equip all suggestion boxes with pencils and paper so workers can write their complaints and suggestions.
2. Maintain documentation related to grievances, including follow up, resolution, and the communication on decisions with workers.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Implementation (Grievance System) - suggestion box supplies

Details

Due to a lack of supervision, the paper and pencil material was taken without notice. Factory did not have a procedure established to maintain supplies.

The management will conduct a awareness campaign about the importance of the suggestions boxes and why the material for them should remain there. This will also be covered in orientation training. Human Resources department will ensure grievance boxes are always stocked with supplies.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

02/08/18 : 2/6/18 Factory has created a grievance form to be completed by workers, a tracking chart to monitor the grievance process and providing training.

Action Plan no 2.

Description

Action Plan Title

Implementation (Grievance System)- written records

Details

The factory only focused on giving the workers a proper response and follow up, and we did not consider necessary to keep records.

The Human Resource manager will develop a record log to maintain and record the information and actions taken as part of follow up and remediation.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

02/08/18 : 2/6/18 the factory has implemented a record log to record details and action taken for submitted grievances.

FINDING NO.8

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Environmental Protection

Finding Explanation

1. From the observation tour, assessors noted that hazardous waste (empty oil containers) were stored in an outdoor area that was not isolated and not protected from the sun and rain.
2. According to the factory management an external company is used to dispose its hazardous waste, however, there was no documentation of the hazardous waste disposal (e.g. records of the amount that is taken away, name of company in charge of the disposal).

Local Law or Code Requirement

Regulations to the National System of Evaluation of Environmental Impact Law, Articles 15, 16 and 17; FLA Workplace Code (Employment Relationship Benchmarks ER.2.1 and ER.2.1.1; Health, Safety and Environment Benchmarks HSE.1 and HSE.4)

Recommendations for Immediate Action

Ensure that hazardous waste collection areas are segregated and protected from the elements.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Environmental Management System Outside of the Factory - oil containers

Details

The building belongs to the park, we will submit a construction request for chemical deposit. Once that is approved and constructed, a policy to handle proper storage will be developed.

The Park has approved a location for the chemical storage building to be constructed to maintain all chemicals and chemical waste,

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

02/08/18 : 2/6/18 factory has stores empty oil containers in a building that is covered and not exposed to sun and rain

Action Plan no 2.

Description

Action Plan Title

Environmental Management System Outside of the Factory- hazardous waste documentation

Details

Since these information was never requested from the local government, we never considered it necessary to keep records of disposed waste.

The management will create a record and maintain all related information.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

02/08/18 : 2/6/18 The factory has implemented a document to track disposed waste and obtained a certificate.

FINDING NO.9

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. Three emergency exits are kept locked. The keys are available at every single emergency exit; however, doors should be kept unlocked at all times.
2. There are no evacuation routes that show the way to emergency exits in the warehouse and cutting departments.
3. Three electrical panels were missing warning signs in the cutting department, warehouse and drinking water purification room.
4. One fire extinguisher was missing a maintenance card in the cutting department.
5. Two fire extinguishers were blocked with boxes at the sewing production lines.
6. There is a significant amount of debris accumulated on machinery, windows, cables and electrical panels.

Local Law or Code Requirement

Labor Code, Article 439 section 1; FLA Workplace Code (Health, Safety and Environment Benchmarks HSE.1, HSE.5.1, HSE.6.1, and HSE.19)

Recommendations for Immediate Action

1. Keep all emergency exits unlocked at all times.
2. Mark evacuation routes in warehouse and cutting departments.
3. Post warning signs on all electrical panels on the production floor.
4. Ensure that all fire extinguishers have relevant maintenance cards.
5. Keep all fire extinguishers unblocked at all times.
6. Improve cleanliness on the production floor by removing excess debris.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Fire and Emergency Actions - Emergency Exits

Details

All emergency exit doors are equipped with an equivalent panic bar to open at anytime with a one push motion.

