



FAIR LABOR
ASSOCIATION®

INDEPENDENT EXTERNAL ASSESSMENT REPORT



COMPANIES: ABC GRUPPEN AB

COUNTRY: Poland

ASSESSMENT DATE: 12/13/16

ASSESSOR: FLA EMEA

PRODUCTS: Apparel

NUMBER OF WORKERS:

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

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Training (Macro)

Finding Explanation

1. The factory does not provide on-going training regarding practices on Recruitment, Hiring & Personnel Development, Compensation, Hours of Work, Industrial Relations, Grievance System, Workplace Conduct & Discipline, Termination & Retrenchment, and Environmental Protection.

2. There is an orientation training, which is provided during the recruitment process, however, training does not cover industrial relations. Moreover, workers do not receive a written documentation that substantiates all the issues covered in orientation.

3. The factory does not provide supervisors with training on any of the Employment Functions.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.1, ER.15, ER.17, ER.25, and ER.27)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Together with update of the risk assessment the general training of new employees document will also be updated and followed.

Company Action Plan Update

Kaszkiel has been informed.

FINDING NO.2

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Policies & Procedures (Macro)

Finding Explanation

1. The factory does not have any written policy and procedures on Recruitment, Hiring and Personnel Development, Grievance System, Industrial Relations and Environmental Protection.

2. There is no written policy and procedures on termination and retrenchment, however, there are some documents and system exists to manage termination process. A written document which is added to employment contract that explaining termination rules and process is placed in employment files, however, there is no written information on retrenchment.

3. The factory's Health & Safety procedures do not include the following: measures to protect the reproductive health of workers through minimizing exposure to workplace hazards; protection against retaliation for workers who raise health and safety concerns; steps on how to ensure that all personnel, visitors, contractors, and service providers are safely evacuated; a complete chemical inventory.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.17, ER.25, ER.29, ER.31, and ER.32; Non-discrimination Benchmark ND.8; Health, Safety & Environment Benchmarks HSE.1 and HSE.12)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Together with the other documents which will be updated this will also been looked through.

Company Action Plan Update

Kaszkiel has been informed.

FINDING NO.3

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Hours of Work

Finding Explanation

1. The factory does not record working time using time time cards or any other mechanical or electrical system. Workers sign attendance sheets where time in and out is recorded manually. Polish labor law does not require an electrical or mechanic system for time recording.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.23)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Since the Polish labor law does not require an electrical or mechanic system for time recording, this will not be prioritized. As action the factory will be informed that this is required and a possibility to install this will be looked into.

FINDING NO.4

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Grievance System

Finding Explanation

1. There is no formal grievance mechanism in the factory. Workers speak directly with their supervisors regarding their grievances or suggestions, and they can also communicate with the managerial staff directly. However, there is no mechanism that allows workers to report grievances confidentially, such as via suggestion boxes or worker representatives. Moreover, the factory does not maintain any documentation related to the grievance system.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.2 and ER.25)

COMPANY ACTION PLANS

Action Plan no 1.

Description

ABC-Gruppen will look into if they can setup some kind of grievance system where the workers can inform and give suggestions.

FINDING NO.5

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Workplace Conduct & Discipline

Finding Explanation

1. Although it has not been implemented, the disciplinary procedures allow for monetary penalties, for actions related to the violation of health and safety rules.

2. There is no procedure for employees to appeal disciplinary action.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.27; Harassment and Abuse Benchmark H/A.2)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Will not be prioritized for now.

Action forward is to look over how a procedure for employees to appeal disciplinary action could look like.

FINDING NO.6

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. Even though production areas have been modified and workplace accidents have occurred, the factory has not updated its risk assessment since March 18th 2002.

2. One of the cutting operators was not wearing the provided PPE (wire-mesh glove).

3. Noise measurements are conducted; however, the embroidery department is not included in the high-risk noise measurements.

4. A small mezzanine placed over the maintenance room in the building 1, is completely open with the one side without any door, window or protective chain. The handrail of the portable ladder used to reach this area had been removed.

