



Verification Assessment

COMPANIES: PVH Corp

COUNTRY: India

ASSESSMENT DATE: 09/03/19

ASSESSOR: Insync Global

PRODUCTS: Apparel

NUMBER OF WORKERS: 201

FLA Comments

The PVH Corporation ended their affiliation with the Fair Labor Association in February 2020. Therefore, there will be no further updates to the Company Action Plans plans contained in this report.

Due to this disaffiliation PVH Corporation is no longer listed on the Fair Labor Association Website, however, their Independent External Assessment reports can still be found at: <https://www.fairlabor.org/transparency/workplace-monitoring-reports>

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
Compensation	2
Employment Relationship	9
Health, Safety, and Environment	10
Child Labor	1
Freedom of Association	7

Previous Report Findings and Verification Results

PREVIOUS FINDING NO.1

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

The legally required wage increase tracker (record of changes in wages) is not maintained in workers' personnel files, although wage change letters are issued and periodically filed.

Local Law or Code Requirement

Industrial Employment Standing Orders Act, 1946; FLA Workplace Code (Employment Relationship Benchmark ER.2)

Recommendations for Immediate Action

Maintain the progressive wage increase tracker in employees' personnel files.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Immediate Action: The factory has begun maintaining service records which contain wage increases for all employees in their personnel file. Sustainable Action: The factory's HR Executive shall update employees service records as required. The practice will be monitored by the factory's H.R. Manager.

VERIFICATION RESULT

Finding Status

Remediated

Remediation Details

The legally required wage increase tracker (record of changes in wages) is maintained in workers' personnel files.

PREVIOUS FINDING NO.2

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

1. Workers who resign in any month are paid the following month when regular wage payments are made, but payments for unused leave and bonuses are paid out during the festival period in October. For example, a worker resigned on May 15, 2015. Wages for the 15 days worked in May were paid on July 7, 2015; payment for 12.5 days of unused leave and the annual bonus were paid in October 2015. This practice does not comply with legal requirements which state that wages for unused leave need to be paid within 48 hours of the date of resignation.
2. Currently, the factory makes payments for 15 days of earned leave each year at the same time as a bonus. This practice does not comply with legal requirements, which state that workers can accumulate up to 30 days of unused leave. As a result, workers have no earned leave in their accounts and should they need to take leave, they will lose out on wages which affects their annual earnings, contributions to social security, and bonuses. Additionally, workers are allowed to take one day of paid non-sick leave each month. For example, should a worker require 4 days of leave in a month, one day is counted as paid "casual leave" and the other three days the worker is marked "absent" and not paid.
3. The factory pays workers' transportation allowances on the 15th day of each month, which is not reflected in the wage records. Transportation allowances are as follows: INR 1000 (USD 14.86) for a bus pass, INR 240 (USD 3.57) for local travel, and INR 1000 (USD 14.86) for workers using two-wheelers. Because these payments are not recorded properly, they are not included in calculations of the deduction of contributions to the Employees State Insurance Scheme.

Local Law or Code Requirement

Factories Act, 1948, Section 79 (i); Factories Act, 1948; Payment of Wages Act, 1936; The Employees State Insurance Act, 1948; FLA Workplace Code (Compensation Benchmark C.1; Employment Relationship Benchmark ER.22; Hours of Work Benchmarks HOW.11 and HOW.14)

FLA's Recommendations for Sustainable Improvements

1. Make payments for unused leave within 48 hours of Termination.
2. Allow workers to accumulate and use up to 30 days of earned leave.
3. Record all payments made to workers in the wage records and calculate contributions toward the Employees State Insurance program based on total gross earnings.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Immediate Action: The factory has begun paying all dues within two working days from the date of resignation. Sustainable Action: The factory will implement a monitoring mechanism whereby the HR Manager will ensure that all dues are paid within two working days from the date of resignation.

Action Plan no 2.