The management will conduct a training with the security staff in order to avoid this situation to not happen again.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : 2/6/18 The factory has equipped the emergency exit doors with panic bars so they can be opened at any time and are not locked during workinghours

Action Plan no 2.

Description

Action Plan Title

Fire and Emergency Actions- evacuation routes

Details

The evacuation arrows have always existed, however they became faded due to the movement of our personnel and equipment.

The factory has taken immediate action by repainting all evacuation routes and the factory will include verifying the lines are still visible in the monthly assessment checklist.

A procedure will be developed to conduct monthly assessment of the evacuation routes in order to ensure that the arrows are clearly seen by our workers.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : 2/6/18 The factory has painting the evacuation routes and implemented a monthly checklist to verify the lines are visible and provided training.

Action Plan no 3.

Description

Action Plan Title

Fire and Emergency Actions - Electrical Panels

Details

The factory has taken immediate action to installed warning signs for the electrical panels that were missing in the factory.

The management will include the inspection of the warning signs during the maintenance of the electrical panels in order to avoid a situation of concern.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : 2/6/18 The factory has installed warning signs at the electrical panels, implemented SOP, checklist and provided training.

Action Plan no 4.

Description

Action Plan Title

Fire and Emergency Actions - Fire Extinguisher

Details

During the handling of the extinguishers in their last maintenance, it is possible that the maintenance card of that extinguisher was lost without realizing it.

The management will create an inspection sheet to confirm the extinguishers are properly returned from servicing and tagged correctly. Weekly checks of the fire extinguishers to verify proper placement and that maintenance cards are attached will be conducted.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : 2/6/18 The factory has created a fire extinguisher checklist and provided training to supervisors and operators to ensure proper placement and maintenance is documented.

Action Plan no 5.

Description

Action Plan Title

Fire and Emergency Actions - fire extinguisher

Details

The carts that feed the production cells have wheels in order ease the feeding process, its seems that a production worker moved the cart and unintentionally blocked the extinguishers.

The management of the plant will rearrange the production layout in order to avoid blocking the fire extinguishers. Education of workers and the importance of not blocking fire extinguishers and aisle will be conducted.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : 2/6/18 The factory has revised the layout of the production floor to avoid blocking fire extinguishers and have educated the workers.

Action Plan no 6.

Description

Action Plan Title

Fire and Emergency Actions - cleaning

Details

A regular cleaning schedule has been implemented in the plant, however it seems that we will have to increase the frequency of the cleaning.

The management will modify the cleaning schedule of the plant. A procedure will be established to clean machinery, windows, cables and electrical panels on a regular schedule.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : The factory has implemented regular cleaning schedules for the plant to include cleaning machinery, windows and electrical panels.

FINDING NO.10

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. One chemical container was missing a label in the drinking water purification room. This container contained a cleaning product causing a risk in consumption by a worker.
2. Material Safety Data Sheets (MSDS) of two chemicals used in the stain-removal area (cleaners) is not available in the local language.
3. The chemical warehouse is not sufficiently ventilated, additionally there are no fire extinguishers available in this area.

Local Law or Code Requirement

Labor Code, Article 468; FLA Workplace Code (Health, Safety and Environment Benchmarks HSE.1, HSE.6.1, HSE.9.1 and HSE.10.1)

Recommendations for Immediate Action

1. Label all chemical containers used at the different work areas, including the drinking water purification room.
2. Provide Material Safety Data Sheets (MSDS) in the workers' local language.
3. Ensure that the chemical warehouse is sufficiently ventilated and that this area has the correct fire extinguishers according to the different fire risks. There are four different types of potential fires and the fire extinguishers should be appropriate for the type of fire that might occur in this area.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Chemical Container Labels

Details

A SOP will be established to make sure all chemical containers are properly labeled before being dispensed.

The management will train the janitors on the SOP and the use of the MSDS labels for the labeling of chemicals.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

02/08/18 : 2/6/18 The factory has created a SOP for chemical containers and labels, They have trained the janitors on the SOP and the proper SDS labeling.

