



Verification Assessment

COMPANIES: Russell Brands/Fruit of the Loom
COUNTRY: Bangladesh
ASSESSMENT DATE: 12/23/17
ASSESSOR: Insync Global
PRODUCTS: Apparel
NUMBER OF WORKERS:

FLA Comments

This SCI is a verification assessment of assessment AA0000001903. All corrective action plan updates for AA0000001903 will be published on this report.

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

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

The factory has a 4-month probation period.

Workers are legally 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.

The written agreement between factory and service providers, such as security personnel and food caterers does not specify Workplace Conduct, except for the prohibition of employment of Child Labor and Forced Labor.

Local Law or Code Requirement

Recommendations for Immediate Action

1.
Revise the probation period so that it does not exceed three months.
2.
Review the age estimation forms to ensure that do not violate workers' privacy, and remove the two inappropriate questions from the age verification forms.
3.
Ensure that workers' personnel files with the age verification certificates are kept confidential and are not accessible for factory visitors and all managerial staff.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Remediated

Explanation:

Based on Management and worker interviews and documentation review, the probation period has been revised to 3 months effective May 2016.

2. Finding Status: Remediated

Explanation:

Based on worker interviews and documentation review, the two invasive questions that violate workers' privacy and are improper in determining age have been removed from the age estimation form and such checks are no longer conducted.

3. Finding Status: Not Remediated

Explanation:

Based on management interviews and documentation review, the written agreement effective November 2017 between the factory and service providers, such as the security personnel and two food caterers does not specify Workplace Conduct, Freedom of Association, Grievance systems and Health and Safety requirements. The agreement does have information on terms and conditions that include the prohibition of Child Labor, Forced Labor, Hours of work, and Compensation. All three service providers have signed the factory code of conduct but this does not include the FLA Workplace Code of Conduct. [ER.1]

Root Causes:

Management stated that the service providers have signed the factory's Social compliance policy which has a clause that states that the service provider needs to comply with the BEPZA (Bangladesh Export Processing Zone) Instruction Numbers 1 & 2, 1989 and 2015. Therefore, management did not include workplace conduct separately in the agreement. Information on workplace conduct is not included in the factory's Social compliance policy and also may not be readily available to service providers.

Local Law or Code Requirement

FLA Workplace Benchmark (Employment Relationship Benchmark ER.1

Recommendations for Immediate Action

1. Define information on Workplace Conduct, Freedom of Association, Grievance systems and Health and Safety requirements in agreements with service providers.

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will revise the agreement with the service providers, such as security personnel and the two canteen food providers to include FLA's Workplace Conduct, FOA, Grievance systems and Health and Safety requirements. The factory will maintain signed copies of the revised agreement.

Company Action Plan Update

The factory has revised the agreement with the service providers, such as security personnel and the two canteen food providers to include FLA's Workplace Conduct, FOA, Grievance systems and Health and Safety requirements. The factory will maintain signed copies of the agreement with each service provider.

PREVIOUS FINDING NO.2

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

There is no clear written policy on Recruitment, Hiring & Personnel Development. A document named Hiring Policy states that "Hiring is done to contribute to the overall strategic success of the factory and each employee is employed to make a significant contribution." However, there is no mentioning of the factory's actual policies on Recruitment, Hiring & Personnel Development in this document.

A written document on the procedures for recruitment defines the procedures for hiring supervisors and managerial staff. However, there are no procedures for recruitment of production workers, communication of HR procedures to staff responsible for recruitment, and communication to supervisors and workers. The procedures do not define the need for performance reviews, maintenance of performance review documentation, options for broadening skills to advance workers in their careers, steps for promotions, demotions, and reassignment, and for periodic review of policies and procedures. Evaluation sheets on job performance are maintained in the files of individual workers; however, they are not signed by the concerned workers. Thus, although there is a performance review system in place, it is not effective since workers are not aware of the actual process.

There are no job descriptions for any positions.

Workers do not receive written documentation that substantiates all of the issues covered in the orientation. There is a short

document provided that includes information on various types of leave and a short outline of the Workplace Code elements. However, no information is provided on the Grievance System, Workplace Conduct & Discipline, procedures for applying for leave, calculation of overtime compensation, details about the bonus, and the calculation and payment methods for termination dues.

Local Law or Code Requirement

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

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Remediated

Explanation: Based on management interviews and documentation review, the factory has a written policy and procedure for Recruitment, Hiring, and Personnel Development for employees.

2. Finding Status: Partially Remediated

Explanation: Based on management interviews and documentation review, the factory has written procedures for recruitment and hiring for all employees. Procedures are defined for hiring supervisors and workers. [ER.28, ER.29, ER.30]

Policy and procedures on personnel development do not reflect the objective of personnel development. It defines the need for training workers to meet job requirements and not on the advancement of their careers. The factory has a separate written policy on promotions but it does not define the requirement for periodic performance reviews, maintaining required documentation (evaluation results), communicating evaluation results to workers, or opportunities for workers to advance their careers. The promotion policy does not include any information on wage increases. Evaluations are conducted on an annual basis and signed by workers. The date of the evaluation and the recommendations for improvement are not recorded on the evaluation. Out of the nine criteria defined (Attendance & Punctuality, Responsibilities, Personality, Teamwork, Loyalty, Appearance and Fitness, Quality, Capability, and Professional Skill), evaluation is restricted to Quality, Capability, and Professional Skills. The evaluation and promotion results are not maintained for workers who are promoted with a change in designation and an increase in wages.