Description

Immediate Action: The factory will discontinue the practice of cashing out earned leave after this year's festival in October. Sustainable Action: The factory will provide workers with the option to accumulate up to 30 days unutilized leave. This policy has

been communicated to relevant workers. The factory plans to continue to provide workers one day leave with pay every month as an additional benefit.

Action Plan no 3.

Description

The factory is not paying any fixed travel allowance to employees. Reimbursement is provided for travel expenses that are incurred. In order to claim reimbursement, the employees submit copies of documents such as bus passes and fuel receipts etc. Given that this is not an allowance paid to the employee but rather an additional benefit, the amount reimbursed is not included in the wages and under local law, deduction for ESIC is not required.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. (Remediated) Wages for days worked, wages for unused leave, and applicable bonus are paid to workers within 48 hours from date of termination of employment (as legally required).

2. (Not Remediated) The factory makes payments for 15 days of earned leave each year at the same time as a bonus. This practice does not comply with legal requirements, which state that workers can accumulate up to 30 days of unused leave. As a result, workers have no earned leave in their accounts and should they need to take leave, they will lose out on wages, which affects their annual earnings, contributions to social security, and bonuses. Additionally, workers are allowed to only take one day for paid non-sick leave each month. For example, should a worker require 4 days of leave in a month, one day is counted as paid "casual leave," the second day would be adjusted with earned leave, and the other two days the worker is marked "absent" and not paid.[ER. 22.1,C1, HOW.11 and HOW.14]

3. (Remediated) Transport allowance is paid from monthly wages and is reflected in pay records. The amount is included in calculation of deduction for contribution towards Employee State insurance Scheme, as legally required.

Local Law or Code Requirement

Factories Act, 1948, Section 76 (5); ; FLA Workplace Code (Compensation Benchmark C.1; Employment Relationship Benchmark ER.22.1; Hours of Work Benchmarks HOW.11 and HOW.14)

Recommendations for Immediate Action

Allow workers to accumulate and use up to 30 days of earned leave.

Action Plan no 4.

Description

Finding : Related to leave Encashment

Root cause: We are following various benefits for our employees, Employees wish to encash their earned leave as they want to utilize the money for better cause.

Company Action Plan Update

Immediate action : We have again explained the benefits to our employees for accumulating their earned leave up to 30 days and advised them that this procedure will be followed effective new calendar year i.e. Jan, 2020.

Sustainable action : The HR / Admin team shall ensure this procedure is followed effective Jan.2020 so that the legal requirement is met and the action taken is sustained.

PREVIOUS FINDING NO.3

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Hours of Work

Finding Explanation

Production planning is based on 9 hours of work (8 regular hours + 1 hour of overtime (OT)). Daily targets are collectively set for each department based on 9 hours of work (8 regular + 1 hour OT). According to management, workers want to work additional hours to earn more but to comply with legal limits, they only allow 1 hour of OT per day. Since workers work 9 hours per day, production planning is done accordingly to provide work for all 9 hours. Workers can refuse to work the additional OT hours. This was confirmed during worker interviews.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.24; Hours of Work Benchmarks HOW.1 and HOW.8)

Recommendations for Immediate Action

Base production planning on 8 regular hours of work; do not include overtime hours in production planning.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Immediate Action: The factory is in the process of redrafting its Hours of Work policy. This update will include information on overtime hours, formal training and other related information such as how workers should handle forgetting to clock in/out. Additionally, the policy will be reviewed periodically.

Action Plan no 2.

Description

Immediate Action: The factory's working hourw records will be updated to identify lactating or pregnant workers. Additionally the factory's policy on working hours includes information on identifying pregnant and lactating workers. Sustainable Action: This policy will be reviewed periodically to ensure compliance.

Action Plan no 3.

Description

Sustainable Action: The factory will train all relevant employees and supervisors on the revised Hours of Work Policy once it is drafted. Additionally, the factory will maintain records of this training.

Action Plan no 4.

Description

Immediate Action: The factory's Hours of Work policy will be dated and a review period will be defined.

VERIFICATION RESULT

Finding Status

Remediated

Remediation Details

Production is planned for 8 regular hours of work per day.