5. There was an unused moulding machine without a "do not use" sign at the cutting section in the building 1. The engine cover panel was open and cables were exposed. Additionally while the machine is in operation, a 10 kg weight is attached to the machine to keep the machine cover open.

6. 20% of the sewing machines do not have needle guards. Additionally approximately 30% of the workers removed or displaced the eye

and finger guards of remaining sewing machines.

Local Law or Code Requirement

Labor Code (1974), Article 226; Regulation on General Provisions on Safety and Hygiene at Work (1997), Paragraph 106.1, Chapter 3, and Annex 2- Article .1; Polish Journal of Law No. 11.33.166 (16 February 2011) Paragraph 13; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.7, HSE.8, and HSE.14)

Recommendations for Immediate Action

1. Ensure that risk assessment I reviewed and updated accordingly.
2. Train the cutting operators on PPE usage to ensure all of cutting section workers wearing required gloves during the cutting process.
3. Conduct noise measurement for the embroidery section and provide earplugs for the workers according to the test results.
4. Ensure that mezzanine area has fall protection and portable ladders' handrail is not removed.
5. Place a sign for the unused moulding machine and remove the hanged weight. Ensure that engine cover is closed.
6. Ensure that proper eye and finger protection guards are provided for sewing machines Train the workers on using of machine guards to ensure the guards are effectively used.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. The risk assessment are planned to be update so it's up to date.
2. Develop a routine and training that workers who are working with cutting machines always should wear required gloves during the cutting process.
3. Earplugs needs to be purchased and train the workers who are working around loud machines to use these to minimize the noise.
4. Ensure that mezzanine area has fall protection and portable ladders' handrail is not removed.
5. A sign with "Do not use" will be added to the machine, remove the hanged weight and ensure that the engine cover is closed.
6. Purchase and make sure all sewing machines have needle guards.

Company Action Plan Update

Instructions and email contact has been established

FINDING NO.7

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The factory had not conducted the require construction safety inspection and obtained the valid permits.

Local Law or Code Requirement

The Act of 7 July 1994: the Construction Law Article 62. 1; FLA Workplace Code (Health, Safety & Environment Benchmark HSE.4)

Recommendations for Immediate Action

1. Conduct legally required construction safety checks and provide the safety revision report for both factory buildings.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Conduct legally required construction safety checks and provide the safety revision report for both factory buildings. If needed the factory will be provided with an example on how a template for this safety check can look like.

FINDING NO.8

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The factory does not have an emergency alarm system in both factory buildings.
2. No fire drill is conducted in both factory buildings, building 1 and building 2, while more than 50 employees each are available in the fire zone at one time.
3. All of the emergency exit doors at the building 1 open inwards, except the main door of the building.
4. One of the emergency exits in sewing section at the building 1 was locked; however, the key was on the door.
5. There was no fire extinguisher in the warehouse where the material boxes are stored at the building 1.
6. One of the fire extinguishers in cutting section at the building 1 is blocked by the portable ladder.
7. The number of fire extinguisher at the building 2 is not adequate. Only one extinguisher is provided for each section, and access to the fire extinguisher in the sewing section is obstructed. Additionally in the other sections, the cutting and finishing departments, the fire extinguishers are hung too high and obstructed with tables.
8. A door that is no longer considered an emergency exits in the cutting section at the building 1, still had an emergency exit sign above the door. The sign was removed during the assessment.
9. The emergency exit door in the embroidery section does not have an emergency exit sign. However, the exit sign was installed during the audit. Moreover, in this section there is a door which opens in to another room where three female workers work (repairing). There is no emergency exit sign in this room to direct workers to the correct exit.
10. The workstations for the three repair workers is too close to boiler room, which creates a risk of fire or explosion. Additionally, two chemical barrels (flammable liquids) are stored inside the room and placed near the boiler.
11. No emergency evacuation maps are posted in the factory buildings.
12. Emergency assemble points have not been designated for either factory building.
13. The fire safety instruction for the building 1 has not been updated since May 2007. Additionally there are no fire safety instruction available at the building 2.
14. There is no designated team for helping workers safely evacuate in case of an emergency.