Root Causes: Management stated that the workers' wages are increased annually by 10% as legally required. Therefore, the evaluations did not result in any wage increases. The reviews evaluate the workers' skills and performance and other criteria are not considered.

3. Finding Status: Remediated

Explanation: Based on Management interviews and documentation review, all positions have job descriptions. 4. Finding Status: Remediated

Explanation: Based on management and worker interviews and documentation review, workers are provided with an employee handbook that contains information on all the employment functions after the orientation program

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.28, ER.29, and ER.30)

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will revise the Promotional Policy to include details of wage increase and include date of review and signature of employee.

The factory will revise the Personnel Development policy and procedure to include the requirement for annual performance reviews, maintaining evaluation results, communicating evaluation results to workers, opportunities for workers to advance their career. The evaluation record must include the date of the evaluation, recommendation for improvement and include details on attendance and punctuality, responsibility, personality, teamwork, loyalty, appearance and fitness.

Company Action Plan Update

The factory has revised its policies and procedures for recruitment, hiring and personal development. The factory has provided education and training to the workers on the policies. The factory implemented a document to be used to when conducting the performance reviews, and a promotion letter for an applicable worker.

PREVIOUS FINDING NO.3

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

Workers designated to folding products and packing them in poly packs had identity cards stating incorrectly that they were assistants ("helpers" as noted on the pay slips/wage notifications) rather than the right department and actual function. Review of their appointment letters and review of wage records revealed that they were hired as "helpers". While wages of a "helper" is BDT 5600 (US\$ 70.00) per month, wages for a worker in the poly-packaging department is BDT 6440 (US\$ 80.50) per month. Hence, these workers are assigned jobs for which the appropriate wages are not being paid.

The factory has 24 contracted security guards. Interviewed contracted security guards are each required to pay BDT 1000 (US\$ 12.5) towards the cost of two uniforms. This amount can be paid in cash at the time of hiring, or is deducted in ten installments from wages. This amount is not reimbursed to the security guards.

Local Law or Code Requirement

Bangladesh Export Processing Zone, reference no 03.307.002. 00.00.118.2010-2065, dated Dec 24, 2013; Bangladesh Labor Code 2006 – section 125 -2(e); FLA Workplace Code (Compensation Benchmark C.1)

Recommendations for Immediate Action

1. Ensure that appropriate wages are paid based on nature of work performed.
2. Review the terms of employment for the contracted security service and ensure that uniforms are provided free of cost.

Reimburse all security guards for any uniform costs that they have covered.

VERIFICATION RESULT

Finding Status

Remediated

Remediation Details

1. Finding Status: Remediated

Explanation:

Based on worker interviews, visit to production floors and documentation review, workers are designated as per nature of job and are paid appropriately.

2. Finding Status: Remediated

Explanation:

Based on worker interviews and documentation review, the security guards do not pay for uniforms. An agreement dated November 15, 2017, states that the service provider must provide two sets of uniforms every year. Guards can buy additional uniforms if necessary.

FINDING NO.4

PREVIOUS FINDING NO.4

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

The factory's written procedures on wages do not define the payment process, mode, calculations, and timelines for termination payouts. There is no requirement to train supervisors and workers, and no ongoing training on Compensation is provided to supervisors and workers. In addition, although policy and procedures on Compensation were created in Jan 2015, they do not include a review process.

The factory does not include working hours worked on rest days in pay records. Although working hours on rest days are considered overtime work and compensated as such, as per legal requirements, such work is recorded manually on an unofficial separate sheet and not included in the official electronic system. In addition, workers are paid within three days. Factory management stated that some customers do not accept work done on rest days. Thus, the working hours on rest days and holidays are not reflected on one time sheet.

Local Law or Code Requirement

Recommendations for Immediate Action

1. Ensure that all Hours of Work are accurately recorded in pay records and accurately compensated, including work done on rest days.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Partially Remediated

Explanation:

Based on Management interviews and documentation review, the written procedures on compensation define the payment mode as cash but do not define the pay period. The timelines for payment of wages specify payment at the end of following month instead of beginning of following month. However, in practice, wages are paid by the 7th day of the month following the wage period (the 1st to the 30/31st of the previous month). The factory did not provide the calculations for compensation for overtime hours service benefits. [C.1, C.5]

Root Causes:

As stated by management, the policy states that compensation and benefits are paid according to legal requirements and hence calculation was not mentioned specifically for each payment.

2. Finding Status: Remediated

Explanation:

Based on worker interviews and documentation review, the workers have not worked on any rest days in January 2017, June 2017, and November 2017. The factory management stated that workers did not need to work on rest days because of a low volume of orders. Moving ahead, any work done on rest days will be reflected on time cards.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.1, Compensation Benchmarks C.1 and C.5)

Recommendations for Immediate Action

1. Include complete information on compensation, including timelines for payment and the overtime calculations, in written procedures for clarity and easy understanding.