PREVIOUS FINDING NO.4

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Workplace Conduct & Discipline

Finding Explanation

1. The certified standing orders and penal consequences for sexual harassment are not posted as required by law.
2. There are no female security guards to search the bags of female workers. Instead, the factory has assigned a senior female production worker to check them. This practice does not comply with legal requirements since her terms of employment do not define her responsibility as security staff.

Local Law or Code Requirement

Industrial Employment Standing Orders Act, 1946; The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Abolition) Act, 2013 - Chapter VI 19(b); FLA Workplace Code (Employment Relationship Benchmark ER.2; Harassment and Abuse Benchmark H/A.10)

Recommendations for Immediate Action

1. Post a copy of the certified standing orders and penal consequences for sexual harassment in the local language.
2. Hire a female security guard to search female workers' bags.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Immediate Action: The factory has posted a copy of the certified standing and all other relevant poster sat various prominent locations in the factory.

Action Plan no 2.

Description

Immediate Action: The factory has posted an exclusive female security guard to check bags.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. (Partially Remediated) The certified standing orders are posted. Penal consequences for sexual harassment are not posted as required by law.[H/A .1]
2. (Partially Remediated) One female security guard was hired in February 2018 to search the bags of female workers. When she is not on duty, the factory assigns a senior female production worker to check bags. This practice does not comply with legal requirements since her terms of employment do not define her responsibility as security staff. [H/A.10.2.1]

Local Law or Code Requirement

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Abolition) Act, 2013 - Chapter VI 19(b); FLA Workplace Code (Employment Relationship Benchmark ER.2; Harassment and Abuse Benchmarks H/A 1 and H/A.10.2.1).

Recommendations for Immediate Action

1. Post penal consequences for sexual harassment in the local language.
2. Hire additional female security guards to search female workers' bags.

Action Plan no 3.

Description

Finding : 1

Root cause: We have missed to post the penal consequences, as we were not quite aware of this requirement, though we do have periodical meetings of the internal compliance / POSH committee.

Finding : 2

Root cause : We are not aware of this requirement.

Immediate action: female security guard has already been hired since Feb.2018. With respect to job of the substitute female security when the regular female security guard is on leave, this task has been assigned to a senior women employee. As understood from the discussions effective 1/11 we have provided additional compensation for this job and included this responsibility in the terms of employment.

Company Action Plan Update

Finding : 1

Immediate action : We have taken necessary action and posted the penal consequences for the sexual harassment effective 10/21 on the notice board in each floor of the factory both in English and Tamil language

Sustainable action: Periodical awareness to our employees on penal consequences for sexual harassment shall be highlighted. H.R team will monitor the same so that the action taken is sustained.

Finding 2

Immediate action: female security guard has already been hired since Feb.2018. With respect to job of the substitute female security when the regular female security guard is on leave, this task has been assigned to a senior women employee. As understood from the discussions effective 1/11 we have provided additional compensation for this job and included this responsibility in the terms of employment.

Sustainable action: Going forward the HR / Admin team shall ensure, if any employee is given additional responsibility, same would be reflected / included along with additional compensation in her/his terms of employment..

PREVIOUS FINDING NO.5

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Environmental Protection

Finding Explanation

1. There are no labels on barrels containing diesel. The secondary chemical containers cannot sufficiently contain leaks for any of the chemicals stored at the factory. The chemical storage area is easily accessed by anyone in the facility.
2. The exhaust pipe height (for generator exhaust fumes) is not the legally required four meters; instead it is placed just above the generator room.

Local Law or Code Requirement

Factories Act, 1948; The Tamilnadu Pollution Control Board Consent Order No. 160824914829, dated 28 April 2016; FLA Workplace Code (Health, Safety & Environment HSE.1 and HSE.4)

Recommendations for Immediate Action

1. Label diesel barrels in the local language. Provide secondary containers with adequate capacity to contain chemical leakage. Restrict access to chemical storage areas.
2. Increase the stack height to comply with legal requirements.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Immediate Action: The factory labeled the diesel barrels with chemicals in both English and Tamil and arranged for a secondary container for chemicals and diesel that sufficiently contain leakages. Furthermore, the factory has restricted entry to the chemical and diesel storage areas.