Action Plan no 2.

Description

Action Plan Title

Material Safety Data Sheets (MSDS)

Details

Since there are two languages spoken in the region (French and Creole), we understood that an MSDS in French would be enough.

The management will request our supplier for a translated version (in Creole) of the MSDS and post the sheets in both languages. .

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

02/08/18 : 2/6/18 The factory has obtained copies of SDS in Creole.

Action Plan no 3.

Description

Action Plan Title

Chemical Warehouse

Details

The weeks before the audit, it rained significantly, thus we covered the storage cage with a plastic canvas to avoid the water to get inside the storage. The extinguisher was placed in a different room in order to avoid the extinguisher to be blocked due to the

lack of space.

Since the building belong to Park, we will submit a remodel request for the chemical deposit.

A chemical storage building has been built with sufficient ventilation system. Verifying fire extinguishers will be added to the monthly checklist.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

02/08/18 : 2/6/18 The factory has constructed a chemical storage building that has sufficient ventilation and will include the chemical storage building when checking and verifying fire extinguishers.

FINDING NO.11

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. One forklift is not in proper conditions as its tires are worn, side mirrors are broken and fixed with tape, and is lacking a fire extinguisher.
2. The factory does not keep documentation of regular maintenance of lifting devices (seven forklift machines) and compressors (three compressor machines).
3. Workers in charge of keeping the keys of the two first aid kits (one in the cutting department and another in the sewing department) were not readily available during the physical inspection. It took approximately five to seven minutes for the responsible workers to arrive to open the first aid kit.
4. One bathroom was out of service and the factory had not posted a sign indicating it was out of service.
5. When the drinking water purification system fails, the factory uses dispensers that are manually cleaned, with no secure sterilization process. Failures do not happen often and the last failure was many months ago.
6. One sewing machine in the sewing production lines was missing an acrylic guard to protect workers against broken needles.
7. Some information, such as the factory's policy on health and safety and buyer's Code of Conduct was not available in the local language.
8. The factory does not implement a lockout-tagout procedure when machinery maintenance is conducted.

Local Law or Code Requirement

Labor Code, Articles 441, 448, and 480; FLA Workplace Code (Employment Relationship Benchmarks ER.2.1 and ER.2.1.1; Health, Safety and Environment Benchmarks HSE.1, HSE.6.1, HSE.14.1, HSE.19, and HSE.23.1.2)

Recommendations for Immediate Action

1. Provide regular maintenance to compressors and forklifts, and ensure that forklifts are safely driven.
2. Keep records of maintenance provided to all machinery, especially to compressors and lifting devices.
3. Design a mechanism to ensure that the staff in charge of keeping the key for the first aid kit in cutting and sewing is present at the designated work area at all times.
4. Regularly monitor conditions at restrooms to ensure toilets are properly working, and post signs indicating that broken toilets are temporarily out of service when needed.
5. Stop the practice of manually cleaning drinking water containers, and establish a sanitizing procedure.
6. Regularly monitor and ensure that all sewing machines are equipped with guards.
7. Ensure that all information posted at the workshop is available in the workers' local language.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Documents in local language

Details

Since there are two languages are spoken in the region (French and creole), we understood that an sign written in French would be enough.

The management will create a translated version (in Creole) of the factory's policy on health and safety and buyer's Code of Conduct. This will also be included in orientation and workers handbook.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory management has translated the Health & Safety Policy into Creole and has trained the workers on the policy.

Action Plan no 2.

Description

Action Plan Title

Lockout - tagout

Details

The management did not understand that it was necessary to put a tag to the machinery under maintenance.

The maintenance manager will create a sign to avoid this situation to happen. A lock out tag out procedure will be created.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory management has created a lock-out tagout standard operating procedure and it is available in Spanish and English.

Action Plan no 3.