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will update Policy and Procedure and specify the dates for which payment will be made to workers and clarify the calculations for compensation for overtime.

Company Action Plan Update

The factory has updated its compensation and benefits policy to define the payment process, mode, calculations, and timelines for termination payouts. The factory has implemented a review process for the policy.

PREVIOUS FINDING NO.5

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Hours of Work

Finding Explanation

Production planning and targets are calculated based on 10 hours per day (8 regular hours + 2 overtime hours).

57 workers from the cutting department worked on Nov 27, 2015 (rest day) and are scheduled to have a compensatory day off on Dec 5, 2015. This resulted in 13 days of continuous work with no rest day, violating local law that states that workers shall receive a rest day within every 7-day period.

Although the factory has policies and procedures in place on breaks during working time, five workers from sewing line No.38 and eight workers from the folding/packing section were working during the lunch break.

Local Law or Code Requirement

Bangladesh Labor Code 2006, section 103; Section 101 of Bangladesh Labor act 2006: Section 106; FLA Workplace Code (Employment Relationship Benchmark ER.24; Hours of Work Benchmarks HOW.2, HOW.3, and HOW.8)

Recommendations for Immediate Action

1. Calculate production planning and targets on regular hours of work.
2. Ensure that workers are provided with one day off in every seven.

3. Establish a proper monitoring system to ensure that workers do not work during breaks.

4. FLA affiliate Company's Sourcing and Social Compliance teams should implement FLA Principles of Fair Labor and Responsible

Sourcing, and accordingly coordinate on the topics mentioned below to help the factory address its excessive hours issue: a. How to provide better order forecasts to the factories;

b. Possible workshops/consultancy for the factory on how to improve;

c. Clear guidelines on how to extend shipment deadlines in case of contingencies;

d. Steps that factory management must follow if overtime is inevitable (steps for how to communicate with the 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;

f. Clear guidelines on how and when the factory can use subcontractors and/or temporary workers to avoid excessive overtime.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Remediated

Explanation:

Based on management interviews and documentation review, the production plan is based on an eight hour workday.

2. Finding Status: Remediated

Explanation:

Based on worker interviews and documentation review, all workers were provided a rest day every week and none of the workers had to work on any rest day.

3. Finding Status: Partially Remediated

Explanation:

Based on management interview and visit to work areas, no workers were working during their lunch break. Management stated that the HR team visits the floors during breaks to ensure that workers do not work during their lunch break. Supervisors are also instructed to monitor. However, the factory has not implemented any engineering controls to ensure that workers do not work during breaks. [HOW.3]

Root Causes:

Management stated that they have been able to monitor and restrict work the during lunch break and do not need to implement any further control measures.

Local Law or Code Requirement

FLA Workplace Code (Hours of Work Benchmarks HOW.3)

Recommendations for Immediate Action

1. Implement engineering controls, such as restricting the power supply to machines, during lunch breaks that would allow workers to rest at their work stations and restrict them from operating machines. For those who do not work on machines like those in the checking section, monitoring will suffice.

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will implement engineering controls such as restricting the power supply to machines, to ensure workers are not working during lunch breaks which will allow workers to rest at their work stations. The factory will continue to use monitoring by HR and supervisors for workers who do not work at machines.

Company Action Plan Update

The factory has updated its working hour policy to include a process to education workers on the purpose of lunch breaks and rest breaks. To ensure the policy is being followed the factory has implemented engineering controls on every floor with a electrical device which automatically shut downs the power supply to machinery during lunch break. The factory HR and Compliance team will monitor the process.

PREVIOUS FINDING NO.6

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Hours of Work

Finding Explanation

Although there is a formal system, there are no written procedures regarding Hours of Work. There is no requirement for training supervisors and workers on Hours of Work, identifying special categories of workers (young workers and pregnant women), and for a periodic review of policies and procedures on Hours of Work.

The factory does not provide specific training on Hours of Work for supervisors and workers; however, there is a general awareness of the policies and procedures on Hours of Work based on day to day work and industry practice.

While all regular and overtime hours are captured using the electronic time recording system, working hours on rest days is recorded manually on a separate sheet of paper. Although work done on rest days are considered as overtime work and compensated as such, as per legal requirements, the factory does not maintain time records for work done on rest days as some customers do not accept work done on rest days.

Local Law or Code Requirement

Recommendations for Immediate Action

1. Ensure that all Hours of Work are recorded on one time record, including overtime hours and work on rest days.
2. Ensure that all Hours of Work, including work done on rest days are accurately recorded in the electronic time recording system.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Partially Remediated

Explanation:

Based on management interviews and documentation review, the factory has a written policy and procedures for hours of work but they do not include sections about extraordinary business circumstances or identifying special categories of workers. [ER.1, ER.23]

Root Causes:

Management stated that there were no extra ordinary business circumstances requiring special working hours and there are no separate working hours for special categories of workers and hence was not included in the policy and procedures.

2. Finding Status: Partially Remediated

Explanation:

Based on worker interviews and documentation review, the training on hours of work has been provided to 100% of supervisors, 100% of line leaders, and 90% of total workers. Management expects to train the rest of the workers in the next three months. [ER.1, ER.23]

Root Causes:

Management stated that training programs had to be delayed due to construction activities.