Sustainable Action: The factory will instruct relevant employees to label the chemicals and diesel stored in the facility. Additionally, the factory will educate all relevant staff about entry requirements into the chemicals and storage area.

Action Plan no 2.

Description

Immediate Action: The factory has increased the stack height of the exhaust pipe by an additional 2 feet to ensure compliance with legal requirements.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. (Partially Remediated) Diesel tank containing 200 liters of diesel and four containers each holding 35 liters of diesel are labeled. The secondary containers provided for the four diesel containers are not sufficient to contain leaks. The factory does not use any chemical in liquid form except for small quantities of water based inks in production processes. The chemical storage area is restricted and kept locked. [HSE.9]
2. (Remediated) The exhaust pipe height (for generator exhaust fumes) has been increased and complies with the legal requirements defined by pollution control authorities of local government.

Local Law or Code Requirement

Factories Act, 1948; FLA Workplace Code (Health, Safety & Environment Benchmark HSE.9)

Recommendations for Immediate Action

1. Provide secondary containers with adequate capacity to contain leaks from the four diesel containers.

Action Plan no 3.

Description

Finding : 1

Make sure Chemicals are labeled & 110% secondary chemical containers provided for chemicals stored in the facility .

Root cause : We were not quite aware of this aspect as we were under the impression our secondary container was sufficient.

Company Action Plan Update

Immediate action : We have taken necessary action immediately and effective 10/21, we have provided secondary container with higher capacity (125% of capacity) . Photo attached.

Sustainable action: The importance of this aspect has been emphasized to the concerned team so that the action taken is sustained.

PREVIOUS FINDING NO.6

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The exit doors in the factory open inwards. The main exit door is a roll-up door.
2. The factory's emergency assembly areas are located close to the building and may not be safe in case of a fire.
3. The evacuation procedures do not require the identification of visitors and guests or a head count of employees at the assembly area.
4. There are no hand rails on the staircase to prevent injury during the evacuation process.
5. The factory's exits are not illuminated and there are a few exits in the work areas and canteen that do not have emergency lights.
6. The factory has not provided the fire brigade with Personal Protective Equipment (PPE) like helmets, long sticks, torches, fire suits, breathing apparatuses, safety shoes, and axes.
7. There are no safety instructions posted near the machines.
8. The work stations are not adjustable to fit individual workers.
9. The factory has not implemented a Lock out/Tag out system.
10. There is no lightening protection installed in the factory building.
11. The traffic lanes are not marked and there are no convex mirrors, indicators, or reflectors installed.
12. The drinking water stations are located close to the restrooms, which does not comply with legal guidelines.
13. The factory has not provided industrial safety shoes and eye shields for the mechanics or rubber shoes and eye shields for the electrician.
14. Confined spaces are not marked with signage.
15. Chemical containers are labeled in English, and not labeled in the local language (Tamil).
16. There is no eye wash station in the chemical storage area.

Local Law or Code Requirement

Factories Act, 1948; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.5, HSE.6, HSE.9, HSE.13, HSE.14, and HSE.17)