Description

Action Plan Title

Health & safety - forklift

Details

Due to a lack of supervision, the accessories of the forklift (mirrors, light) were taken without notice.

The management will conduct an awareness campaign about the importance of the forklift accessories and put a worker responsible for each equipment. There will be a procedure written to conduct checklist of equipment and schedule routine maintenance.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has created a forklift SOP, checklist and provided training for forklift operators to ensure workers understand the importance and responsibility for maintaining the equipment.

Action Plan no 4.

Description

Action Plan Title

Equipment maintenance documentation

Details

A new asset management software was being implemented at the time of the audit, thus we could not provide the proper data of the equipment at the time.

Factory has completed the implementation of software to maintain records of all equipment maintenance for compressors, forklifts, and lifting devices.

Additional training will be given in order to ensure the proper use of the software.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

2/6/18 The factory has installed and implemented software program to manage and maintain equipment maintenance records.

Action Plan no 5.

Description

Action Plan Title

First Aid Kit access

Details

The key was held by one supervisor which was in a meeting at that moment, thus he couldn't arrive on time.

In order to address the situation, we assigned the key to an associate that stays in the area more.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has assigned a person who is responsible for first aid kit access, the person can be identified by special garment attire and their photo is posted on the boards so workers can identify the persons.

Action Plan no 6.

Description

Action Plan Title

Bathroom sign

Details

The water pump of the bathroom was not working at the time of the audit, thus the management understood the it will be enough to only close the bathroom.

The management will create a sign in order to indicate if an area is under maintenance and should not be used.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

2/6/18 The factory has created a SOP for maintaining the bathroom and provided training.

Action Plan no 7.

Description

Action Plan Title

Drinking Water

Details

The management understood that a chlorine disinfection of the dispensers would be enough.

The maintenance manager will create an inventory of the vital parts of the purification system in order to avoid the failure of the system, thus avoiding the use of the dispensers. A back up plan will be developed to address possible failure in the future.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

2/6/18 The factory has created a SOP for the water purification system, created parts inventory list and providing training.

Action Plan no 8.

Description

Action Plan Title

Sewing machine guards

Details

Retraining will be given to the mechanics, workers and supervisor in order to explain them the importance of the PPE's. Supervisors will be instructed to check production lines each day for proper use of PPE.

All operators have been trained not to sew if their machine is missing a machine guard and to stop sewing if the machine guard breaks. The workers have been trained to communicate to their supervisor to correct the issue.

The Safety Environment and Health teams in charge are to verify machine guards in the weekly assessment check list.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

2/6/18 the factory has created SOP for mechanics to follow for machine safety guards, created a check list log, provided training to supervisors and operators.

FINDING NO.12

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

There is no adequate area for all workers to eat during the lunch break. The industrial park administration has provided some eating areas with tables and seats, but they are not sufficient for the total number of workers within the industrial park. This also leads to workers eating in unsanitary areas in places such as on the ground or among animals outside the industrial park.

Local Law or Code Requirement

Labor Code, Article 439 section 7; FLA Workplace Code (Health, Safety and Environment Benchmarks HSE.1 and HSE.19)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Area - lunch break

Details

The Park did not create new eating areas that go accordingly with the growth of the park.

The administrative park is in process to build a new facility to accommodate all the employees (mess hall, cafeteria)

The Park will provide an expansion to include eating area and lunch room and it will be completed in by Q2 2018.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The Park has completed the expansion to include a new eating area for the workers.

FINDING NO.13

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

The industrial park where the factory is located has established its own clinic on site. The Haitian local law requires employers to hire five nurses for every 200 workers; however, the clinic is staffed with five doctors and five nurses, which is insufficient for the approximately 8,000 workers eligible to receive health services from the different factories within the industrial park. Most of interviewed workers

confirmed the challenges they face accessing health services at the clinic in a timely manner.

