



FAIR LABOR
ASSOCIATION®

INDEPENDENT EXTERNAL ASSESSMENT REPORT



Verification Assessment

COMPANIES: The s. Oliver Group
COUNTRY: Bangladesh
ASSESSMENT DATE: 10/29/18
ASSESSOR: Insync Global
PRODUCTS: Apparel
NUMBER OF WORKERS: 1370

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.

Previous Report Findings and Verification Results

PREVIOUS FINDING NO.1

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 for the following employment functions: Recruitment, Hiring, & Personnel Development, Hours of Work, Industrial Relations & Freedom of Association, Environmental Protection, and Health & Safety.

Local Law or Code Requirement

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

VERIFICATION RESULT

Finding Status

Remediated

Remediation Details

1. Explanation: All written policies and procedures now have a defined review period. Policies and procedures are dated January 2018 and the next review period is January 2020. Management stated the review date should read as January 2019.

PREVIOUS FINDING NO.2

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 the following employment functions to the general workforce: Recruitment, Hiring, & Personnel Development, Wages & Benefits, Termination & Retrenchment, Grievance System, Environmental Protection, and Health & Safety.
2. The factory does not provide every worker with a copy of the workplace rules during orientation.
3. The worker integration component is missing across all Employment Functions. 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.

4. The factory never arranges consultation meetings with workers or worker/union representatives before management reaches any final decisions on layoffs.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.15, ER.16, ER.25, ER.27, ER.29, ER.30, and ER.32; Compensation Benchmark C.17)

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Partially Remediated)

Explanation: Factory management posted Policies & Procedures on the notice board; however, they are posted high, not readable. [ER.1, ER.16, ER.25, ER.27]

2. Finding Status (Not Remediated)

Explanation: The factory does not provide any copies of the workplace rules to workers during orientation. [ER.15, ER.25, ER.27]

3. Finding Status (Not Remediated)

Explanation: The factory has not established procedures to request or receive workers' feedback regarding the creation, implementation, or updating of its policies and procedures. Workers are neither systematically integrated nor consulted in decision-making processes. [ER.1, ER.16, ER.25]

4. Finding Status (Not Remediated)

Explanation: The factory arranges no consultation meetings with workers or worker/union representatives before management reaches any final decisions on layoffs. Management stated that decisions for retrenchment are discussed with the worker representative committee prior to retrenching workers. The factory did not provide documented evidence of meetings with worker representatives or decisions. [ER.16, ER.25, ER.25]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.15, ER.16, ER.25 and ER.27)

COMPANY ACTION PLANS

Action Plan no 1.

Description

2.1- Factory Management has posted the notice board readable place the workers will read the company Policies & Procedures.

2.2- We are ensuring to provide works place hand book, rules & regulation to the each and every worker during orientation.

2.3- Already we have started to discuss with WPC about on any issues. We are starting the training program workers, Supervisor & Management staff about updating policies and procedures.

2.4- We don't agree those this issue.

Company Action Plan Update

2.1- Corrected - 15/12/2018

2.2- Corrected - 18/12/2018

2.3- Started - 23/12/2018

2.4- N/A

PREVIOUS FINDING NO.3

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Training (Macro)

Finding Explanation

1. The factory does not provide workers with documentation that substantiates the topics covered in the orientation program.
2. The factory does not provide specific training for relevant supervisors on the following employment functions: Recruitment, Hiring, & Personnel Development, Hours of Work, Termination & Retrenchment, Industrial Relations & Freedom of Association, and Environmental Protection.
3. The factory does not provide ongoing training for employees on the following employment functions: Recruitment, Hiring, & Personnel Development, Wages & Benefits, Hours of Work, Termination & Retrenchment, Industrial Relations & Freedom of Association, Grievance System, and Environmental Protection.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.15, ER.16, ER.17, and ER.25)

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Partially Remediated)

Explanation: Factory management provides workers with the employee handbook following the orientation program. However, information on personnel development, grievance procedures, freedom of association and industrial relations, the worker participation committee, retrenchment, or environmental protection is not included in this handbook. [ER.1, ER.15, ER.25]

2. Finding Status (Not Remediated)

Explanation: The factory provides no specific training for relevant supervisors on Personnel Development, Termination & Retrenchment, Industrial Relations & Freedom of Association, or Environmental Protection. [ER.1, ER.17]

3. Finding Status (Not Remediated)

Explanation: The factory does not provide ongoing training for employees on Recruitment, Hiring, & Personnel Development, Wages & Benefits, Hours of Work, Termination & Retrenchment, Industrial Relations & Freedom of Association, Grievance System, or Environmental Protection. Information on these topics is provided during orientation program. [ER.1, ER.16]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.15, ER.16, ER.17, and ER.25)

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Complete: Factory management has provided the employee hand book following the orientation program. However, information on personnel development, grievance procedures, freedom of association. We have trained the workers supervisor about regarding issue.
2. In Progress: In the meantime, we have made a plan to training module with the mid-level management. following the training program. However, information on personnel development, grievance procedures, freedom of association. We are training the supervisor about regarding issue.
3. Completed: Factory management has provided the employee hand book following the orientation program. However, information on personnel development, grievance procedures, freedom of association. We have trained the workers supervisor about regarding issue

PREVIOUS FINDING NO.4

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Policies & Procedures (Macro)

Finding Explanation

1. The factory does not have written policies for the following employment functions: Termination & Retrenchment, Workplace Conduct & Discipline, Grievance System, and Environmental Protection.
2. The factory does not have complete procedures for the following employment functions: Recruitment, Hiring, & Personnel Development, Termination & Retrenchment, Workplace Conduct & Discipline, Grievance System, Environmental Protection, and Health & Safety.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.25, ER.27, ER.29, ER.31, ER.32; Health, Safety, & Environment Benchmark HSE.1)

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status (Partially Remediated)

Explanation: The factory has written policies for Termination, Workplace Conduct & Discipline, Grievance System, and Environmental Protection, but does not have written policies on Retrenchment or Industrial Relations. [ER.1, ER.25, ER.32]

2. Finding Status (Partially Remediated)

Explanation: The factory now has complete procedures for Recruitment, Hiring & Personnel Development, Termination, Workplace Conduct & Discipline, Grievance System, Environmental Protection, and Health & Safety, but has no written procedures for Retrenchment or Health & Safety, including protection of reproductive health or reporting injuries. [ER.1, ER.31, ER.32]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.25, ER.31, ER.32; Health, Safety, & Environment Benchmark HSE.1)

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. The factory management has completed the written policy about Recruitment, Hiring & Personnel Development, Termination,

Workplace Conduct & Discipline, Grievance System, Environmental Protection, and Health & Safety, and provide orientation mention policy.