3. Finding Status: Remediated

Explanation:

Based on management and worker interviews and documentation review, workers have not worked on any rest days between January 2017 and November 2017. Management stated that due to low orders, workers were not require to work on rest days. In the event that such work will be done, hours worked will be recorded on time records and manual records will not be maintained.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.2, ER.15 and ER.23)

Recommendations for Immediate Action

1. Written procedures should include information on extraordinary business circumstances and special categories of workers.
2. Train all workers on hours of work.

Action Plan Status:

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will include details on extraordinary business circumstance and special categories of workers in the Working Hours Policy and Procedures.

The factory will continue to provide training on hours of work to the workers to achieve 100% training for all workers by June 2018.

Company Action Plan Update

The factory has created a written procedure regarding hours of work, identifying the special categories of workers (for example young workers, pregnant women) and provided training to all workers.

PREVIOUS FINDING NO.7

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Termination & Retrenchment

Finding Explanation

There are no written policies and procedures on retrenchment. Procedures on termination do not define calculation of terminal payouts, timelines, and mode of payment.

The procedures do not outline training for supervisors and workers on Termination and Retrenchment, nor do they outline a periodic review of the policies and procedures.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.17, ER.19, and ER.32)

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Not Remediated

Explanation:

Based on management interviews and documentation review, there are no written policies or procedures on Termination and Retrenchment. There is information on "Final Settlement procedure" included in the compensation procedures. The procedure does not define the possible reasons for termination and Clause #2 states that two types of workers are eligible for final settlement: resigned and dismissed and/or discharged. Retirement, medical disability, and death are not included. Information on eligibility of benefits, calculation of payouts, and mode and timeline for payment are not defined. [ER.32]

Root Causes:

Management stated that the procedures are based on common reasons for termination, like resignation or dismissal. The procedures did not less common reasons, such as retirement, medical disability, or death. The factory follows legal guidelines for payment of terminal dues but are not included in the written procedures.

2. Finding Status: Not Remediated

Explanation:

Based on management interviews and documentation review, the factory does not have specific training on Termination and Retrenchment. [ER.1, ER.17]

Root Causes:

Management stated that there are no Retrenchments or Layoffs. The factory follows legal procedures when dismissing workers and are compensated as required by law based on the "Final Payment Procedures" and the compensation procedures so trainings are provided.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.17, and ER.32)

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will create a Termination and Retrenchment Policy and Procedures, it will define all possible aspects and modes; resigned, dismissed, retirement, medical disability and death. It will include the details on eligibility of benefits, calculation of payouts, and method and timeline for payment and will be communicated with the workers.

The factory will implement the training on the Termination and Retrenchment Policy and Procedures with all workers beginning in May 2018 to be completed by 2018.

Company Action Plan Update

The factory has created a Termination and Retrenchment Policy and Procedures, it defines all possible aspects and modes; resigned, dismissed, retirement, medical disability, and death. It includes the details on eligibility of benefits, calculation of payouts, and method and timeline for payment and will be communicated with the workers.

The factory has implemented the training on the Termination and Retrenchment Policy and Procedures and all workers were trained.

PREVIOUS FINDING NO.8

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Industrial Relations

Finding Explanation

There are no written policies or procedures on Industrial Relations. The procedures for Freedom of Association outline ongoing training to be provided to supervisors and workers, and for a periodic review of the policies and procedures. However, there are written procedures approved by Export Processing Zone (EPZ) authorities on the formation of a Workers Welfare Association (WWA), which is a workers committee. The election process is monitored by the EPZ authorities in their presence with no management representatives in the WWA. The factory has initiated the process of forming a WWA under the supervision of the EPZ authorities representatives.

There is no communication to the workforce regarding worker participation and representation.

Local Law or Code Requirement

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

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Partially Remediated

Explanation:

Based on management interviews and documentation review, the factory has a policy on Industrial Relations but there are no written procedures. The factory has a legally required workers representative organization, the WWA (Workers Welfare Association), but there are no written procedures on the formation, the responsibilities, and the functioning of the WWA. There is no information on how frequently the WWA meets with management and how concerns are discussed, addressed, documented, and communicated to workers. [ER.1, ER.25]

Root Causes:

Management stated that the WWA is formed based on BEPZA guidelines and under their supervision. Therefore, procedures are not documented separately.

2. Finding Status: Remediated

Explanation:

Based on worker interviews and documentation review, trainings are conducted on the formation and the functions of the WWA (Worker Welfare Association) and workers are aware of the representatives and how the committee functions.

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will create an Industrial Relations Policy and Procedures, it will include workplace rules, policies and practices which will be communicated to all workers in applicable language, it will include the information and responsibilities and function of the WWA (Workers Welfare Association). The frequencies of meetings with management, how concerns will be discussed, addressed, documented and communicated to workers.

Company Action Plan Update

The factory has create an Industrial Relations Policy and Procedures, it will include workplace rules, policies and practices which will be communicated to all workers in applicable language, it will include the information and responsibilities and function of the WWA (Workers Welfare Association). The frequencies of meetings with management, how concerns will be discussed, addressed, documented and communicated to workers.