Local Law or Code Requirement

Labor Code, Article 479; FLA Workplace Code (Health, Safety and Environment Benchmarks HSE.1, HSE.18.1, HSE.18.2.1 and HSE.19)

Recommendations for Immediate Action

Factory management to work closely with the industrial park administration to gradually increase the number of nurses at the clinic.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Clinic employers

Details

The Park has not create new health facilities that go accordingly with the growth of the park.

As part of the park, the factory currently has a health department composed of the following health professional: 1 occupational doctor, 1 pediatrician, 1 psychologists, 1 dentist, 2 laboratories, 1 gynecologists, and 5 nurses. The current professional are onsite daily.

The Park has plans to increase the number of personnel by the end of Q2 2018.

The Park administrative is in process to build a new facility to accommodate all the employees (clinic).

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

08/06/18 : The park has a clinic that is available to all workers. The clinic includes several health professionals and is open during working hours for all workers in park.

FINDING NO.14

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The factory has not conducted assessments on thermal comfort. Around 65% of interviewed workers stated that the production floor – specifically sewing, cutting and warehouses areas – are too hot most of the time. The factory was missing records of ventilation system maintenance.
2. The factory has not conducted an ergonomic risk assessment; as a result, it has not taken proactive steps to reduce repetitive-motion injuries (e.g. training on ergonomics, ergonomic breaks, or adjusting workstations to fit individual workers); the factory has, however, provided eligible workers with lifting belts and training on lifting techniques.
3. The factory does not ensure that electrical panels, fans, machines, headlamps, etc., are dust and lint free.

Local Law or Code Requirement

Labor Code, Article 439 section 4; FLA Workplace Code (Employment Relationship Benchmarks ER.2.1 and ER.2.1.1; Health, Safety and Environment Benchmarks HSE.1, HSE.13 and HSE.17.1)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Worker protection - temperature

Details

The thermometers to conduct the assessment were installed inside the plant, however, the factory were not taking thermal record inside the factory since it was never required.

A thermal assessment will be implemented, and a redistribution of the fans. A procedure to monitor temperature will be developed.

The factory has redistributed the ventilators to reduce the temperature and have installed roof exhaust to help reduce the temperatures in the factory.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

It is being reviewed as a priority to improve the temperatures in the facility by adding air condition. The factory continues to monitor the temperatures.

Action Plan no 2.

Description

Action Plan Title

Ergonomic risk assessment

Details

The Park management did not consider for any plant to conduct ergonomic risk assessment and ergonomic breaks. However the plant was in process to implement them.

The management of the plant will be considering to implement ergonomic exercises in the near future. We will train our supervision and workforce to conduct such exercises.

The factory is educating their workers about ergonomic processes and its benefits, The factory has already started providing training to the workers according to their job responsibilities; ergonomic exercises, correct sitting positions, correct lifting techniques and etc. All workers will be trained by Q3 2017

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

Factory is providing education and training during orientation for new employees and training twice a day for all current associates.

Action Plan no 3.

Description

Action Plan Title

Factory cleanliness

Details

A regular cleaning schedule has been implemented in the plant, however it seems that we will have to increase the frequency of the cleaning.

The management will modify the cleaning schedule of the plant. The management will modify the cleaning schedule of the plant. A procedure will be established to clean machinery, windows, cables, fans and electrical panels on a regular schedule.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has implemented a cleaning SOP and providing training to workers to ensure the factory is clean and free of dust.

FINDING NO.15

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Policies & Procedures (Macro)