2. The factory management has provide orientation for procedures for Recruitment, Hiring & Personnel Development, Termination, Workplace Conduct & Discipline, Grievance System, Environmental Protection, and Health & Safety, but has no written procedures for Retrenchment or Health & Safety, including protection of reproductive health or reporting injuries.

PREVIOUS FINDING NO.5

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The factory manually transfers diesel from diesel containers to the diesel tanks built in the two power generators. Workers transferring the diesel do not use any personal protective equipment (PPE) in the power generator rooms, such as gloves, eye protection, aprons and boots.
2. The factory has not posted any Material Safety Data Sheets (MSDS) for diesel and spill response procedures in the power generator room.
3. The factory has not provided a spill response kit in this area in the diesel transfer area in the power generator room.
4. Diesel containers and spray cans used for stain-removal are not labeled at all in the power generator room.

Local Law or Code Requirement

FLA Workplace Code (Health, Safety, & Environment Benchmarks HSE.9 and HSE.10)

Recommendations for Immediate Action

1. Ensure that workers use appropriate and adequate PPE while handling Diesel.
2. Post MSDS for diesel in the local language in the power generator room.
3. Provide spill response kits with defined procedures.
4. Train the relevant workers on use of the spill response kits.
5. Post hazard labels in the local language on diesel containers and spray cans and ensure that the labels are posted in local language.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Remediated)

Explanation: Workers transferring diesel use personal protective equipment (PPE) in the power generator rooms, including gloves, eye protection, aprons, and boots.

2. Finding Status (Partially Remediated)

Explanation: The Material Safety Data Sheets (MSDS) for diesel are posted in the power generator room, however the factory has not provided no spill response kit or defined procedures. [HSE.9]

3. Finding Status (Not Remediated)

Explanation: The factory has not provided a spill response kit in the diesel storage areas of the power generator room. [HSE.9]

4. Finding Status (Not Remediated)

Explanation: The factory has not posted the hazard labels in the local language for the diesel containers and spray cans in the power generator room. [HSE.9]

Local Law or Code Requirement

FLA Workplace Code (Health, Safety, & Environment Benchmarks HSE.9)

Recommendations for Immediate Action

1. Provide a spill response kit and post written procedures for the spill response kit in the diesel storage areas of the power generator room.
2. Post hazard labels in the local language on diesel containers and spray cans.

COMPANY ACTION PLANS

Action Plan no 1.

Description

2. The factory has posted Material Safety Data Sheets (MSDS) for diesel and spill response procedures in the power generator room, HR & Admin dept has provide training the spill response kit procedure.
3. The factory has already provided a spill response kit in this area in the diesel transfer area in the power generator room and provides the training for the regarding issue.
4. The factory has posted the hazard labels in the local language for the diesel containers and along with other required instruction in generator room.

PREVIOUS FINDING NO.6

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Industrial Relations

Finding Explanation

1. The factory has a Participation Committee with representatives from management (three persons) and workers (nine workers) as required by law. The operations of the Participation Committee are monitored by the management since they are part of the committee.
2. The management does not provide office space or other facilities for the worker representatives structures. The factory management does not ensure that minority unions have the means for defining the occupational interests of their members.

Local Law or Code Requirement

FLA Workplace Code (Health, Safety, & Environment Benchmarks HSE.9 and HSE.10)

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Not Remediated)

Explanation: The factory has a Participation Committee with three representatives from management and nine workers, as required by law. Since management is part of the committee, they can still monitor committee operations. [FOA.10]

2. Finding Status (Remediated)

Explanation: The committee conducts meetings in the factory training room.

Local Law or Code Requirement

FLA Workplace Code (Freedom of Association FOA.10)

COMPANY ACTION PLANS

Action Plan no 1.

Description

In the mean time we have completed it with successfully and management representative is present in the meeting.

PREVIOUS FINDING NO.7

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Workplace Conduct & Discipline

Finding Explanation

1. The factory gives out verbal warnings for indiscipline or production errors (e.g. carelessness while stitching, cutting or checking), based on which workers provide a written apology. Management stated that the apology letter should be considered a warning. However, this remark on the apology letter recorded by the management is not acknowledged in writing by the worker.
2. The factory does not require the recording of all warnings and disciplinary actions. Furthermore, the factory does not have filing requirements for these warnings and actions.
3. The factory does not have procedures in place for employees to appeal disciplinary actions taken against them.
4. There is no third party that witnesses disciplinary actions during imposition.
5. Employees do not sign all written records of disciplinary actions taken against them.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.27)

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Remediated)

Explanation: Factory management issues separate letters to workers in addition to requesting a letter of apology from workers. Workers sign the letters from management as acknowledgement of receipt and understanding of the verbal warning.

2. Finding Status (Partially Remediated)

Explanation: Factory management issues warnings letters to workers and files a copy in their personnel file. Verbal warnings are not yet documented. [ER.27]

3. Finding Status (Remediated)

Explanation: Factory management has defined procedures for workers to appeal disciplinary action taken against them. Workers can appeal in writing to the Head of HR within seven days of the incident date.

4. Finding Status (Not Remediated)

Explanation: Factory management still does not require a third-party witness to disciplinary action. [ER.27]

5. Finding Status (Remediated)

Explanation: The assessor observed a worker-signed warning letter.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.27)

COMPANY ACTION PLANS

Action Plan no 1.

Description

2. The factory HR recording of all warnings and disciplinary actions. HR dept. has followed the Bangladesh Labor law-2006 for any disciplinary action.

4. The factory Management has follow the Local law for any disciplinary action and ensure third party witness to keep PC committee member.

