



COMPANIES: Burton Snowboards

COUNTRY: Vietnam

ASSESSMENT DATE: 03/23/18

ASSESSOR: Social Compliance Services Asia

PRODUCTS: Apparel

NUMBER OF WORKERS: 814

FLA Comments

Between the time of the SCI Assessment and the publication of this report, this factory closed. Due to the factory closure, Burton was unable to implement corrective action plans. The parent company of the factory stated that this closure was planned as the Vietnamese government has requested garment factories relocate outside of central Ho Chi Minh City. According to management, the factory informed the workers of the closure one month prior to the closure, following legal requirements. A total of 345 local workers have been retrenched as a result of this closure. As of early July 2018, the local labor department is ensuring that all workers will receive the correct benefits. At the time of the closure, Burton had 5% by quantity (unit count) and 2% by net value of production in the facility. Burton will be transferring repeat orders to the supplier's sister companies in Cambodia and Taiwan.

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: Policies & Procedures (Macro)

Finding Explanation

1. The procedure on Recruitment, Hiring & Personnel Development lacks elements of i) raising or broadening skills in order to advance workers in their careers; ii) performance review; iii) managing promotion, demotion and job reassignment. [ER.28, ER.29, ER.30]
2. The procedure on Workplace Conduct & Discipline lacks a third party witness during imposition and an appeal process. [ER.27]
3. The procedure on Termination & Retrenchment lacks elements of i) managing retrenchment; ii) the methods for calculating final payouts, in accordance with legal requirements. [ER.19, ER.32]
4. The written policy on Environmental Protection lacks elements of i) the statement of general support for energy and water efficiency; ii) a commitment to minimize impacts with respect to air emissions, waste, hazardous materials and other applicable environmental risks; iii) enabling workers how to raise the environmental concern, procedure for reporting environmental emergencies and protection for workers who allege environmental violations. [ER.31]
5. The procedure on Hours of Work lacks element of complying with all applicable laws governing work hours of special categories of employees. [HOW.4]
6. The procedures on Health & Safety lack several elements of the following:
 - i) The protection against retaliation for workers who raise health and safety concerns;
 - ii) Steps for ensuring that walkways/ aisles and emergency exits are free from obstruction, emergency assembly area;
 - iii) Steps on how to ensure all personnel, visitors, contractors, service providers safely evacuated;
 - iv) Steps on how to ensure that all special categories of workers and children in childcare facilities safely evacuated;
 - v) A list of equipment and/or machines that require lockout/tag-out,
 - vi) A list of the firefighting equipment in the factory, warehouse areas and dormitories;
 - vii) Workers' duties regarding fire response;
 - viii) The factory's response plans in the event of a fire;
 - ix) A list and contact information of external authorities to call/inform in case of a fire;
 - x) Identification of managers and/or workers responsible in case of emergency;
 - xi) Evacuation procedures and plans and roles and responsibilities of emergency personnel. In addition, the factory does not have a clear guidance on electrical certifications, inspections, assessments and reviews and for external contractors/service providers concerning health and safety. [ER.1, ER.31, HSE.1, HSE.5]
7. The factory does not clearly define the responsible/accountable person(s) for following Employment Function in writing: Workplace Conduct and Discipline, Grievance System, Health, Safety & Environmental Protection. [ER.1]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.19, ER.28, ER.29, ER.30, ER.31, and ER.32; Hours of Work Benchmark HOW.4; Health, Safety, & Environment Benchmarks HSE.1 and HSE.5)

FINDING NO.2

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Training (Macro)

Finding Explanation

1. The factory does not provide any ongoing documented training to employees on the following Employment Functions: Recruitment, Hiring & Personnel Development, Termination and Retrenchment, and Workplace Standards. The factory only provides the above content to new workers during orientation training. [ER.1, ER.15]
2. The factory does not provide training on Workplace Conduct & Discipline for the relevant HR personnel and administrative staff. [ER.1, ER.17, ER.27]
3. The factory does not provide specific training for the relevant managers and supervisors on the following Employment Functions: Recruitment, Hiring & Personnel Development, Workplace Conduct & Discipline, Termination & Retrenchment, Grievance System, Industrial Relations, Environmental Protection, Hours of Work, and Compensation. [ER.1, ER.17, ER.27]
4. The factory does not provide persons with maintenance responsibilities with specific training on maintenance safety. [ER.1, HSE.14]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.15, ER.17, & ER.27; Health, Safety & Environmental Protection Benchmarks HSE.14, and HSE.17)

