



COMPANIES: Herff Jones Inc
COUNTRY: Costa Rica
ASSESSMENT DATE: 06/20/19
ASSESSOR: Francisco Chicas
PRODUCTS: Apparel
NUMBER OF WORKERS: 85

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.

FLA Code Element	Number of Violations
Hours of Work	2
Employment Relationship	23
Health, Safety, and Environment	11
Freedom of Association	1

Findings and Action Plans

FINDING NO.1

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

1. Four out of fifteen interviewed workers claimed that their supervisors have not shared the results of their performance reviews with them. From the review of workers' personnel files, assessors found only supervisors (and not workers) signed the performance review forms in five out of eight cases. Moreover, the performance review form does not allow workers to provide their feedback on the performance review results. [ER.29]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.29)

FINDING NO.2

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Policies & Procedures (Macro)

Finding Explanation

1) The factory is missing policies and procedures on Forced Labor, Child Labor, Freedom of Association & Collective Bargaining, and Termination & Retrenchment. [ER.1, ER.25, ER.32]

2) The factory's Internal Regulations and other existing documents include some provisions regulating Recruitment, Hiring and Personnel Development, Nondiscrimination, Harassment or Abuse, Hours of Work, Compensation, and Environmental Protection. However, the factory is still missing written policies and procedures for all these Employment Functions and FLA Code elements. [ER.1, ER.23, ER.24, ER.28, ER.29, ER.30]

3) The factory has written procedures on Workplace Conduct & Discipline, Grievance System and Health and Safety; however, there are no written policies for these Employment Functions. [ER.1, ER.25, ER.26, ER.27, ER.31, ER.32]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.23, ER.24, ER.25, ER.26, ER.27, ER.28, ER.29, ER.30, ER.31, and ER.32)

FINDING NO.3

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Training (Macro)

Finding Explanation

The factory does not provide ongoing training to workers or supervisors on the following: Recruitment, Hiring & Personnel Development, Nondiscrimination, Forced Labor, Child Labor, Freedom of Association and Collective Bargaining, Compensation, Hours of Work, Termination & Retrenchment, Workplace Conduct & Discipline, and Grievance System. [ER.15, ER.17]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.15 and ER.17)

FINDING NO.4

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

1. The orientation training provided to new workers does not include the following: Personnel Development, Termination & Retrenchment, Forced Labor, Child Labor, Nondiscrimination, Grievance System, and Environmental Protection. [ER.15]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.15.1)

FINDING NO.5

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The records for Health, Safety, and Environment trainings are incomplete, as some of them are missing the training date and/or length of training. Also, all training records are missing the title of trainer, pictures of training sessions, and the training materials used. During worker interviews, all workers confirmed that training sessions had taken place. [ER.2]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.2)

FINDING NO.6

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Hours of Work

Finding Explanation

1. Three out of fifteen workers expressed that overtime is not voluntary, as they are not offered future overtime if they had declined overtime in the past, which is a form of retaliation for refusing to work overtime. Also, the employment contracts include a clause stating that workers are to perform overtime when required, which goes against the nature of voluntary overtime. [HOW.8.5]

Local Law or Code Requirement

Recommendations for Immediate Action

1. Ensure that all overtime is voluntarily and communicate to supervisors that any form of retaliation against workers who have refused to work previous overtime is prohibited. Also, remove the clause in employment contracts stating that workers must perform overtime when requested.

FINDING NO.7

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Workplace Conduct & Discipline

Finding Explanation

1. The factory is missing a formal appeal process for disciplinary actions. In practice, the management has provided workers with the opportunity to appeal and review disciplinary actions. However, there is no written procedure outlining specific rules for appeal process. This process could include timeframes for workers to present the appeal and for management to resolve, ways to present the appeal (verbally, in writing, or both), etc. [ER.27]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.27)

FINDING NO.8

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. Workers at the Wax and QC Inspection Departments are handling chemicals; however, there are no eyewash stations available in these work areas. [HSE.6]

Local Law or Code Requirement

FLA Workplace Code (Health, Safety and Environment Benchmark HSE.6)

Recommendations for Immediate Action

1. Install eyewash stations at all work areas where chemicals are in use.

FINDING NO.9

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. One worker at the Water Fonts section had not been provided with eye protection (glasses). This position has a risk of eye injuries. [HSE.7]

Local Law or Code Requirement

Occupational Risks Law (Law 6727, Article 284, Section CH); FLA Workplace Code (Health, Safety and Environment Benchmark HSE.7)

Recommendations for Immediate Action

1. Provide the worker at the Water Fonts with eye protection to prevent potential eye injuries.

FINDING NO.10

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. During the observation tour, assessors found one antiseptic product expired in one of the first aid kits near the main entrance. This product expired in May 2019. The expired product was removed immediately. [HSE.6]

Local Law or Code Requirement

FLA Workplace Code (Health, Safety and Environment Benchmark HSE.6.1)

Recommendations for Immediate Action

1. Replace the expired antiseptic product in the first aid kit. Ensure that the factory has a system to periodically inspect the items in all first aid kits.

FINDING NO.11

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1) Assessors found the following issues at the Chemical Warehouse: i) Thirteen chemical drums were missing secondary containers; ii) The secondary containment system for small chemical containers is not sufficient for the amount of chemicals stored; and iii) There is no shower or eyewash station. [HSE.9]

2) Assessors noted that one chemical drum on the production floor did not have secondary container. [HSE.9]

3) Two workers handling chemicals at Final Polish Department have not received training on chemical management. [HSE.9]

Local Law or Code Requirement

FLA Workplace Code (Health, Safety and Environment Benchmark HSE.9)

Recommendations for Immediate Action

1. Provide secondary containers to all chemical drums at the Chemical Warehouse and production areas. Ensure that secondary containment system at the Chemical Warehouse has sufficient room to store all chemical substances in case of spillage. Install shower and eyewash station at the Chemical Warehouse.

2. Provide secondary containers for the chemical drum on the production floor.

3. Provide training to all workers handling chemicals at the Final Polish Department.

FINDING NO.12

NOTABLE FEATURE

FINDING TYPE: Communication & Worker Involvement (Macro)

Finding Explanation

The factory implements a project named "Great Ideas", based on what the factory rewards workers who has proposed ideas for continuous improvement on production or quality that leads to reduce costs or production time. The award is a monetary amount of 15,000 Costa Rican Colones (around USD \$26.27). Assessor found 27 instances of workers who have received this award since 2015 to the present. This is part of the Workers' Integration component implemented by the factory.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Corrections were addressed with the factory and the factory provided documentation and pictures for the results

Planned completion date

07/02/19

Company Action Plan Update

Immediate action was taken on all concerns