PREVIOUS FINDING NO.8

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Termination & Retrenchment

Finding Explanation

1. The factory pays out terminal dues 15 days after the termination of employment instead of 7 days after the termination, as required by law.
2. The factory does not have methods in place for calculating final payouts, such as unpaid wages, wages for unused leave, gratuity and annual bonus, in accordance with legal requirements.

Local Law or Code Requirement

Bangladesh Labor Act 2006, Section 123(2); FLA Workplace Code (Employment Relationship Benchmark ER.19)

Recommendations for Immediate Action

1. Pay out terminal dues within 7 days of the date of termination of employment.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status (Partially Remediated)

Explanation: The legal requirement for paying terminal dues has changed from seven days to 30 days and the factory pays terminal dues within 30 days, as noted from pay records for resigned workers. Since the factory does not have a system for worker retrenchment, the date of payment of dues for retrenched workers is not recorded. [ER.32]

2. Finding Status (Remediated)

Explanation: Written procedures define the methods for calculating final payouts, such as unpaid wages, wages for unused leave, gratuity and annual bonus, in accordance with legal requirements.

Local Law or Code Requirement

Bangladesh Labor Act 2006, Section 123(2) (updated in 2015); FLA Workplace Code (Employment Relationship Benchmark ER.32)

Recommendations for Immediate Action

1. Record date of payment for terminal dues on pay records and ensure dues are paid within 30 days of the date of termination of employment. Create a system for retrenchment of workers.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Factory and HR department will pay termination payment within 7 working days as per legal requirement.

PREVIOUS FINDING NO.9

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Hours of Work

Finding Explanation

1. The factory does not maintain separate time records for pregnant women. In addition, the factory does not have a system to identify pregnant or nursing women. Although the factory provides pregnant and nursing women with all legally required benefits, the establishment of a tracking system would help to ensure additional protection at the workplace, such as ensuring that appropriate jobs are assigned to pregnant women.
2. A review of time records revealed that 4 out of 10 sampled workers for December 2014 left the factory at 2 am after working overtime through the night. They returned back to work at 8 am for the regular shift meaning that the workers did not receive enough rest in between shifts. This trend continued for all of the second week of December 2015. There was a similar instance on two days during the second week of March 2015.
3. Production planning is based on 10 hours of work per day (8 regular hours and 2 overtime hours).
4. The factory only provides a break of 30 minutes after 6 hours of continuous work instead of a break of 60 minutes. Workers work from 2 pm after the lunch break until 8pm, at which point a 30 minute break is provided.
5. A review of time records for Dec 2014, March 2015, and September 2015 revealed that workers had worked on all rest days in Dec 2014 and on 1-2 rest days in March and September 2015. In Dec 2014, except for 1 day off for a national holiday, employees worked on all days in the month without a rest day in every 7-day period. In Oct 2015, loading workers worked on all except for 2 days in the month. In March and September 2015, some workers worked on 2 consecutive rest days, resulting in 16-20 days of continuous work without a rest day.
6. A review of time records revealed that the total working hours per day in most cases exceeds 10 hours and total working hours per week exceed 60 hours: A review of time records for Dec 2014, March 2015, and September 2015 for workers from the Cutting, Sewing, and Finishing departments revealed the following hours per week:
 - a. Cutting Department – Dec 2014: 100% of a total of 1219 workers worked 76 to a maximum of 87 hours a week; March 2015 = 68 to a maximum of 69 hours a week (approximately 60% of workers), Sept 2015 = 66 to a maximum of 74 hours a week (approximately 60% of workers);
 - b. Sewing Department – Dec 2014 = 100% out of a total of 1219 workers worked 86 to a maximum of 89 hours a week March 2015 = 65 to a maximum of 77 hours a week (approximately 65% of workers), Sept 2015 = 60 to a maximum of 66 hours a week (approximately 58% of workers);
 - c. Finishing Department – Dec 2014 = 85 to a maximum of 87 hours a week (100% of workers), March 2015 = 76 to a maximum of 90 hours a week (approximately 80% of workers), Sept 2015 = 68 to a maximum of 71 hours a week (approximately 85% of workers).

Local Law or Code Requirement

Bangladesh Labour Code 2006, Sections 100, 101, 102(2), 103, 104, and 105; FLA Workplace Code (Employment Relationship Benchmark ER.24; Hours of Work Benchmarks HOW.1, HOW.2, HOW.5, HOW.8, and HOW.24)

Recommendations for Immediate Action

1. Ensure that working hours do not exceed 60 hours weekly and 10 hours daily.
2. Provide workers with adequate rest between shifts.
3. Base production planning on regular working hours.
4. Provide a break of 60 minutes after 6 hours of continuous work or a break of 30 minutes after 5.5 hours of continuous work.
5. Provide workers with a weekly rest day for every 7-days period. If work has to be conducted on a rest day, provide compensatory rest days.
6. FLA affiliate Company's Production, Sales, and Social Compliance teams should: a) implement FLA Principles of Fair Labor and Responsible Production and b) accordingly coordinate on the topics mentioned below to help the factory address its excessive hours issue:
 - a. Review of the factory's production capacity and planning;
 - b. Possible workshops/consultancy for the factory on how to improve productivity/quality;
 - c. Clear guidelines on how to make shipment deadline extension requests in case of contingencies;
 - d. Steps that factory management must follow if overtime is inevitable (steps for how to communicate with a brand's Sourcing and Social Compliance teams);
 - e. Clear guidelines on the calculation and setting of reasonable production targets that will not demand work beyond regular working hours or during breaks

VERIFICATION RESULT

Finding Status
Not Remediated

Remediation Details

1. Finding Status (Not Remediated)

Explanation: The factory does not maintain separate time records for pregnant women. Although the factory does not have a system to identify pregnant or nursing women, the factory is able to provide pregnant and nursing women with all legally required benefits.
[HOW.5]

2. Finding Status (Remediated)

Explanation: A review of time cards from October 2017, February 2018 and September 2018 and worker interviews show workers did not work after 7pm in those sampled months.

3. Finding Status (Remediated)

Explanation: Production planning is now based on an eight hour day instead of a ten hour day.

4. Finding Status (Remediated)

Explanation: As reflected in time cards and confirmed by workers interviewed, workers do not work beyond 7PM. No break is required from when lunch ends at 2PM to 7PM.