Recommendations for Immediate Action

1. Realign the exit doors so that they open outwards. Replace any shutter-type doors.
2. Relocate assembly areas to a safe distance from the factory building.
3. Post evacuation, conduct a head count of all employees and record all visitor and guest information in the drill logs.
4. Install hand rails on all staircases.
5. Install emergency lights with a battery backup above all exits.
6. Provide appropriate PPE for the fire brigade.
7. Post safety instructions in the local language near all machinery.
8. Design work stations to avoid injury.
9. Implement a Lock Out/Tag out system while carrying out maintenance work.
10. Install a lightening protector in the factory building.
11. Install convex mirrors, indicators, and reflectors to ensure safe driving practices while exiting the factory. Mark traffic lanes and parking areas to avoid accidents.
12. Relocate drinking water stations at least 20 feet away from toilets as per legal guidelines.
13. Provide appropriate PPE for all workers.
14. Post signage in the local language near all confined areas.
15. Label all chemical containers in the local language.
16. Install eye wash stations in chemical storage areas.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Immediate Action: As a first step , the factory installed stoppers and latches for all emergency doors opening inwards and the factory is in the process of educating employees on how to use of stoppers and latches during working hours. Sustainable Action: The factory will consult a structural engineer and take the necessary action to ensure that the emergency exit doors open outward and that the roll-up door is replaced.

Action Plan no 2.

Description

Immediate Action: The factory has moved its safe assembly area closer to the main gate and instructed security keep the main gate open during emergency evacuations. Sustainable Action: The factory will educate all relevant workers and security personnel to ensure assembly occurs near the main gate in the marked safe assembly area.

Action Plan no 3.

Description

Immediate Action: The factory will update the evacuation procedure to require the identification of visitors, guests and head count of employees in the assembly area. Sustainable Action: The factory will review its evacuation policy and procedures periodically.

Action Plan no 4.

Description

Immediate Action: The factory installed a hand railing on the left side of the staircase. Sustainable Action: The factory will ensure that the hand railing is well-maintained. Additionally, a periodic inspection will be conducted by the maintenance team to ensure compliance.

Action Plan no 5.

Description

Immediate Action: The factory installed emergency lights in the canteen and replaced exit signs where necessary. Sustainable Action: The factory has instructed maintenance to conduct periodic inspection of the signs to ensure compliance.

Action Plan no 6.

Description

Immediate Action: The factory has provided the necessary PPE for the fire brigade. Sustainable Action: The factory's security staff will maintain the fire brigade PPE and routine monitoring will be conducted by the factory's emergency rescue team.

Action Plan no 7.

Description

Immediate Action: The factory posted safety instructions near the machines.

Action Plan no 8.

Description

Immediate Action: The factory has provided chairs with back rests for all relevant employees in compliance with ergonomic requirements. Additionally, the height of the chairs vis a vis the work table as been designed according to the type of work and operations in various departments.

Action Plan no 9.

Description

Immediate Action: The factory is in the process of drafting a Lock out/Tag out procedure to be followed in the facility.

Action Plan no 10.

Description

Immediate Action: The factory is in the process of discussing with experts the method by which lighting arrestors can be installed in the factory.

Action Plan no 11.

Description

Immediate Action: The factory has marked the traffic lanes and installed convex mirrors, indicators and reflectors.

Action Plan no 12.

Description

Immediate Action: The factory has shifted the drinking water stations away from the restroom in compliance with legal guidelines.

Action Plan no 13.

Description

Immediate Action: The factory will provide the adequate PPE for all relevant workers.

Action Plan no 14.

Description

Immediate Action: The factory has located and marked the confined spaces with signage.

Action Plan no 15.

Description

Immediate Action: The factory will label chemicals in both English and Tamil.

Action Plan no 16.