PREVIOUS FINDING NO.9

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Workplace Conduct & Discipline

Finding Explanation

The Workplace Conduct & Discipline procedures do not include ongoing training for supervisors and workers. Although no formal training is conducted for the HR staff responsible for Workplace Conduct & Discipline, there is some awareness of the procedures and implementation. There is no defined period for review of the policies and procedures.

The factory has written records, signed by workers, maintained for disciplinary action initiated for proven cases of theft and habitual absenteeism. However, in the case of two workers, no appropriate disciplinary action according to legal requirements was initiated for their absence on July 16, 2015 and August 7, 2015, such as written warning and follow-up notification on the termination of their contracts. Instead, their wages for days worked until July 16 and August 7, have not been paid. Workers did not return for work and thus their employment is considered terminated. Management stated that it was an oversight and they would initiate required action immediately as per local requirements for termination practices. Additionally, there is no defined period for review of policies and procedures.

There is no third party witness present during the imposition of disciplinary actions.

The factory uses physical pat downs and bag searches as a general practice. While male workers are frisked with light pat searches, bags of female workers are checked, using handheld metal detectors.

The factory gives out verbal warnings for workplace conduct violations (late arrival, unauthorized absenteeism) or production errors (cutting, sewing, or checking errors); however, these warnings are not documented.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.2, ER.17, ER.17, and ER.27.3.4; Harassment or Abuse Benchmark H/A.10.2)

Recommendations for Immediate Action

1. Ensure that all security practices are only undertaken when there is a legitimate reason to do so and upon consent of workers. 2. Cease the practice of pat downs or body searches unless explicitly directed to do so by a duly empowered civil authority.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Not Remediated

Explanation: Based on Management interviews and documentation review, the written procedures on workplace conduct and discipline do not include training and defines the review period as annual. [ER.1, ER.17]

Root Causes: Management stated that they forgot to include the training schedule in the written procedures.

2. Finding Status: Remediated

Explanation: Based on worker interviews and documentation review, the factory now records, maintains, and signs written disciplinary actions for cases of long absenteeism as legally required.

3. Finding Status: Remediated

Explanation: Based on worker interviews and documentation review, it was found that no disciplinary action was taken requiring witness by a third party

4. Finding Status: Not Remediated

Explanation: Based on management and worker interviews and visual observations, male workers are still subjected to pat down searches (not complete body searches) and female security guards check female workers' bags. [H/A.10.2]

Root Causes: Management stated that male workers tend to bring tobacco inside the factory premises, which is not allowed. Furthermore, the products in the finishing and packing areas are small and can be easily taken out of the factory.

5. Finding Status: Partially Remediated

Explanation: Based on worker interviews and documentation review, the factory now records, maintains, and signs written disciplinary action for long absenteeism as legally required. However, no written action is taken for late arrival or production errors. [ER.27]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.2, ER.17, and ER.27.4; Harassment or Abuse Benchmark H/A.10.2)

Recommendations for Immediate Action

1. Ensure that all security practices are only undertaken when there is a legitimate reason to do so and upon consent of workers.
2. Cease the practice of pat downs or body searches unless explicitly directed to do so by a duly empowered civil authority.

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will revise the written procedure on Workplace Conduct and Discipline to include training schedules and define the review period as annual.

Company Action Plan Update

The factory has revised the written procedure on Workplace Conduct and Discipline to include training schedules and define the review period as annual.

Action Plan no 2.

Description

The factory will revise and update its security policy and procedure monitoring all workers entering and exiting the facility.

Company Action Plan Update

The factory has revised its security policy and procedure for monitoring all workers entering and exiting the facility since the worker's lockers are located on the ground floor of the production facility.

Action Plan no 3.

Description

The factory will create written disciplinary rules, procedures and practices which include a system of progressive discipline. The factory will record all grievances (verbal /written) and maintain records of grievances being remediated, closed and include signatures by management and worker.

Company Action Plan Update

The factory has updated the Disciplinary Policy to include the grievance procedure and practices of the progressive discipline system.

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Grievance System

Finding Explanation

The factory does not record verbal grievances. However, grievances reported via confidential complaint boxes are documented, and include issues on quality of food, cleanliness in dining areas, and shortage of drinking water during lunch breaks among others. These have been addressed and are being monitored to ensure that such grievances do not re-occur.

No training is conducted for supervisors on grievance procedures; however, there is some awareness for supervisors based on general industrial practices that the factory follows.

There is no defined period for review of policies and procedures on Grievance System.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.2, and ER.17)

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Not Remediated Explanation:

Based on worker interviews and documentation review, verbal grievances are not documented. [ER.2]

Root Causes:

Management stated that grievances are reported verbally and are addressed immediately. Therefore, no documentation is maintained.

2. Finding Status: Remediated Explanation:

Based on interviews with Supervisors and documentation review, training has been conducted for all Supervisors on grievance procedures and supervisors are aware of what procedures to followed.

3. Finding Status: Remediated

Explanation:

Based on management interviews and documentation review, the factory has a written policy and procedure for reviewing all policies and procedures annually. Some of the steps required include department heads reviewing the policies and procedures, recording the date of review, and maintaining updated documents.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.2)

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will create written disciplinary rules, procedures and practices which include a system of progressive discipline. The factory will record all grievances (verbal /written) and maintain records of grievances being remediated, closed and include signatures by management and worker.