5. Finding Status (Remediated)

Explanation: As reflected in time cards and confirmed by workers interviewed, workers have not worked on any rest days in the sample months reviewed (October 2017, February 2018, and September 2018).

6. Finding Status (Remediated)

Explanation: As reflected in time cards and confirmed by sampled workers interviewed, workers have not worked beyond 60 hours during any week in October 2017, February 2018, or September 2018.

Local Law or Code Requirement

FLA Workplace Code (Hours of Work Benchmark HOW.5)

Recommendations for Immediate Action

1. Create system to identify pregnant and nursing workers, and incorporate into time recording system.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Factory management has follow the separate time record for pregnant women, We are provide the specific dress who are written Maternity Women.

PREVIOUS FINDING NO.10

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

1. The factory pays off wages for unused annual leave. This practice may result in workers losing out on earnings in case of any wage revision prior to termination of employment at a later date. Wages for unused leave is paid based on wages paid in the last wage period. However, wages are revised periodically, resulting in lost wages if workers resign at a later date after the revision has been made.
2. The factory does not update information on the updated amount of annual leaves in the service books of workers.

Local Law or Code Requirement

Bangladesh Labor Code 2006, Section 117(4); Bangladesh Labor Code 2006, Section 7(2); FLA Workplace Code (Compensation Benchmark C.1 and Hours of Work Benchmark HOW.1)

Recommendations for Immediate Action

1. Allow workers' leaves to accumulate and be transferred to the next year instead of paying them off every year.
2. Periodically update the information on leaves in workers' service books to reflect the actual status of used leave, as required by local law.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Partially Remediated)

Explanation: The factory pays workers for their balance of unused leave of the last calendar year. For example, if a worker had five days of unused leave from 2016 and 16 days from 2017, they would have a total of 21 unused leave days. Only wages for the days in 2016 are currently paid. Legally, workers can accumulate up to 40 days of leave, per a 2015 revised law. If a worker wishes, up to 50% of their unused leave can be paid. According to factory management, workers will be paid for the days from 2017 the following year.

2. Finding Status (Not Remediated)

3. Explanation: The factory does not update information regarding annual leave in worker personnel folders.

Local Law or Code Requirement

Bangladesh Labor Code 2006, Section 117(4); Bangladesh Labor Code 2006(updated in 2015 Section 107(2), Section 7(2); FLA Workplace Code (Compensation Benchmark C.1 and Hours of Work Benchmark HOW.1)

Recommendations for Immediate Action

1. Pay workers for 50% of their unused leave and transfer days to the following year.

2. Periodically update the information on leave in worker personnel folders, as required by local law.

COMPANY ACTION PLANS

Action Plan no 1.

Description

2. The factory management update information on the annual leaves amount in workers' service books, as required by local law

PREVIOUS FINDING NO.11

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

1. The factory does not pay the following permanent workers (18 Loaders, 17 cleaners, and 10 maintenance workers) any compensation for overtime hours worked. A review of time records for loaders revealed that they work well past the regular working hours on all days and at times until 3:43 am the next day. Cleaners usually work an hour of overtime daily. Management stated that these workers are considered staff and are being paid wages higher than other workers. Hence, the factory does not compensate them for extra hours worked. In addition, their employment contracts do not indicate any information regarding working hours, overtime compensation or compensation in general.

Local Law or Code Requirement

Bangladesh Labor Act 2006, Section 108; FLA Workplace Code (Compensation Benchmark C.7)

Recommendations for Immediate Action

1. Review the job descriptions of the above workers and designate categories accordingly (worker or staff).

2. Pay all workers appropriate compensation for overtime hours worked. Retroactively compensate affected workers for overtime over the last 12 months.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status (Partially Remediated)

Explanation: The factory does not compensate loaders for working overtime. Cleaners and maintenance workers are compensated for working overtime. Job descriptions have not been reviewed. Loaders, cleaners, and maintenance workers are designated as staff, not workers. Assessors observed a management representative creating a fresh appointment letter for a loader, to be provided to assessors as evidence of the revision of category. Assessors found two appointment letters for the same loader. The letter issued earlier reflects a monthly wage of taka 8500 per month and is signed by the worker, while the second letter, being completed by HR staff, shows a wage of taka 6000 and was to be signed by the worker. Date of hiring on both letters reflect November 3, 2014. [C.7]

Local Law or Code Requirement

FLA Workplace Code (Compensation Benchmarks C.7)

PREVIOUS FINDING NO.12

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

1. The factory's service rules and Workplace Conduct is not approved by the relevant government authority, as required by law.
2. Workers are required to obtain an age estimation certificate based on a physical health examination by a doctor. This age estimation form completed by the doctor is kept in the workers' personnel files; however, the form has two invasive questions that violate workers' privacy and are improper in determining age. The two questions refer to the general growth of breasts and pubic hair as a factor for age verification. It cannot be guaranteed that the health examination is completed in a gender-sensitive manner. In addition, the age verification certificate, including information concerning the two inappropriate questions is publicly accessible for factory visitors and managerial staff.
3. The factory has not posted the FLA affiliate's Code of Conduct in the local language the facility.

Local Law or Code Requirement

Bangladesh Labor Act 2006, Chapter II, Section 3; FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.2, and ER.30)

Recommendations for Immediate Action

1. Apply to the relevant government authority to get approval for the factory service rules.
2. Revise the age verification forms and remove the two invasive questions that are irrelevant for age verification. Ensure that the workers' privacy is secured by restricting access of workers' personnel files, including the age verification certificate.
3. Obtain and post S.Oliver's Code of Conduct in the local language. Communicate this Code to all employees.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Remediated)

Explanation: The factory's service rules and Workplace Conduct are now approved by the relevant government authority, as required by law.

2. Finding Status (Not Remediated)

Explanation: Workers are required to obtain an age estimation certificate based on a physical health examination by the factory female doctor. This age estimation form completed by the doctor is kept in the workers' personnel files; however, the form has two invasive questions that violate workers' privacy and are improper in determining age. The two questions refer to the general growth of breasts and pubic hair as a factor for age verification. In addition, the age verification certificate, including information concerning the two inappropriate questions, is publicly accessible for factory visitors and managerial staff. These forms were used for workers hired in October 2018.