Description

Immediate Action: The factory is in the process of installing an eye wash station in the chemical storage area. Sustainable Action: The factory will train all relevant employees on how to use the eye wash station. Additionally, maintenance staff will be instructed to monitor the station to ensure compliance.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. (Partially Remediated) The exit doors in the factory still open inward. An arrangement has been made to hold doors in the open position with hooks attached to the walls. The main exit door is a roll-up door. A lock is provided on either side to lock the door in the open position.
2. (Not Remediated) The factory's emergency assembly areas are located close to the building and may not be safe in case of a fire. The factory does not have a safe assembly area away from the building, though the assembly area is monitored by security guards to ensure workers stand away from the building in case of an emergency.[HSE.5.1]
3. (Remediated) The evacuation procedures include the identification of visitors and guests and a head count of employees at the assembly area.
4. (Remediated) Hand rails are provided on the staircase to prevent injury during the evacuation process.
5. (Partially Remediated) The factory's exits are illuminated. One of the two exits from the production areas and from the canteen do not have emergency lights.
6. (Remediated) The factory has provided the fire brigade with Personal Protective Equipment (PPE) like helmets, long sticks, torches, breathing apparatus, safety shoes, and axes.
7. (Remediated) Safety instructions are posted in English and the local language near all machinery used in the factory.
8. (Partially Remediated) The work stations are not adjustable to fit individual workers. Chairs with fixed heights are provided for workers. Workers appear to be sitting comfortably and had no complaints. [HSE. 17.1]
9. (Not Remediated) The factory has not implemented a secure Lock out/Tag out system. The factory uses an arrangement to prevent activation of the power supply from the main panel board during maintenance work, however the arrangement does not secure or prevent activation, as it is not locked. The factory placed an order for long shackle lockout padlocks. The factory confirmed the use of the padlocks upon receipt. [HSE.14]
10. (Partially Remediated) There is no lightening protection installed in the factory building. A risk assessment was conducted on August 14, 2019 by an external engineer who confirmed that there are buildings higher than factory building which are located close to the

factory and hence this factory building does not require a lightening arrestor. [HSE.1]

11. (Remediated) The traffic lanes and vehicle parking areas are marked and a convex mirror and reflectors are installed at the main gate and the entrance to the factory.
12. (Remediated) The drinking water stations are relocated away from restrooms and now comply with legal guidelines.
13. (Remediated) The factory has provided industrial safety shoes and eye shields for the mechanics and rubber shoes and eye shields for the electricians.
14. (Not Remediated) Confined spaces are not marked with signage.[HSE.1]
15. (Remediated) Chemical containers are labeled in English and in the local language (Tamil).
16. (Remediated) An eye wash station is now in the chemical storage area.

Local Law or Code Requirement

Factories Act, 1948; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.5.1, HSE.13, HSE.14 and HSE . 17.1)

Recommendations for Immediate Action

1. Realign the exit doors so that they open outward.
2. Install emergency lights with a battery backup above exits from Production areas and canteen.
3. Design work stations to avoid injury.
4. Implement a Lock Out/Tag out system while carrying out maintenance work.
5. Install a lightening protector in the factory building.
6. Post signage in the local language near all confined areas.

Action Plan no 17.

Description

Finding :1

Exit should not hinder during emergency evacuation

Root cause: As per legal requirements width of Exit Should be 110cms however we have provided 225 cm width wider than requirements so that employees can evacuate without any hindrances

Finding : 2

Need to provide safe assemble area .

Root cause: We have an open space in front of the factory of about 3600 (90 ft x 40 ft) sqft. This space would be more than reasonable to accommodate our employee strength

Finding : 5

Emergency Light should be installed in all required areas

Root cause: By oversight maintenance in charge didn't install emergency light in canteen.

Finding : 8

Employees needs to be comfortable while performing sitting job operations

Root cause: We have provided back rest chairs to all our work force. They are quite comfortable and do not have any complaints, as noted by the auditor.

Finding : 9

Implementation of Logout tag out effectively to avoid electrical hazards

Root cause : The Maintenance engineer and the concerned supervisors are aware of the log-out Tag-out procedure and we had also placed the order for the .long shackle lockout pad.

Finding : 10

Factory building should be protected from lightning :

Root cause: As per the risk assessment report from the competent chartered engineer approved by government, our building / factory is not a high rise building and is surrounded by high rise buildings in the close vicinity with the lightning arresters already installed in these nearby high rise buildings . Hence, our factory / building would not require an additional lightning arrester as per the report submitted by the competent chartered engineer.

Finding : 14

Factory needs to identify confined spaces existing in the factory premises and signage's should be displayed

Root cause : We were not clearly aware of this requirement. We need to mark all confined spaces in the factory premise

Company Action Plan Update

Finding 1

Immediate Action: We have conducted awareness training on 11/29/ 2019 for all of employees for keeping the Exit doors in open position during working hours. We have installed lock to the Roll up doors on both sides to ensure it is kept in the open position

always during the working hours and does not hinder evacuation during any emergency.