FINDING NO.3

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Communication & Worker Involvement (Macro)

Finding Explanation

1. The factory does not communicate the policies and procedures and their updates for any Employment Functions to the general workforce, including; Recruitment, Hiring & Personnel Development, Compensation, Hours of Work, Environmental Protection, Grievance System, Termination & Retrenchment, Workplace Conduct & Discipline, Industrial Relations, and Health and Safety. [ER.1, ER.16, ER.25]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.16, and ER.25)

FINDING NO.4

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Review Process (Macro)

Finding Explanation

1. The factory does not conduct a periodic review and update of policies and procedures across all Employment functions: Recruitment, Hiring & Personnel Development, Workplace Conduct & Discipline, Termination & Retrenchment, Grievance System, Industrial Relations, Environmental Protection, Hours of Work, Compensation and Health & Safety according to local laws and regulations or FLA code requirements. [ER.1, ER.29, ER.30, ER.31]
2. There are a few terms in the factory internal regulation that is not in practice. For example, in the internal regulation document, the break time is from 9:30- 9:35am and 3:30- 3:35 pm, however, the actual break time for workers is from 10:00-10:10am and 3:00-3:10pm. Additionally, the internal regulation states that the work hours for boiler operators is from 7am - 16:00pm, however, the actual work hours is from 6:30am to 3:30pm. The weekly day off is also not stated in the internal regulation. In practice, workers receive a weekly day off. In addition, an improper clause is mentioned on the internal regulation in which the resigned worker is not allowed to work for a partner factory or neighbor factory within six months from the resigned date. There is no evidence that this occurs in practice.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.29, ER.30, ER.31)

FINDING NO.5

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

1. Some positions' job descriptions are missing, such as the warehouse and packing employees. [ER.1]
2. The factory does not have a system to review the performance of new employees during their probation period. The factory does not conduct performance reviews for any employee. [ER.29]
3. The handbook is not provided to new workers. [ER.15]
4. The factory does not employ any disabled workers, which is a violation of legal requirements which state that at least 3% of the total workforce should be composed of disabled workers. The factory also does not make the monthly payment into the employment fund for disabled workers equal to the minimum wage multiplied by the number of disabled workers needed in order to reach 3% as per the law requirement.

Local Law or Code Requirement

ORDINANCE 06/1998/PLUBTVQH – ARTICLE 9; DECREE 81/1995/NĐ-CP

ARTICLE 16; DECREE 116/2004/NĐ-CP CIRCULAR 19/2005/TTLT/ BLĐTBXH – BTC-BKHĐT); LABOR LAW, ARTICLE 82 & 83; FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.15, ER.29, and ER.31)

FINDING NO.6

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Workplace Conduct & Discipline

Finding Explanation

All records of disciplinary actions are not maintained in employees' personnel files; the factory records them separately.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.27)

FINDING NO.7

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Hours of Work

Finding Explanation

1. There is no proper monitoring system to monitor the compliance status of working hours of the outsourced security guards. The attendance record provided by the factory from January to February 2018 showed that the daily overtime hours exceeded the legal requirement of 4 hours per day; seven out of eight outsourced security guards reached 16 hours a day (8 normal working hours plus 8 hours overtime). In addition, weekly working hours of eight selected security guards exceeded 60 hours and reached 66 to 68 hours on average and reached a maximum of 112 hours per week in February 2018. Additionally, 24 consecutive hours of rest in every seven day period was not guaranteed; security guards worked 11 days continuous on average and reached a maximum of 59 consecutive days from January 1st to Feb 28th 2018. [HOW.1, HOW.2]
2. Based on information and records obtained, some production processes e.g. sewing and finishing section were completed at other facilities. The factory management reported that they also subcontracted washing, embroidery and printing processes to other factories. No proper monitoring system was available to monitor the compliance status, such as hours of work, of these subcontractors. [HOW.1, C.5]
3. Regular overtime of 1.5 hours (16:00- 17:30pm) is arranged for the majority of workers on Monday, Tuesday, Thursday and Friday on a regular basis, such as in the recent 3 months (January to March 2018) which shows that the factory management sets production systems at a level such that workers need to work beyond regular working hours. [ER.24]