Company Action Plan Update

The factory has revised its written grievance procedure and has recorded any verbal grievances in the applicable employee's register and has been confirmed and acknowledged by the worker.

PREVIOUS FINDING NO.11

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Environmental Protection

Finding Explanation

The policy on Environmental Protection does not contain the factory management's general support for energy and water efficiency, and a commitment to minimize impact of air emissions, waste, hazardous material, and environmental risks.

The factory does not provide any training to employees and supervisors regarding Environmental Protection.

The factory releases its sewage directly into an open drain, which flows to a pond. However, local law does not require factories to have a sewage treatment plant.

The factory does not have an environmental program. There is no communication of policies/procedures on environmental protection to the workforce.

There are no written procedures on environmental protection at the factory; however, some documents or systems exist to manage practices. The factory has an air emission and noise monitoring system for its power generators. Additionally, the factory has conducted an environmental impact assessment. Chemical safety training has been conducted for six employees who handle diesel and oil.

Local Law or Code Requirement

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Remediated

Explanation:

Based on management interviews and documentation review, the written policy updated on June 2, 2016 includes management's support for energy and water efficiency and a commitment to minimize the impact of air emissions, waste, hazardous material, and environmental risks.

2. Finding Status: Partially Remediated

Explanation:

Based on worker interviews and documentation review, the training has been provided to 100% of the supervisors, 100% of the line leaders, and approximately 70% of all other workers over the past two years. [ER.1]

Root Causes:

Management stated that they could not train some workers because they did not have sufficient space and time due to on-going construction work. Work on some floors had to be stopped to allow construction work. Also workers worked in two shifts between May and September 2017. Factory plans to provide training to the remaining 1687 workers in the next six months.

3. Finding Status: Not Remediated

Explanation:

Based on management interviews, the practice continues. BEPZA has plans to install a sewage treatment plant but there is no definite timeline. The factory continues to discharge sewage into open drain. [HSE.1]

Root Causes:

The factory is waiting for the authorities to install the sewage treatment plant.

4. Finding Status: Remediated

Explanation:

Based on worker interviews and documentation review, the factory has an environmental management program that includes waste management and the program is communicated to employees.

5. Finding Status: Remediated

Explanation:

Based on worker interviews and documentation review, the factory has environmental protection procedures and the procedures are communicated to employees.

Local Law or Code Requirement

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

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will continue to provide training on the commitment to minimize the impact of air emissions, waste, hazardous material and environmental risks to the workers to achieve 100% training for all workers by August 2018.

Company Action Plan Update

The factory has completed the environmental training for all workers on the impact of air emissions, waste, hazardous and environmental risk.

Action Plan no 2.

Description

The factory is located in in a BEPZA industrial zone who would be responsible for installing a sewage treatment plant. The factory should request the park to install the treatment plant

Company Action Plan Update

The factory has requested the industrial park to install a sewage treatment plant. The BEPZA industrial zone has told the factory they will install the sewage treatment but will not provide a timeline for the treatment plant.

Update 8-19-10

KEPZ (Karnaphuli Export Processing Zone) authority has not taken any initiative to install sewage treatment plant.

PREVIOUS FINDING NO.12

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

There are no markings for traffic lanes and walkways. Cargo vehicles do not have markings with speed limits and load capacities. The factory does not have any reflectors, convex mirrors, or written warning signs in traffic movement areas.

Civil construction workers who are external contractors working inside the factory (on the construction of water reservoirs), do not use any safety equipment, such as safety belts, safety shoes, helmets, and safety gloves.

Welding and grinding machines used near the construction site outside the main building and production areas have been connected to a power source using temporary hanging wires. Bamboo sticks are being used to support the boards and circuit breakers, without permanent fixtures. In addition, straight knife cutting machines in the cutting section are connected to the main power supply with hanging sockets. Power cords from these sockets hang over the fabric that is being cut. Thus, all these arrangements create an unstable, dangerous environment, posing a potential risk of falling and fire hazard.

The factory stores machine oil, engine oil, and air compressor oil in barrels near the power generator room; however, these barrels are not labeled with their contents. The secondary containers provided for these barrels are not 110% capacity of the primary containers. Additionally, there is no spill response kit is provided.

The temporary platform (bridge-way), that is temporarily used during the construction to connect the warehouse in the ancillary building to the main factory building, does not have guard-rails. This platform bridge is used to transport raw materials (mainly fabric rolls) using human-pulled trolleys. In addition, the temporary platform is unstable and does not have signs that limits the number of workers or have weight restrictions.

Evacuation route markings, such as arrows pointing towards exits, in the secondary aisles of the sewing sections are faded.

The two materials elevators have not been inspected by the necessary government authorities.

All workers with seated positions (100% of all form processes such as sewing operators, over lock operators, packers, needle machine operator, and flat lock machine operators) sit on hard stools with no backrests.