Sustainable action: We will conduct periodical awareness training for all of our employees to make sure emergency doors are kept open during working hours and maintenance team will make regular check on locks installed to the roll up doors and make sure that it will not come down during the working hours / emergency evacuation.

Finding : 2

Immediate Action : We have also open space next to our building and the same will be used as a safe assembly area. Besides the accessibility to our building is smooth and free from three sides .

Sustainable action : We are conducting emergency evacuation drills on a periodical basis. The last evacuation was conducted on 11/20. We shall ensure this practice is continued regularly to make sure the employees are always aware of the safe assembly area and the procedure of safe evacuation.

Finding : 5

Immediate action: Emergency light has been installed in the Canteen already on 11/29.

Sustainable action: Maintenance in-charge will conduct regular checks on working condition of all emergency lights installed in our facility and requirements of installation of emergency light if needed .

Finding : 8

Immediate action : The chairs provided to the work force are varying in heights depending upon the type / nature of the work. We have again discussed with our workforce on 11/23 to ascertain if they have any concerns with respect to the height / comfort of their seating and presently they are quite comfortable.

Sustainable action: We shall ask for and ensure constant feedback from our employees in the committee meetings and in case of any concerns / issues we shall take necessary action accordingly.

Finding : 9

Immediate action: We have already received the long shackle lockout padlocks and log-out training was also conducted also on 9/20. Photo attached.

Sustainable action : The maintenance team shall follow the set procedure in a sustained manner and the same will be monitored by the management .

Finding : 10

Immediate action : The risk assessment of our factory was carried out by the chartered engineer on 8/14/19. Photo of the building with lightning arrester just behind our factory is attached.

Sustainable action : Effective measures in terms of risk assessment of the factory building from lightning and other factors shall be taken periodically so that the action taken is sustained.

Finding 14

Immediate action: We have already received the long shackle lockout padlocks and log-out training was also conducted also on 9/20. Photo attached.

Sustainable action : The maintenance team shall follow the set procedure in a sustained manner and the same will be monitored by the management .

New Findings and Action Plans

NEW FINDING NO.1

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Grievance System

Finding Explanation

Per current practice, grievances are reported verbally and addressed. Grievances reported are not documented, so it cannot be ascertained if grievances are addressed in a sustainable manner.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.2).

COMPANY ACTION PLANS

Action Plan no 1.

Description

HR executive will create awareness to workforce to put their grievances, if any, in writing instead of verbally addressing them. Same shall be monitored by the H.R. Manager and records shall be documented, so that the action taken is sustained

Company Action Plan Update

Factory have raised the awareness to all their employees on grievances system followed in the factory .

Factory have instructed H.R manager to record all grievance and action taken for future reference .

NEW FINDING NO.2

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Industrial Relations

Finding Explanation

Representatives of workers in the "Works Committee" are nominated by management from the list of workers selected by Supervisors. Workers are not involved in the formation of the committee and workers do not elected their representatives.

Local Law or Code Requirement

FLA Workplace Code (Freedom of Association Benchmarks FOA.1 and FOA.10): Industrial Disputes Act, 1947, Chapter II section 3.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Going forward "Works Committee" shall be constituted through election by the workers from their respective departments. Factory H.R. team will instill the awareness to the workforce in this regard for electing their representatives and their roles and responsibilities.

Company Action Plan Update

Factory has re-framed works committee based on the employees choice .

NEW FINDING NO.3

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

The risk assessment conducted does not include how risk was assessed. Additionally, the report does not identify any risks in the factory. Evacuation drills are conducted at fixed timing (3:00PM), rather than randomly. Grounding tests have not been conducted, so the assessor cannot confirm if grounding is adequate. The factory has not conducted an environmental impact assessment.