Local Law or Code Requirement

LABOR LAW, ARTICLE 72; LABOR LAW, ARTICLE 69 DECREE 109/2002/NĐ-CP, ARTICLE 1 CLAUSE 3 CIRCULAR 15/2003/TTBLĐTBXH, SECTION II, CLAUSE 1.2; FLA Workplace Code (Employment Relationship Benchmark ER.24; Hours of work Benchmarks HOW. 1, and HOW. 2; Compensation Benchmark C.5)

Recommendations for Immediate Action

1. The factory to conduct monitoring on all outsourced service provider. Establish a proactive system to ensure that the working hours and payment of all outsourced security guards are in line with law requirement.
2. The factory to set up a proper system to regularly monitor the compliance condition of subcontractors to ensure their working hours are in line with law requirement.

FINDING NO.8

UNCORROBORATED RISK OF NON-COMPLIANCE

FINDING TYPE: Hours of Work

Finding Explanation

During the assessment, there were record inconsistencies noted between the production related records obtained and the time and payment records provided for the audit. There were production records that showed that workers were working on Feb 4, 2018 (Sunday) and Jan 28, 2018 (Sunday), however, the time and payment records provided by the factory showed that workers did not work on the mentioned dates. After communicating this discrepancy with factory management, they reported that these were human errors on making the records. After further verification, including workers interview where workers claimed they did not work on Sundays, there was no further information to be able to conclude an issue on the non-transparent practice. However, the assessment team would like to highlight this potential risk at the facility for further follow up.

Local Law or Code Requirement

FLA Workplace Code (Hour of Work Benchmark, HOW.1) FLA Workplace Code (Compensation Benchmark, C.16)

FINDING NO.9

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

1. The factory does not contribute social insurance for workers who are in the first month of their probation period nor retroactively pay the respective amount into their wages once they have passed the probation period. [ER.22]
2. The factory does not have a system to properly implement the practice to ensure the payment for sick leave and maternity leave is settled within 10 days to the workers, as required by law. For example, the sick leave payment in January 2018 was arranged on the 11th day. [ER.22]
3. No allowance was paid for the captain or deputy captain of the internal firefighting team, as required by law. [ER.22, C.1]
4. There is no proper monitoring system to monitor the compliance status, including compensation of the outsourced services providers, such as security guards. It was noted that the security guards were paid lower than the contract wages month (based on 12 hours per day in full month) and even the legal minimum wages (based on 8 hours per day in 26 days). Overtime wages were not properly compensated as stipulated by law too. For instance, 6 out of 8 security guards were not fully paid the contract wage, VND4,260,000 (USD 186) per month. One out of 8 security guards was paid in VND4,013,000 (USD 175) and rest of 7 security guards were paid in VND2,200,000 (USD 96) per month which was even lower than the legal minimum wage of VND3,980,000 (USD 173) per month. In addition, the factory only paid security guards 100% of the normal rate for overtime hours while the law requires the factory to pay them at 150% of the normal rate. [C.1, C.2, C.5, C.7]

Local Law or Code Requirement

CIRCULAR 17/2009/TTBLĐTBXH, ARTICLE 1; Article 3, Decree No. 153/2016/NĐ-CP; Point 1, Article 97, Vietnam Labor Code 2012; Point 4, Article 35, Decree No. 79/2014/ND-CP; FLA Workplace Code (Employment Relationship Benchmarks ER.22; Hours of Work Benchmarks HOW.1, HOW.11 and HOW.14; Compensation Benchmarks C.1, C.2 , C.5 and C.7)

Recommendations for Immediate Action

1. The factory to pay the amount of social insurance directly to the workers' wages during the one month' probation period.
2. The factory to ensures that the payment for sick leave and maternity leave is settled within 10 days.
3. The factory to ensure that the correct allowance is paid to the captain and deputy captain of internal firefighting team.
4. The factory must monitor all outsourced service provider and establish a proactive system to ensure that all outsourced security guards are properly paid as per prevailing law and regulation. Set up a proper system to regularly monitor the compliance condition of subcontractors to ensure their working hours are in line with law requirement.