3. Finding Status (Not Remediated)

Explanation: The factory has not posted the affiliate's Code of Conduct in the facility.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1 and ER.2)

COMPANY ACTION PLANS

Action Plan no 1.

Description

2. The age verification forms remove the two invasive questions. And we are follow the Bangladesh Labor rules,15 format.
3. Already we are posted the FLA affiliate's Code of Conduct in the local language the facility.

PREVIOUS FINDING NO.13

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

1. The factory does not have any policies on broadening skills in order to advance workers in their careers, defining promotions, demotions and reassignments of job.
2. The factory does not have written policies and procedures on performance reviews.
3. The factory does not conduct performance reviews.
4. Workers are shortlisted for promotions by supervisors and factory managers based on their performance. Upon approval from top management, they are promoted. The factory does not document any performance review results based on which workers are promoted.
5. The factory does not have job descriptions for any positions.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.2, ER.15, ER.17, ER.28, ER.29, and ER.30)

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Remediated)

Explanation: The factory now has written policies on skills development to advance workers in their careers, and promotions, demotions, and reassignments.

2. Finding Status (Remediated)

Explanation: The factory has written policies and procedures on performance reviews.

3. Finding Status (Partially Remediated)

Explanation: The factory conducts performance reviews when requested by workers or recommended by supervisors. There is no practice for a periodic performance review for 100% of workers. [ER.1, ER.29]

4. Finding Status (Remediated)

Explanation: The factory now documents performance review results based on worker promotions.

5. Finding Status (Not Remediated)

Explanation: The factory has no written job descriptions. Responsibilities are communicated verbally. [ER.1, ER.30]

Local Law or Code Requirement

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

COMPANY ACTION PLANS

Action Plan no 1.

Description

3. Already we have reviewed the conducting performance when any workers get promotion or increment .

5. The factory has provided job descriptions for all positions.

PREVIOUS FINDING NO.14

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The factory's procedures on Health & Safety do not cover the following: measures to protect the reproductive health of employees through minimizing exposure to workplace hazards, information on how workers can raise health and safety concerns, protection against retaliation for workers who raise health and safety concerns, information on the factory's response plan in the event of a fire, information on what employees should do in case of an injury, and steps for reporting deaths, injuries, illnesses, and other Health & Safety issues.

2. The factory does not make all legally required health and safety documents available to workers and management.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.16 and ER.31; Health, Safety, & Environment Benchmarks HSE.1, HSE.2, HSE.5, and HSE.12.1; Nondiscrimination Benchmark ND.8)

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Not Remediated)

Explanation: The factory's procedures on Health & Safety do not cover measures to protect the reproductive health of employees, information on how workers can raise health and safety concerns, protection against retaliation for workers who raise health and safety concerns, information on what employees should do in case of an injury, and steps for reporting deaths, injuries, illnesses, or other Health & Safety issues. [ER.16, ER.31, HSE.1, and HSE.12.1]

Root Causes: Lack of understanding and implementation of recommendations

2. Finding Status (Remediated)

Explanation: All legally-required Health & Safety documents are made available to workers and management.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.16 and ER.31; Health, Safety & Environment Benchmarks HSE.1 and HSE.12.1)

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. The factory's procedures on Health & Safety cover measures to protect the reproductive health of employees. we are provide the Health & safety Training floor workers. Factory has Safety committee who are work safety issue.

PREVIOUS FINDING NO.15

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The factory has not arranged for any risk assessments for fire safety by an independent licensed third party. Although the Bangladeshi Association of Garment Manufacturers BGMEA conducted a generalized assessment on Health & Safety on November 25, 2015, which also covered basic fire safety norms, the assessment was not a detailed risk assessment pertaining to Fire Safety. The assessment did not identify possible fire hazards and fuel sources that could result in fires. There was no information on probability, severity of the hazards and related control measures.
2. Fabric rolls have been stacked against walls up to ceiling height in the fabric stores. These rolls are close to electric wiring and hence are a fire hazard.
3. Diesel barrels and compressed natural gas cylinders are placed in the waste storage area. The factory has not provided any fire extinguishers and hose reels in this area for firefighting.
4. The factory uses Compact Fluorescent bulbs (CFL) which are meant for domestic lighting as emergency lights in production areas and near exits. Therefore, these lights cannot be detected/are not visible in case of smoke and can therefore not guide workers to exits posing a potential safety risk.
5. The factory has installed smoke detectors in the fabric stores and accessories stores. The factory checks the functionality of these detectors by activating a check switch and not by creating artificial smoke under them.
6. Work areas in approximately 10% of the sewing sections were congested, with two workers at some workstations. While one was sitting and operating a sewing machine, the other was standing and working. In a situation requiring emergency evacuation, the chair of the sitting worker will get pushed back as this worker gets up, obstructing access to the evacuation passage for the other workers.

Local Law or Code Requirement

The Factories Act 1979, Section 51 on Means in Case of Fire; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.5, and HSE.6)

Recommendations for Immediate Action

1. Arrange for a third party to conduct a comprehensive risk assessment. Take corrective action based on recommendations made in this assessment.
2. Ensure that fabric rolls are stacked appropriately and that a safe distance is maintained between these rolls and electrical wiring.
3. Install fire-fighting equipment in the waste storage area.
4. Use appropriate industrial-variety emergency lights.
5. Test smoke detectors by creating artificial smoke under them or use smoke sprays to check the abilities of the smoke detectors.
6. Decongest work areas to give way to free, easy, and quick evacuation passages.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Not Remediated)

Explanation: The factory has arranged no risk assessments for fire safety by an independently licensed third party. [HSE.1, HSE.5]

2. Finding Status (Partially Remediated)

Explanation: Fabric rolls are stacked at safe heights against walls in the fabric stores, however no indicators are installed to warn workers against storing above the permitted levels. [HSE.1, HSE.5]

3. Finding Status (Remediated)

Explanation: The factory provided fire extinguishers in the waste storage area for firefighting and fire hose. Diesel barrels and compressed natural gas cylinders are not stored in the waste storage area, but in separate and secure areas.