Local Law or Code Requirement

FLA Workplace Code (Health, Safety and Environment Benchmarks HSE.1, HSE.5 and HSE.13)

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Maintenance team has been assigned to conduct risk assessment covering all potential areas of risk at least once year , same will be monitored by factory H.R Manager.

2. H.R Executive has be instructed to conduct evacuation drill on random basis (not on fixed time) same will be monitored by H.R manager

3. Earthing / Grounding tests are being carried out already. Going forward, factory will ensure such grounding tests are carried out on a periodical basis by the maintenance team and document is maintained for the same.

Company Action Plan Update

1. Factory has already conducted Risk assessment covering all protential areas in the facility .

2. Factory has started conducting Evacuation drills randomly .

3. Factory already conducted earthing test . Record is maintained for reference

NEW FINDING NO.4

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

There is no spill response kit in the diesel storage area.[HSE.9.1]

Food handlers are not provided with masks or gloves.[HSE.22.1]

Sanitary pads are not provided in female restrooms as legally required. Pads must request and obtain pads from the store in charge. Currently the store in charge is a female employee, though a male employee may be assigned the responsibility of the store in charge. [HSE.19]

Local Law or Code Requirement

FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.9, HSE.19 and HSE.22); Model Factories Rule 44 (c).

Recommendations for Immediate Action

1. Provide spill response kit in diesel storage area.
2. Provide masks and gloves to food handlers.
3. Provide sanitary pads in female restrooms as legally required.

COMPANY ACTION PLANS

Action Plan no 1.

Description

Factory has raised awareness of its maintenance team to make sure that Spill kit is maintained all the time in Diesel storage area . Same will be monitored by factory H.R team.

Factory has raised awareness of its food handlers to wear mask and gloves, which have already been provided to them while serving food / preparing food and same will be monitored by factory H.R team

Sanitary pad has been placed in ladies toilets . Awareness has been given to all women employees to use the same . H.R manger has given additional responsibility to monitor the same .

Company Action Plan Update

1. Spill response kit is already in place in the diesel storage area.

2. Factory has already conducted awareness program to food handlers to wear mask and gloves while serving food / preparing food .
3. Now sanitary pad has been place in ladies toilets . Awareness has been given to all women employees to use the same .

NEW FINDING NO.5

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

Wage slips are provided to workers after payment of wages instead of being provided prior to payment of wages as legally required.

Local Law or Code Requirement

The Minimum Wages Act 1948 - section 26(2) ; FLA Workplace Code (Compensation benchmark C.1)

Recommendations for Immediate Action

1. Provide wage slips to workers prior to payment of wages.

COMPANY ACTION PLANS

Action Plan no 1.

Description

PVH worked with Factory H.R executive to ensure issuing the pay slips one day prior to payment and same will be monitored by H.R Manger and the action taken will be sustained.

Company Action Plan Update

Factory has already started providing the wage slips one day prior to payment.

NEW FINDING NO.6

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

The factory does not have a written agreement with the external security service provider. Currently three male security guards are provided by the service provider and one female security guard is employed on factory payroll.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1 and ER. 6)

COMPANY ACTION PLANS

Action Plan no 1.

Description

Factory H.R Team has been given responsibility to make sure to review security agreement on periodical basis with security agency once a year and renew the agreement so that the action taken is sustained.

Company Action Plan Update

Factory now has a written agreement with the security agency .

NEW FINDING NO.7

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Workplace Conduct & Discipline

Finding Explanation

The external member in the Internal Complaints Committee is not from an NGO/CSO as per the guidelines provided under the legal requirement.

Local Law or Code Requirement

FLA Workplace Code (Harassment or Abuse Benchmark H/A.1); Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act 2013, Chapter II.

COMPANY ACTION PLANS

Action Plan no 1.

Description

PVH to work with factory to appoint representative from NGO/CSO to attend ICC committee meetings

Company Action Plan Update

Factory H.R Team has been given the responsibility to make sure this external member (CSO representative) attends the ICC meetings on a regular basis. Same will be documented for audit reference and the action taken will be sustained.