FINDING NO.10

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Industrial Relations

Finding Explanation

1. Factory management does not provide any office space or other facilities for the union or other worker representative structure. [FOA.15]
2. The factory has no written consent from workers for the factory to deduct union dues from workers' wages. [FOA.24, C.11]
3. FLA Comment: Vietnam has not ratified ILO Conventions 87 or 98. Under Vietnamese law, all unions are required to affiliate with the single trade union, the Vietnam General Confederation of Labor (VGCL), which is affiliated with the Communist Party. With respect to such union monopolies, the ILO Committee on Freedom of Association has stated that "the rights of workers to establish organizations of their own choosing implies . . . the effective possibility of forming . . . [trade unions] independent both of those which exist already and of any political party." Vietnam's legal framework is therefore not compatible with the ILO Principles on Freedom of Association and, as such, all factories in Vietnam fail to comply with the FLA Code standard on Freedom of Association. [FOA.2]

Local Law or Code Requirement

FLA workplace Code (Freedom Association and Collective Bargaining Benchmarks FOA.2, FOA.15, and FOA. 24; Compensation Benchmark C.11)

Recommendations for Immediate Action

1. Obtain the written consent from workers on the deduction of union dues.

FINDING NO.11

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Environmental Protection

Finding Explanation

1. All chemicals in the chemical storage area and some chemicals in the maintenance room were not properly provided with secondary containment and were not properly labeled. [HSE.1, HSE.9]
2. Water bottles are used to store chemicals in the maintenance room, these are not labeled. [HSE.1,HSE.9]
3. The factory does not identify or assess whether its on-site operations generate any negative environmental impacts. [ER.31]
4. The factory has no proper anti-leakage facility for the hazardous waste storage areas where liquid chemical residual was found. [HSE.1, HSE.9]
5. Hazardous waste storage areas were not properly marked and labelled. No proper access control was in place. [HSE.1, HSE.9]

Local Law or Code Requirement

DECREE 68/2005/NĐ-CP, ARTICLE 16 VIETNAM STANDARDS TCVN 5507:2002, SECTION 4)f; DECREE 68/2005/NĐ-CP, ARTICLE 9); FLA Workplace Code (Employment Relationship Benchmark ER.31; Health, Safety & Environment Benchmarks HSE .1 and HSE.9)

Recommendations for Immediate Action

1. Ensure all chemicals have a secondary containment and labelled with safety labels.
2. Ensure all chemicals are stored properly and with proper containers.
3. Anti-leakage facility shall be available at the hazardous waste storage areas.
4. Hazardous waste storage areas shall be properly marked and labeled. Proper access control shall be in place.

FINDING NO.12

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. There were at least two electrical boxes at the main production building that were dusty and without proper insulation board. There is improper repaired wirings (tap fixed) for one of the electrical boxes. [HSE.14]
2. There is a grounding system at the factory. However, it was observed that there were some sockets which were not effectively grounded. [HSE.13]
3. No lockout-tagout program is established at the factory. [HSE.14]
4. No safety information was provided to contractors. [HSE.2]

5. Around 5% of sewing workers did not use machine guards properly. [HSE.8]
6. No proper ergonomic system in place, such as no back support for lifting heavy goods and no adjustable chair for the sewing workers. [HSE.17]
7. The factory does not provide workers with training on proper lifting techniques, and do not provide workers with the necessary PPE for lifting. [ER.1, HSE.17]
8. Workers who work with chemicals do not have the Health & Safety training certificate that is required by law. [HSE.4]
9. The factory has a part-time Health & Safety officer instead of full time Health & Safety officer at the facility.
10. The factory does not conduct health check at every 6 months to workers per law required i.e. the last health checkup (November 2017) was at 8 months from the previous one (March 2017).