4. Finding Status (Not Remediated)

Explanation: The factory uses Compact Fluorescent bulbs (CFL) as emergency lights in production areas of all floors and near the exits on the 5th and 6th floors. These lights are not visible in case of smoke and can therefore not guide workers to exits, posing a potential safety risk. [HSE.5]

5. Finding Status (Remediated)

Explanation: Factory management checks the smoke detectors in the fabric and accessories stores periodically with artificial smoke.

6. Finding Status (Not Remediated)

Explanation: Assessors observed congested work areas in approximately ten percent of the sewing sections, with two workers at some workstations. In some work stations, workers sat back to back. In an emergency, this set-up would obstruct access to the evacuation passage. [HSE.5]

Local Law or Code Requirement

The Factories Act 1979, Section 51 on Means in Case of Fire; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1 and

Recommendations for Immediate Action

1. Arrange for a third party to conduct a comprehensive risk assessment. Take corrective action based on recommendations made in this assessment.
2. Install indicators for restricting height allowed for storage of fabric rolls.
3. Install industrial-grade high-beam emergency lights above all exits.
4. Decongest work areas to give way to free, easy, and quick evacuation passages.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Already we have arranged a proper trainer to conduct a comprehensive risk assessment and to make the workers aware about it.
2. Completed: The factory management re-organized the fabrics store reduce the height and fabrics roll keep organize.
4. Completed: Already we have changed the Fluorescent bulbs(CFL) in the floor and exits.
6. Completed: Already rearranged and no workers are blocked now. At the same time protect deviation in future strong monitoring is imposed and same thing shared with floor management with a clear message.

PREVIOUS FINDING NO.16

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The factory does not provide any trainings to any worker on the use and maintenance of Personal Protective Equipment (PPE).
2. The factory does not provide appropriate PPE, such as insulated gloves, hard toe boots and eye protection to the factory's electricians and machine maintenance workers. The worker responsible for electrical maintenance was only provided with ear plugs.
3. The factory has tampered needle guards are tampered in 70% of the sewing machines in the sewing areas. The needle guards have been pushed upwards, rendering them ineffective.

Local Law or Code Requirement

FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.7, HSE.8, and HSE.14)

Recommendations for Immediate Action

1. Conduct trainings for employees on the proper use and maintenance of PPE.
2. Provide appropriate PPE to all electricians and machine maintenance workers.
3. Ensure that needle guards are kept in a functional position to offer maximum protection. Provide training on proper PPE usage and communicate the requirements on PPE usage to all workers.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status (Partially Remediated)

Explanation: Factory management trains workers on PPE. In the past 12 months, 218 of 888 workers were trained. The factory does not have a training calendar or a plan to train 100% of workers. [HSE.8, HSE.14]

Root Causes: Lack of awareness of having a formal training program.

2. Finding Status (Remediated)

Explanation: The factory provides appropriate PPE, including insulated ear plugs, gloves, hard toe boots, and eye protection for the factory electricians and machine maintenance workers.

3. Finding Status (Not Remediated)

Explanation: The factory has tampered needle guards on 70% of the sewing machines in the sewing areas. The needle guards are pushed upwards, rendering them ineffective. [HSE.8, HSE.14]

Root Causes: Lack of understanding the root cause for tampering of needle guards and implementation of appropriate corrective action.

Local Law or Code Requirement

FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.8, and HSE.14)

Recommendations for Immediate Action

1. Train employees on the proper use and maintenance of PPE.
2. Keep needle guards in a functional position.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Already we have provided appropriate PPE to the workers.
3. Already we have concerned the workers to use of PPE and given them proper training on it.

PREVIOUS FINDING NO.17

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Environmental Protection

Finding Explanation

1. The factory uses Compressed Natural Gas (CNG) for fueling two boilers (in addition to a CNG pipeline supply). These cylinders are stored on a cart, which is parked adjacent to the storage areas of waste materials such as cardboard, paper, fabric waste, and wood waste, posing a potential Health & Safety risk. The storage area is not restricted and is easily accessible.
2. The factory's solid waste collection does not have segregated waste streams.

Local Law or Code Requirement

FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1 and HSE.9)

Recommendations for Immediate Action

1. Store cylinders in a safe manner to prevent any accidents. Restrict access to the storage areas for these cylinders.

VERIFICATION RESULT

Finding Status

Remediated

Remediation Details

1. Finding Status (Remediated)

Explanation: Compressed Natural Gas (CNG) cylinders are not used anymore. Gas is supplied through the factory pipelines.

2. Finding Status (Remediated)

Explanation: The factory has segregated solid waste collection by nature of material.

PREVIOUS FINDING NO.18

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Environmental Protection

Finding Explanation

1. The factory's policy on Environmental Protection does not have a statement of the factory management's general support of energy and water efficiency or a commitment to minimize impacts with respect to air emissions, waste, hazardous materials, and other applicable environmental risks.
2. There is no documented environmental program.
3. The factory has not conducted any environmental impact assessments.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.31.1 and ER.31.3; Health, Safety, & Environment Benchmark HSE.1)

VERIFICATION RESULT

Finding Status

Remediated

Remediation Details

1. Finding Status (Remediated)

Explanation: The factory Environmental Protection policy states management's general support of energy and water efficiency and a commitment to minimize the impacts of air emissions, waste, hazardous materials, and other applicable environmental risks.

2. Finding Status (Remediated)

Explanation: The factory has written procedures for environmental management, including waste management and energy and water reduction.

3. Finding Status (Remediated)

Explanation: An external party, SMS Environmental Alliance, conducted an environment impact assessment in October 2018.