Finding Explanation

1. The factory does not have written policies for the following Employment Functions: Recruitment, Hiring & Personnel Development, Termination & Retrenchment, Industrial Relations, and Workplace Code & Discipline.
2. The factory does not have procedures on Industrial Relations (including Freedom of Association).
3. Management does not have written procedures for Personnel Development that a) develops steps and process linked to job grading, promotional opportunities, demotion and job reassignment; b) encourages 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, and c) describe the review steps and process for performance reviews and that demonstrates linkages to job grading.
4. The factory does not have procedures on Termination & Retrenchment that include: a) methods of calculating final payouts in accordance with legal requirements; b) communication and consultation with workers' representatives in cases of retrenchment, before reaching a final decision on a layoff with the purpose of averting or minimizing its effects; and, c) a mechanism that allows workers to report any concerns or problems they may experience with regard to legally-owed payments during the retrenchment process.
5. The factory's disciplinary procedures do not include an appeal process.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1.1, ER.19.1, ER.23.1, ER.25.2, ER.27.4, ER.28.1, ER.29.1, ER.30.1, ER.30.1.1, ER.32.1, and ER.32.3)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Written Policies

Details

The Employment Functions already existed. However they were not posted for everybody to see them inside the plant.

The management will prepare a sign including all the Employment Functions. Written policies will be created and maintained by the Human Resource department.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has created Recruitment Policy to be maintained and implemented by HR for all workers in the factory.

Action Plan no 2.

Description

Action Plan Title

Industrial Relations

Details

The Park is in the process of reviewing all policies and procedures since the Park is responsible for maintaining policy standardization for all facilities. The factory will request the Park to provide copies of the Industrial Relations procedure for the factory's records. The factory will educate and train all workers on the procedure.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has worked with the Park to created and implement an Industrial Relations SOP.

Action Plan no 3.

Description

Action Plan Title

Written Policies

Details

The procedures already existed. However they were not posted for everybody to see them inside the plant.

The management will prepare a policy including all the Termination & Retrenchment procedures. A procedure for promotions, demotions and job reassignment will be developed.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has created and implemented Personal Development SOP to identify the process for workers to advance in their job career.

Action Plan no 4.

Description

Action Plan Title

Procedures

Details

The Termination & Retrenchment procedures already existed. However they were not posted for everybody to see them inside the plant.

The management will prepare a policy including all the Termination & Retrenchment procedures. Procedures will include calculation of final payout process, and timeline for payout. The factory will develop the policy and communicate the policy with workers.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

Factory management has created a termination and retrenchment procedure, which includes the calculation of final payment for workers and timeline for payment. The workers have received training on the new termination and retrenchment procedure.

Action Plan no 5.

Description

Action Plan Title

Disciplinary appeal process

Details

The Park is in the process of reviewing all policies and procedures since the Park is responsible for maintaining policy standardization for all facilities into the park. The factory will request the Park to provide copies of the Disciplinary Procedure for the factory's records. The factory will educate and train all workers on the procedure.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has provided disciplinary procedures training to workers.

FINDING NO.16

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Training (Macro)

Finding Explanation

The factory does not provide any ongoing training for workers or specific training for the relevant supervisors on the following Employment Functions: Recruitment, Hiring & Personnel Development, Compensation, Hours of Work, Termination & Retrenchment, Industrial Relations (including Freedom of Association), Workplace Conduct & Discipline, Grievance System and Environmental Protection.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1.2, ER.15.2, ER.17.1, and ER.17.3, ER.27.2)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Training

Details

The management never considered a retrain of our employees on those aspects.

The management of the plant will include these topics; Employment Functions: Recruitment, Hiring & Personnel Development, Compensation, Hours of Work, Termination & Retrenchment, Industrial Relations (including Freedom of Association), Workplace Conduct & Discipline, Grievance System and Environmental Protection in the training schedule that the plant gives each year.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has provided employment function training to workers on policies and procedures.