Local Law or Code Requirement

Bangladesh Factories rules 1979, Rule 39; Bangladesh Factories rules 1979- Rule 41(1); Bangladesh Labor act 2006: section 72(a); Bangladesh Labor act 2006: Section 72(b); Rule 46 (1) of Bangladesh Factories rules 1979; Bangladesh Labor Act 2006, Rule 69 1(c); Bangladesh Factories Rule 1979, Rule 46(1); FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.5, HSE.7, HSE.9.1, HSE.13, and HSE.17)

Recommendations for Immediate Action

1. Clearly mark traffic lanes to prevent accidents. Educate employees on use of traffic lanes through regular training. Mark speed limits and load capacity on cargo vehicles. Install reflectors and indicators for safe movement of vehicles.
2. Ensure that construction workers use safety equipment and PPE to prevent injury.

3. Ensure that the electric wiring used for construction purpose is safety connected, and electric boards and MCBs are safety installed. Electrical connecting wires at the cutting machines should be safely installed with no hanging or lose cables over the fabric.
4. Ensure that all containers are labeled in the local language. Secondary containers should be at least 110% of the capacity of primary containers. Provide spill response kits in the storage and use areas.
5. Install guardrails on the platform between the warehouse and the main factory building to avoid fall injuries.
6. Ensure that evacuation routes are prominently marked and maintained at all times.
7. Have the lifts inspected and certified for safe operation.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Partially Remediated

Explanation:

A visual observation found that the speed limits are defined and posted. However, warning signs are not posted, traffic lanes are not marked, and convex mirror and reflectors are not installed inside the factory. Load capacity and speed limits are posted on the cargo vehicles, which are outsourced. [HSE.1]

Root Causes:

Management stated that the traffic lanes were marked earlier but the on-going construction caused these lanes to fade. Once the construction work is completed (within the next two months), the above requirements will be implemented.

2. Finding Status: Not Remediated

Explanation:

A visual inspection found that the construction workers, who are employed through an external firm, were not using any PPE, like helmets, hand gloves, and safety shoes. For example, one construction worker was not using an eye shield when working on a metal pipe threading machine. Also, he was using gloves on one hand instead of both hands. [HSE.7]

Root Causes:

There is no written procedure, no communication to workers on health and safety requirements, and no monitoring by management.

3. Finding Status: Remediated Explanation:

There are no temporary electrical connections from the main power source.

4. Finding Status: Remediated

Explanation:

The secondary containment with adequate capacity is provided for machine oils stored near the power generator room. The containers are labeled and a spill response kit is provided.

5. Finding Status: Remediated

Explanation:

The guard rails are installed on the platform connecting the building with the warehouse with the main production building and the load capacity is posted.

6. Finding Status: Not Remediated Explanation:

Evacuation routes are not marked in the work areas in Building #1 but are marked in Building #2, which is the production building.

[HSE.5]

Root Causes:

Management stated that the floor directions are not marked due to the construction activity. The assessors believe that the construction activity does not restrict the evacuation directions to be marked because the work stations have been aligned and the exits are designated.

7. Finding Status: Remediated

Explanation:

The elevators were last inspected on January 23, 2017. A visual inspection found that neither of the two elevators are currently in use as construction work on the strengthening of the pillar is in progress. Management expects to have the two elevators operational in the next 2 months

8. Finding Status: Partially Remediated

Explanation:

A visual inspection found that the workers with sitting jobs are provided with benches with a hard wooden seat and an attached back rest at 90 degrees. The back rests are flat metal frames with plywood attached and welded to the bench. This arrangement does not help support the lower back. Most workers lean forward while operating the machines. The workers in printing section were seen sitting on stools with no back rest. [HSE.17]

Root Causes:

There is a lack of understanding of the reasons for the requirement.

Local Law or Code Requirement

FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.5,HSE.7 and HSE.17)

Recommendations for Immediate Action

1. Mark the traffic lanes, install reflectors, and provide speed breakers to assist in safe driving practices.
2. Educate and monitor the construction workers' use of PPEs.
3. Mark the directions for evacuation in all work areas.
4. Provide appropriate chairs with back rest for workers with sitting jobs.

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will post warning signs of vehicle movement, install convex mirrors and reflectors inside the factory and re-paint traffic lanes. The factory should monitor the traffic lanes to ensure they are maintained and visible.

Company Action Plan Update

The factory has posted warning signs of vehicle movement, install convex mirrors and reflectors around the factory and re-paint traffic lanes. The factory will monitor the traffic lanes to ensure they are maintained and visible.

Action Plan no 2.

Description

The factory will develop written communicating to review with all new contractors including constructing workers on the proper use proper PPE.

Company Action Plan Update

The factory has developed a policy and procedure for external contractors and educated them on health and safety in the work area and proper PPE.

Action Plan no 3.

Description

The factory will monitor to ensure workers are sitting on benches with backrest and will provide cushions for the backrest by September 2018 and educate workers on the importance of using benches with back rest and cushions.

Company Action Plan Update

The factory has provided nd installed workers with chair cushions to support the workers lower back.

PREVIOUS FINDING NO.13

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

The Health & Safety procedures do not have measures to protect the reproductive health of employees through minimizing exposure to workplace hazards. Additionally, they do not contain information on how workers can raise Health & Safety concerns, information on protection against retaliation against workers who raise Health & Safety concerns, and a list of employees responsible for managing fire equipment.

The factory is in the process of communicating all procedures related to Health & Safety to supervisors and general work force. So far 60% workers have been covered.