New Findings and Action Plans

NEW FINDING NO.1

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

1. Factory management does not share performance evaluation results with workers and workers do not sign them, as noted from reviewed samples. The factory issues no written communication regarding changes to wages. For example, Worker #1 was promoted to supervisor effective October 1, 2018 and management did not provide a letter until the date of assessment, October 30, 2018. Additionally, Worker #2, whose promotion was effective October 7, 2018, has a result sheet that reflects that the promotion was effective October 1, 2018, and no date was recorded on the evaluation sheet. [ER.30]
2. The agreement with Security Service provider has no specified date. Clause 38 of the agreement states the contract will remain in effect until July 31, 2014. This agreement was not renewed after 2014, yet the company still provides security services. The agreement does not include the FLA Workplace Code except for information on working hours and wages payable to security guards. [ER.2, ER.7]
3. Factory management did not conduct the orientation program for 18 of 45 new employees. [ER.15]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.2, ER.7, ER.15 and ER.30)

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Completed: Factory management does not share performance evaluation results with workers and workers do not sign them, as noted from reviewed samples. The factory issues no written communication regarding changes to wages. For example, Worker #1 was promoted to supervisor effective October 1, 2018 and management did not provide a letter until the date of assessment, October 30, 2018. Additionally, Worker #2, whose promotion was effective October 7, 2018, has a result sheet that reflects that the promotion was effective October 1, 2018, and no date was recorded on the evaluation sheet. [ER.30]
2. Completed: The agreement with Security Service provider has no specified date. Clause 38 of the agreement states the contract will remain in effect until July 31, 2014. This agreement was not renewed after 2014, yet the company still provides security services. The agreement does not include the FLA Workplace Code except for information on working hours and wages payable to security guards. [ER.2, ER.7]
3. Factory management did not conduct the orientation program for 18 of 45 new employees. [ER.15]

NEW FINDING NO.2

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

1. Wage records include do not include the date of payment. [ER.2, C.5]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.2; Compensation Benchmark C.5)

Recommendations for Immediate Action

1. Record date of payment on wage records.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Payment sheet we are include the payment date.

NEW FINDING NO.3

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Workplace Conduct & Discipline

Finding Explanation

1. The factory provided one file pertaining to disciplinary action taken and stated no written disciplinary action had been taken. Review of this file revealed the factory issued an undated letter to a worker for not using a nose mask or needle guard. The HR Manager issued a second letter to the worker, on January 18, 2018, to show cause. On January 24, the worker provided a letter apologizing for his actions. On January 25, the HR Manager issued a warning letter to the worker stating his response was not satisfactory, warning of strict action if the mistakes were repeated. When asked why other workers were not issued similar letters, management stated they had warned this worker prior to these letters, but could not provide evidence of this communication. The worker signed both HR-issued letters, but the signature did not match the worker's employment documents in his file. Management provided no rationale behind issuing this letter to

just one worker for this commonly-observed issue. Further inquiry revealed that the worker argued with the supervisor when he was warned for not using mask. It is possible that the reason for the letter was due to arguing with the supervisor, not because of the mask. [ER.27]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.27)

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. The factory will review and update disciplinary action to prevent such in future.

NEW FINDING NO.4

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Grievance System

Finding Explanation

1. Written procedures provide no information on how decisions or action taken for reported grievances (written or verbal) will be communicated to workers using other channels of communication, except for those reported using suggestion boxes. The factory has not implemented their defined procedure for communicating grievances through a suggestion box. There is no defined timeline for supervisors to take action. [ER.25]
2. The written procedures include no information on the formation of a grievance committee. The committee had seven worker representatives, but five of them left the factory and have not been replaced. These workers resigned from the factory for personal reasons. Currently there is one worker and one manager on the committee. The last meeting occurred in December 2017. [ER.25]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.25)

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Factory Management has made a grievance procedure follow the Labor law. Written procedures provide information on how decisions or action taken for reported grievances (written or verbal) will be communicated to workers using other channels of communication. There are defined timeline for supervisors to take action
2. We are new grievance committee who are aware to grievance and all are present.

NEW FINDING NO.5

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. Assessors observed denim garments stored in front of (blocking) the fire hydrant on the fifth floor. [HSE.5]
2. Aisle and evacuation routes in the sampling section on the fifth floor were partially blocked by a chair and empty cartons. [HSE.5]
3. Electric cords connecting the cutting machine with the main power source are on the floor close to workers, posing risk in an emergency. [HSE.13]
4. Most workers on the fire rescue team were unaware of their fire safety responsibilities. [HSE.5]

Local Law or Code Requirement

Bangladesh Factories Rules 1979, section 51; FLA Workplace Code (Health, Safety and Environment Benchmark HSE.5 and HSE.13)

Recommendations for Immediate Action

1. Clear areas in front of the fire hydrants.
2. Maintain aisles and evacuation routes clear of obstruction.
3. Reposition electric cords connecting cutting machines with the power source overhead to ensure evacuation routes are clear.
4. Train the fire rescue team on their responsibilities.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. The fire hydrant in font area clear.
2. Aisle and evacuation routes in the sampling section are clear.
3. We are ensure to responsible electrician electric cords connecting cutting machines with the power source overhead.
4. The fire safety officer training the fire rescue team on their responsibilities

NEW FINDING NO.6

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. Assessors observed seated workers on hard wooden stools. [HSE.17]
2. Most standing workers were not wearing shoes and had bare feet. Very few standing workers were provided with and using the padded mats. [HSE.7, HSE.17]
3. The factory provides no lifting belts to loaders or unloaders. [HSE.7, HSE.17]

Local Law or Code Requirement

Bangladesh Factories Rules 1979, section 42; FLA Workplace Code (Health, Safety and Environment Benchmarks HSE.7 and HSE.17)

Recommendations for Immediate Action

1. Provide appropriate seating arrangements for seated workers.
2. Provide anti-fatigue mats for all standing workers.
3. Provide lifting belts for loaders and unloaders.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. We have a plan for worker appropriate seating arrangement.
2. We have a plan for standing worker anti fatigue mats.
3. The factory Managements have a plan lifting belts provide loaders and unloaders.

NEW FINDING NO.7

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. Workers handling denim fabric had dye from fabric on their hands and under their finger nails. [HSE.7, HSE.8]
2. The factory provides no eye shields for snap button machine operators. [HSE.7]
3. Assessors observed snap button machine operators were barefoot. Sharp rivets on the rubber mats under their machines could injure workers. [HSE.7, HSE.8]
4. A worker in the fabric store was observed not using a helmet. Helmets were not available on-site though management stated that they were provided. The department in charge was not aware if helmets were provided. [HSE.7, HSE.8]

Local Law or Code Requirement

Bangladesh Factories Rules 1979, section 42; FLA Workplace Code (Health, Safety and Environment Benchmarks HSE.7 and HSE.8)

Recommendations for Immediate Action

1. Provide gloves to workers handling denim fabric.
2. Provide eye shields to snap button machine operators.
3. Snap button machine operators should use footwear while at work. Provide training on the need to use shoes and other PPE.
4. Provide and monitor the use of helmets by workers working at high heights in the fabric store.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. We have a plan to provide gloves to workers handling denim fabric
2. Completed: We are provide eye glass to snap button machine operators.
3. Completed: We provide Snap button machine operators should use footwear while at work. Provide training on the need to use shoes and other PPE.
4. Management have a plan to provide the helmets to fabrics store section by workers working at high heights in the fabrics store.