FINDING NO.17

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Communication & Worker Involvement (Macro)

Finding Explanation

1. As the factory is missing policies on Recruitment, Hiring and Personnel Development, Termination & Retrenchment, Industrial Relations and Workplace Conduct & Discipline, it does not communicate to workers on these Employment Functions. As the procedures on Personnel Development, Termination & Retrenchment, and Industrial Relations (including Freedom of Association) are missing, there is no communication on these Employment Functions.
2. The factory provides communication to new workers on Environmental Protection; however, it does not provide regular or ongoing communication to workers on Environmental Protection during employment.
3. The Worker Integration component is missing from all Employment Functions. This indicates that the factory has not established procedures to request and/or receive workers' input or feedback regarding the creation, implementation, and updating of its policies and procedures. Workers are neither systematically integrated nor consulted in the decision-making processes.
4. Workers only receive a copy of the Health & Safety rules during orientation.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1.2, ER.1.3, ER.16.1, ER.25.1, ER.25.2, ER.27.2, ER.29.1.1, and ER.30.2)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Policy

Details

The Recruitment, Hiring and Personnel Development, Termination & Retrenchment, Industrial Relations and Workplace Conduct & Discipline procedures already existed. However they were not posted for everybody to see them inside the plant.

The Park is in the process of reviewing all policies and procedures since the Park is responsible for maintaining policy standardization for all facilities into the park. The factory will request the Park to provide us copies of policies and the factory will post the policies/procedures in the factory, educate workers and to advise workers to review procedures on notice boards.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has obtained copies of the policies and procedures from the park and has posted them in the factory on notice boards and has educated workers on the policies and procedures

Action Plan no 2.

Description

Action Plan Title

Environmental Protection - training

Details

The information is provided via page to the employees; However, there is no record of such communications.

This information is posted on the information wall. Training will be provided annually to all workers.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has provided ongoing environmental protection training to workers.

Action Plan no 3.

Description

Action Plan Title

Workers Feedback

Details

Industrial Park administration will revise the integration procedure to include workers consideration through the union.

The Park Is working on reviewing all policies and procedures since they are responsible for maintain a standardization for all facilities in the park. The factory will review the park's polices and develop the factory's own supporting documents. The factory has deployed a team to provide training and education on policies and procedures at the factory level.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory has created a workers committee to include a worker integration component to the Employment Function.

Action Plan no 4.

Description

Action Plan Title

Health & Safety Rules

Details

The creation of the orientation procedures and all efforts regarding to the insertion of the new workers were focused on the personal health and safety.

All standardizations for each factory is managed by the Park management, the factory has informed the Park for the need of all orientation material to be provided to new workers. The park is responsible for hiring all new workers.

The Industrial Park administration will revise the orientation procedure and develop a hand book to include all orientation topics.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The factory is providing training on the brand's Code of Conduct and Health and Safety Policy in addition to the training that the Industrial Park provides to new workers during orientation.

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Review Process (Macro)

Finding Explanation

1. As the factory does not have written policies for the following Employment Functions, there is also no review process: Recruitment, Hiring & Personnel Development, Termination & Retrenchment, Industrial Relations, and Workplace Conduct & Discipline.
2. As the factory is missing procedures on Personnel Development, Termination & Retrenchment, and Industrial Relations (including Freedom of Association) there is no review process for these Employment Functions.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1.3, ER.29.1.1, and ER.30.2)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Action Plan Title

Written Procedures

Details

All standardizations for each factory in the park is managed by the Park Management. The factory has informed the Park for the need of all policies and procedures to be provided to the factory. Once the factory receives the policies, the factory will implement the procedures at the factory level for the following Employment Functions, Recruitment, Hiring & Personnel Development, Termination & Retrenchment, Industrial Relations, and Workplace Conduct & Discipline. The factory will review policy and procedures annually.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The Industrial Park has created a time line to review all policies nd procedures annually.

Action Plan no 2.

Description

Action Plan Title

Procedures

Details

All standardizations for each factory in the park is managed by the Park Management. The factory has informed the Park for the need of all policies and procedures to be provided to the factory. Once the factory receives the policies, the factory will implement the procedures at the factory level for the following Employment Functions, Recruitment, Hiring & Personnel Development, Termination & Retrenchment, Industrial Relations, and Workplace Conduct & Discipline. The factory will review policy and procedures annually.

Planned Completion Date

03/01/18

Planned completion date

03/05/17

Company Action Plan Update

The Industrial Park has created a time line to review all policies nd procedures annually.