Local Law or Code Requirement

Labor Code (1974), Article 209; Decree on fire safety of buildings, other construction buildings and areas (2010), Articles 4.1, 4.2, 6.1, 17.1 and 18 Regulation on General Provisions on Safety and Hygiene at Work (1997), Article 9 – 1; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.5, and HSE.6)

Recommendations for Immediate Action

1. Provide an automatic and centralized fire alarm system for factory buildings to notify the workers in case of emergency. Ensure that the alarms systems are functional under all circumstances; loud enough to hear in all work areas and checked periodically.
2. Conduct fire drills in each factory as legally required.
3. Ensure that emergency exit doors open in the direction of evacuation.
4. Ensure that none of the emergency exit doors are locked, even if the key is on the door.
5. Ensure that fire extinguishers are not obstructed. Hang the fire extinguishers on a proper level (approx.150 cm) for easy access.

6. Provide fire extinguishers for the warehouse at the building 1.
7. Provide at least one more fire extinguisher for each section at the building 2.
8. Ensure that emergency exit signs are not misleading the workers, and remove the exit signs from the old emergency exit door.
9. Ensure that all emergency exits in each section have emergency exit signs, and that there leading signs throughout the emergency exit routes.
10. Remove the flammable liquid from the boiler room, and move the repair workers' workstation so that it is not near the boiler room.
11. Prepare evacuation maps that show the layout of the floors including location of the fire extinguishers, emergency exits, emergency routes, and you are here signs. Post these maps in every section at an easily visible location.
12. Assign emergency assembly points for both factory buildings.
13. Appoint and properly train a fire rescue team.
14. Ensure that fire safety instructions are available at both locations and regularly updated.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Provide an automatic and centralized fire alarm system for factory buildings to notify the workers in case of emergency. Ensure that the alarms systems are functional under all circumstances; loud enough to hear in all work areas and checked periodically.
2. Conduct fire drills in each factory as legally required.
3. Ensure that emergency exit doors open in the direction of evacuation.
4. Ensure that none of the emergency exit doors are locked, even if the key is on the door.
5. Provide fire extinguishers for the warehouse at the building 1.
6. Ensure that fire extinguishers are not obstructed. Hang the fire extinguishers on a proper level (approx.150 cm) for easy access.
7. Provide at least one more fire extinguisher for each section at the building 2.
8. Ensure that emergency exit signs are not misleading the workers, and remove the exit signs from the old emergency exit door.
9. Ensure that all emergency exits in each section have emergency exit signs, and that there leading signs throughout the emergency exit routes.
10. Remove the flammable liquid from the boiler room, and move the repair workers' workstation so that it is not near the boiler room.
11. Prepare evacuation maps that show the layout of the floors including location of the fire extinguishers, emergency exits, emergency routes, and you are here signs. Post these maps in every section at an easily visible location.
12. Assign emergency assembly points for both factory buildings.
13. Appoint and properly train a fire rescue team.
14. Ensure that fire safety instructions are available at both locations and regularly updated.

Company Action Plan Update

Instructions and email contact has been established.

FINDING NO.9

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The factory does not have a chemical inventory and chemicals are not properly managed in the factory.
2. There is a new screen-printing section at the cutting floor. The open dyes and thinner were placed on the ground around the printing machine and one of the dyes was stored inside a yogurt can, without a label. Moreover, no personal protective equipment is provided for the screen-printing section.
3. There are chemical barrels stored in the boiler room, without secondary containment and material safety data sheets (MSDS).

4. No MSDS form are provided for any of the chemicals in the factory; including, glue, thinner, and machine oil. And no proper PPE is provided for chemical usage.

5. The factory does not have any eye wash facilities.

6. The factory does not have spill kit for the chemicals.

Local Law or Code Requirement

Polish Journal of Law No. 169, Section 1650 § 11; FLA Workplace Code (Health, Safety & Environmental Benchmarks HSE.1, HSE.5, HSE.9, and HSE.10)

Recommendations for Immediate Action

1. Create chemical inventory for the factory and provide MSDS forms for all chemicals (liquids, oils, dyes, spot removers, cleaners, thinner) in the workers' local languages. Post MSDS forms where the chemicals are used and stored.