NEW FINDING NO.8

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. Canteen workers left food uncovered in the canteen. [HSE.22]
2. The staff kitchen walls are black with soot from smoke. [HSE.22]
3. The cook did not use a face mask, apron, or hairnet. [HSE.22]
4. There is no first aid kit in the kitchen. [HSE.18]
5. There are no racks or tables for proper utensil storage, so utensils were on the floor. [HSE.22]
6. The certificate from the factory doctor states the two cooks were fit to work in a confined space. Given the cooks do not work in confined spaces; it is possible that incorrect documentation is being maintained. [HSE.22]

7. The date of the echo cardiogram reports for the two cooks conducted by an external hospital was from June 2005, though in pen the date was changed to October 27, 2018. [HSE.2, HSE.22]
8. The factory has a childcare room but it does not meet legally defined standards. There is no childcare attendant, play area, or toys. There is one cradle and a small bed. The factory assigned a female cleaner to take care of the childcare room. This worker is not trained in child care, and her health check report only states she is fit to work in confined areas. There are no children there currently. [HSE.27]
9. First aid-trained workers are not aware of CPR or treatment for electric shocks. [HSE.6, HSE.18]
10. The first aid kits lack gloves. [HSE.6, HSE.18]
11. The medical room lacks instrument sterilizer and oxygen. [HSE.6, HSE.18]
12. The male toilets on the third floor do not flush. [HSE.19, HSE.20]
13. The restrooms lack a hand drying facility. [HSE.19]

Local Law or Code Requirement

Bangladesh Factories Rules 1979, sections 55, 56, 57, 64 and 67; FLA Workplace Code (Health, Safety and Environment Benchmarks HSE.1, HSE.18, HSE.19, HSE.20, HSE.22 and HSE.27)

Recommendations for Immediate Action

1. Cover food left out in the canteen.
2. Keep staff kitchen clean.
3. Provide nose mask, apron, and hairnet for cooks.
4. Provide first aid kit in kitchen.
5. Provide racks and tables for proper storage of utensils.
6. Obtain health check certificate with accurate information for the two cooks.
7. Maintain health check reports with accurate information.
8. Provide childcare room per legal guidelines. Hire or find childcare attendant trained in childcare.
9. Train designated workers on CPR and basic treatment for electric shocks.
10. Provide gloves in first aid kits.
11. Provide instrument sterilizer and oxygen in medical room.
12. Ensure all toilets flush and keep in working condition.
13. Provide hand drying facility in all toilets.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. Completed: We provide the cover food left out in the canteen.
2. Completed: We are clean staff kitchen room.
3. Completed: we provide nose mask, apron, and hairnet for cooks.
4. Completed: We provide first aid kit in kitchen
5. Completed: We are provide racks and tables for proper storage of utensils
6. Completed: We are aware to cooks then they work to confined space.
7. Completed: The date of the echo cardiogram reports Computer print was Wrong So it corrected hand writing by pen external hospital. But front page report date right.
8. In Progress: We are plan to make well childcare room and appointed a childcare attendant trained in childcare.
9. Completed: The Doctor training the First aid workers on CPR and basic treatment for electric shocks.
10. Completed: The factory management provide gloves in first aid kits.
11. In Progress: The factory management plan to buy sterilizer and oxygen in medical room.
12. Completed: We are ensure all toilets flush and keep in working condition.
13. Completed: We are Provide hand drying facility in all toilets.

NEW FINDING NO.9

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The elevator service provider agreement states 480 kg and 6-person capacity but the factory elevator has an 800 kg and 10-person capacity. [HSE.1, HSE.14]
2. The factory has one licensed boiler operator. In his absence, an unlicensed maintenance worker operates the boiler. [HSE.1, HSE.14]

Local Law or Code Requirement

Bangladesh Factories Rules 1979, section 40; FLA Workplace Code (Health, Safety and Environment Benchmark HSE 1 and HSE 14)

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. We are discuss the elevator service provider for the regarding issue.
2. Factory Managements to process another boiler operator appointed.

NEW FINDING NO.10

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

1. Most workers interviewed confirmed they did not receive appointment letters. A worker who joined October 18, 2018 had their appointment letter issued the date of assessment, two weeks later. Management stated they provide appointment letters and identity cards to workers within a week of their start date. [ER.2]
2. The nurse signs an age estimation and fitness certificate; the certificate is not signed by doctor. [ER.4]
3. Job application forms are incomplete, missing names and addresses, as noted from sampled files. [ER.2]
4. A review of five sampled forms from the hiring skills test were blank, but signed by workers and the Production manager, with wages payable recorded. [ER.2, ER.30]
5. 12 of 40 appointment letters reviewed lacked the name of the employee but the letters were all signed by the workers. On six appointment letters, the name of the worker and the wages payable were blank but the workers has signed the letters. These letters were not signed by management. [ER.2]

Local Law or Code Requirement

Bangladesh Labour Act 2006 (updated in 2015) Chapter II- Conditions of employment, Section 5; FLA Workplace Code (Employment Relationship Benchmarks ER.2, ER.4, and ER.30)

Recommendations for Immediate Action

1. Provide appointment letter and identity card to new workers on the day of hiring.
2. Ensure doctor signs age estimate form after verifying worker age.
3. Record complete information on job application forms.
4. Complete all information on skill test form prior to obtaining worker signature.
5. Complete all information on appointment letters. Workers should not be required to sign blank documents or those with incomplete information.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. We are provided the appointment letter and identity card to new workers on the joining day.
2. We are ensure doctor signs age estimate and fitness certificate form after verifying worker age .
3. We are completed the job application all information.
4. Factory has no IE dept. Now we are starting.
5. We are checked the all appointment letter and with incomplete information.