Local Law or Code Requirement

DECREE 105/2005/NĐ-CP, ARTICLE 31; LABOR LAW, ARTICLE 100; CIRCULAR 10/1998/TTBLĐTBXH, SECTION III; CIRCULAR 13/1996/BYT-TT, SECTION III, CIRCULAR 13/2007/TT-BYT; FLA Workplace Code (Health, Safety & Environment Benchmarks, HSE.2, HSE.4, HSE.8, HSE.13 and HSE.14, and HSE.17)

Recommendations for Immediate Action

1. Install proper insulation board for all electrical boxes. Ensure that no tap-fixed wires shall be used and conduct regular inspections and follow-ups for electrical equipment.
2. Ensure all sockets are grounded effectively and implement a system to ensure constant checks.
3. Establish the lockout-tagout program at the factory
4. Safety information shall be provided to all contractors.
5. Refreshment training shall be provided to workers on the proper usages of machines guards. Establish a training schedule for workers.
6. Provide workers with back support for lifting heavy goods and adjustable chairs.
7. The factory to arrange health checks for workers every six months.

FINDING NO.13

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. No proper eyewash facilities, fire-fighting equipment and alarm notification system installed in the chemicals storage area. [HSE.6]
2. The compressed air storage tank near the boiler area was not properly mounted on the floor. [HSE.14]
3. No asbestos exposure assessment is conducted by factory. The assessor observed that the ceiling in the old building contained a layer of material with insulation.
4. No proper loading weight assessment for the mezzanine which is used as the warehouse and no loading weight is posted at this mezzanine and storage rack for fabrics at the material warehouse.
5. The Health & Safety committee meeting is not effectively carried out with proper records, as required by law, e.g. the meeting content for the meeting in June 2017 is 100% identical to the meeting minutes in December of 2017.

Local Law or Code Requirement

DECREE 68/2005/NĐ-CP, ARTICLE 16; VIETNAM STANDARDS TCVN 5507:2002, SECTION 4; FLA Workplace Code (Health, Safety & Environment Benchmarks, HSE.5 , HSE.6 , HSE.9 , HSE.10 and HSE.14)

Recommendations for Immediate Action

1. Ensure all chemicals are stored properly at the designated areas.
2. Install the eyewash facilities, firefighting equipment and alarm notification system around the chemicals storage areas.
3. Carry out the asbestos exposure assessment at the factory.
4. Ensure the compressed air storage tank is properly mounted on the floor.
5. Conduct the loading weight assessment for the mezzanine which is used as a warehouse; the loading weight should be posted at the Mezzanine and the racks in the material warehouse.

FINDING NO.14

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The fire risk assessment is incomplete. Firstly, the chemical warehouse was missing from the risk assessment. Secondly, the report was missing the following information: the severity, frequency and priority of the issues. [HSE.4]
2. The procedures to use the fire extinguisher is not posted in the boiler room; the fire extinguisher was placed on the ground and not properly mounted in the maintenance room; approximately 2% of the fire extinguisher were partially blocked in the material warehouse, maintenance room, parking area and canteen. [HSE.1, HSE.5, HSE.6]
3. Even though they receive fire drill training, around 80% of workers are not fully aware of their assembly points or meeting areas in an evacuation. There are no emergency assembly point markings at the factory. [HSE.1, HSE.5]
4. The fire alarm is dysfunctional at the canteen at the time of assessment, which the factory fixed immediately. In addition, the emergency alarm is manually operated. No fire alarm is installed on the second floor of the main building. [HSE.1,HSE.5]
5. There is only one emergency exit door in the packing section with an area of 250 m2 (10- 15 packing workers were working in this areas). [HSE.1,HSE.5]
6. The contact information for medical response is not posted. [ER.16]
7. There are 5 sleeping rooms (for visitors) on the 2nd floor of the production building, no fire alarm was available in this area. There is only one exit on the 2nd floor of this area and also missing exit sign and emergency lighting in this area as well. [HSE.1,HSE.5, HSE.25, HSE.26]
8. There was a problem with the smoke detector for Zone 2 at the sewing section as there was an error message on the control panel. [HSE.13]
9. No fire detector and non-smoking signs available at the boilers areas. No manometer marking available for the boilers as well. [HSE.13]
10. Some evacuation aisles in the workshops, e.g. fabric warehouse, cutting, and sewing lines, are partially blocked by goods. [HSE.1, HSE.5]
11. All members of the internal firefighting and evacuation team are not provided with special clothing or badge for easy identification. [HSE.7]
12. The fire hydrant system was not functioning at the time of the assessment. The pump was not turned on therefore there was no water in the fire hydrant, it took more than five minutes to get the water pumping from the fire water tank into the fire hydrant system. This delay poses a risk in the case of a fire. In addition, the fire water tank area is not protected and does not have signs to mark access control. [HSE.1, HSE.6]