2. Remove the chemical barrels from the boiler room, designate a proper place for chemical storage, and provide secondary containment. Ensure that dyes used in the screen-printing section are properly stored and labelled.

3. Provide proper Personal Protective Equipment for the screen-printing process and for all chemicals usages.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Create chemical inventory for the factory and provide MSDS forms for all chemicals (liquids, oils, dyes, spot removers, cleaners, thinner) in the workers' local languages. Post MSDS forms where the chemicals are used and stored.

2. Remove the chemical barrels from the boiler room, designate a proper place for chemical storage, and provide secondary containment.

3. Ensure that dyes used in the screen-printing section are properly stored and labelled.

4. Provide proper Personal Protective Equipment for the screen-printing process and for all chemicals usages.

5. Provide an eye wash facility.

6. Provide a spill kit for the chemicals.

Company Action Plan Update

Instructions and email contact has been established.

FINDING NO.10

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. Expired medicine (hydrogen peroxide) was found in the first aid kit at the building 1.

2. 12 out of the 30 workers medical examinations are expired.

Local Law or Code Requirement

Polish Labor Code (1974) Article 229 4. FLA Workplace Code (Health, Safety, & Environment Benchmarks HSE.1 and HSE.18.3)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Allow new medicine which is up to date and ensure that all workers has updated medical examinations.

Company Action Plan Update

Instructions and email has been established.

FINDING NO.11

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. 20 of 30 (66%) of the legally required Health and Safety trainings were expired, and have not been conducted since April 14th 2011. According to labor law the trainings should be renewed no less frequently than once every three years.

2. The workers are not provided with detailed chemicals training, including how to store and use chemicals.

3. The workers are not trained in proper lifting techniques, and provided with necessary PPE (lifting belts).

Local Law or Code Requirement

Polish Journal of Law (27 July 2004) No. 2004- 180 Section 1860 § 15.1; FLA Workplace Code (Health, Safety, & Environment Benchmarks HSE.4, HSE.9, and HSE.17)

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Together with the other documents which will be updated this will also be looked through.

2. Complete a chemical training for the workers who are working with this.

3. Complete a lifting technique training for the workers who are lifting heavy stuff.

FINDING NO.12

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Environmental Protection

Finding Explanation

1. There is no separate storage for chemical waste and it is mixed with the domestic waste.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1 and ER.31; Health, Safety, & Environment Benchmarks HSE.1, HSE.4, and HSE.9)

Recommendations for Immediate Action

1. Ensure that all hazardous waste is stored and properly disposed.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Provide a storage for the chemical waste and make sure not to mix the chemical waste with the domestic waste.

Company Action Plan Update

Factory has been informed.

FINDING NO.13

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Review Process (Macro)

Finding Explanation

1. The factory reviews existed policies and procedures for the Employment Functions when it is needed; however it is not on systematic basis.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1.3, ER.30, and ER.31)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Make sure the existed policies and procedures for the employment functions are reviewed on systematic basis.

Company Action Plan Update

Factory has been informed.

FINDING NO.14

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Communication & Worker Involvement (Macro)

Finding Explanation

1. The worker integration component is missing across Recruitment, Hiring & Personnel Development, Compensation, Hours of Work, Industrial Relations, Workplace Conduct & Discipline, Grievance System, and Termination & Retrenchment. This indicates that the factory has not established procedures to request and/or receive workers' input/feedback regarding the creation, implementation, and updating of its policies and procedures. Workers are neither systematically integrated nor consulted in decision-making processes. Moreover, existed policy and procedures are not posted in the factory.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1.2, ER.16.1, ER.25.2, ER.29.1.1, ER.30.2, and ER.32)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Have monthly meetings to inform the staff about decisions, existing policies and procedures within the factory.
Create a forum where the staff can give input and feedback.