Local Law or Code Requirement

CIRCULAR 04/2004/TT-BCA, PART I; VIETNAM STANDARD TCVN 2622 – 1995 VIETNAM STANDARD OF CONSTRUCTION 439/1997/ BXD-CSXD; VIETNAM STANDARD TCVN 5738 – 2000 VIETNAM STANDARD OF CONSTRUCTION: 439/1997/ BXD-CSXD, POINT 11.8; VIETNAM STANDARD 7435-1 & 2:2004 PCCC VIETNAM STANDARD OF CONSTRUCTION: 439/1997/ BXD-CSXD, POINT 11.9; FLA Workplace Code (Employment Relationship Benchmark ER.16; Health, Safety & Environment Benchmarks HSE.1, HSE.5, HSE.6, HSE .7, HSE.13, HSE.25 and HSE.26)

Recommendations for Immediate Action

1. Proper fire risk assessment shall be carried out for the entire factory including the chemical warehouse.
2. Regularly check the fire extinguishers to ensure that they are in good condition and properly mounted with appropriate instruction for usages. Ensure all fire-fighting equipment is free from blockage.
3. Ensure emergency assembly points are properly marked and workers are communicated on the evacuation process and the location of assembly points.
4. Install a fire alarm on the second floor of the production building. Regularly inspect the fire alarm to ensure that they are at the proper condition. Install automatic alarm system with backup power at the facility.
5. Ensure two emergency exit doors are available at the packing section, due to the size of the area.
6. Contact information for the medical response shall be posted in an area, such as the notice board or near the first aid box, that is accessible to workers.
7. Ensure the sleeping room is not situated in the same building with the production building. Proper fire-fighting equipment and evacuation facilities shall be installed, such as emergency lighting and exit signs.
8. Ensure smoke detectors function.
9. Fire detector and the non-smoking sign shall be installed at the boilers areas. Manometer shall be installed for the boiler as well.
10. Ensure the evacuation aisles at the facility are free from blockage.
11. Members of the internal firefighting and evacuation team shall be provided with special clothing or badge for easy identification.
12. Ensure the fire hydrant system has water at all times and proper access control at the fire water tank areas shall be in place.

FINDING NO.15

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. There are no proper toilet supplies, such as soap and toilet paper at female toilets. There is also missing gender signs at one of the female toilets. [HSE.20]
2. Food samples were only kept for 24 hours as per local law at the size of 50gm. It is recommended to keep at least 150gm at 0 to 4

degree temperature for 72 hours as the current size of 50gm is insufficient for the necessary usage of tracking for the bacteria source in case of any cases of food poisoning. [HSE.22]

3. There are signs of a common drinking cup at the drinking water area. In addition, potable and non-potable water sources are not properly marked for differentiation. [HSE.23]

4. No investigation on the root cause of the injury is included in the work injury records. The records include the date of the accident, the injury reason, and treatment method. [HSE.3]

5. There is no proper breastfeeding room, currently, the clinic is used as the breastfeeding room. [HSE.1]

Local Law or Code Requirement

DECREE 163/2004/ND-CP, CLAUSE 1, ARTICLE 15; Decree no. 85/2015/ND-CP FLA Workplace Code (Health, Safety & Environment Benchmarks HSE. 1, HSE. 3 , HSE .20 , HSE .22 and HSE .23)

Recommendations for Immediate Action

1. Provide sufficient toilet supplies at the toilets and ensure all toilets have gender signs.

2. Ensure workers are provided with individual drinking cups.

3. Potable and non-potable water sources shall be properly marked.

4. Investigation process and detailed information shall be included on work injury records to prevent further injuries.