The factory does not post any safety instructions in the power generator and air compressor rooms.

The factory does not take protective steps to reduce repetitive stress injuries. The factory does not provide any ergonomic training or ergonomic breaks. In addition, the factory does not provide any lifting belts as proper Personal Protective Equipment PPE to eligible workers.

The factory does not conduct any medical examinations for food handlers to rule out possibility of them having any communicable diseases against the risk of food poisoning.

As construction work is in progress in front of the childcare facility, the childcare facility is currently not functional.

The factory does not have a response plan in the event of a fire, information on what employees are to do in case of an injury, and information on steps for reporting death, injury, and illness.

Local Law or Code Requirement

FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.5, HSE.7, HSE.12, HSE.13, HSE.14, HSE.17, and HSE.22; Nondiscrimination Benchmark ND.8; Employment Relationship Benchmarks ER.16 and ER.31)

Recommendations for Immediate Action

1. Provide all eligible workers with lifting belts as proper PPE.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Partially Remediated

Explanation:

Based on worker interviews and documentation review, it was found that the factory has a written maternity policy which includes information on the protection of workers' reproductive health through the minimizing of exposure to workplace hazards. The policy on Health & Safety does not contain information on the protection against retaliation against workers who raise Health & Safety concerns or a list of the employees responsible for managing fire equipment. The maintenance of fire equipment is outsourced to qualified and certified service providers. [ER.31]

Root Causes:

Management stated that they were not aware of the requirement to include this information in their policies.

2. Finding Status: Partially Remediated

Explanation:

Based on management and worker interviews and documentation review, it was found that 90% of the workers have taken the training on Health & Safety. Management expects to train the rest of the workforce within the next three months. [ER.16]

Root Causes:

Management stated that they could not train most workers because they were short on space and time due to the on-going construction work. Work on some floors had to be stopped to allow construction work and workers worked in two shifts between May and September 2017. The factory plans to provide training to the rest of the workforce within the next three months.

3. Finding Status: Not Remediated

Explanation:

A visual inspection found that safe operating instructions are not posted in the power generator room and in the compressor room.

[HSE.1]

Root Causes:

Management stated that they failed to post the instructions.

4. Finding Status: Partially Remediated

Explanation:

A visual inspection found that found that a training on ergonomics is conducted. However, lifting belts are not provided to designated workers, such as loaders and un-loaders. [HSE.7]

Root Causes:

Management stated that they do not provide the lifting belts because workers do not lift heavy weights. The factory places wooden planks on staircases to transport packed boxes but workers lift the fabric bundles.

5. Finding Status: Partially Remediated Explanation:

Based on management and worker interviews and documentation review, it was found that all five food handlers from M/S Randhan Enterprise received a health check but none of the five food handlers from JS Enterprises received a health check. These workers continue to handle food in the factory. [HSE.22]

Root Causes:

Management exhibited a lack of follow up in obtaining the certificate from the service provider or conducting the health checks themselves.

6. Finding Status: Not Remediated

Explanation:

Based on management interviews and visual inspection, it was found that the child care facility is still not functional. Although a facility exists, construction is still going on near the facility and there is no attendant. [HSE.27]

Root Causes:

Management stated and workers confirmed that workers do not wish to bring their children to the factory as they commute using public transport which is crowded and could be a risk for the child. They prefer to leave children at home under care of elders. As there are no children, attended is not provided.

7. Finding Status: Partially Remediated

Explanation:

Based on management interviews and documentation review, it was found that the factory has a written plan in the event of fire but the factory does not have a written procedure on what workers are to do in the event of an injury or an illness. [ER.31]

Root Causes:

Management stated that they neglected to document procedures.

Local Law or Code Requirement

FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.7, HSE.22, HSE.27; Employment Relation Benchmarks ER.16 and ER.31)

Recommendations for Immediate Action

1. Post safe operating instructions near machinery based on type of operation.
2. Provide lifting belts to loaders and un-loaders.
3. Provide a child care room and maintain it functional at all times.

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will develop Non-Retaliation policy to include no retaliating of workers who report H&S issues. The factory is in the process of communicating all procedures related to Health & Safety to supervisors and general work force. The factory plans to provide training to the rest of the workforce by May 2018.

Company Action Plan Update

The factory has developed non-retaliation policy to protect workers who raise health and safety issues within the factory.

The factory has communicated and trained all workers and supervisors on the workplace hazard exposure.

The factory has assigned HR management to monitor, communicate and educate all workers.

Action Plan no 2.

Description

The factory will post safety operating instructions in the power generator and air compressor rooms.

The factory will provide lifting belts to loaders and un-loaders. The supervisors will monitor to ensure workers are always wearing PPE and provide additional ergonomics training.

Company Action Plan Update

The factory has posted safety operating procedures in the generator and compressors rooms.

The factory has provided proper PPE such as lift belts to workers who are loaded or unloaded trucks.

Action Plan no 3.

Description

The factory will ensure that all applicate food handlers receive a medical examination

The factory will provide a childcare facility and education employees on childcare services.

Company Action Plan Update

The factory has verified and confirm that all canteen service provides have had a medical examination.

The factory has completed a child care facility for its works and trained and educated workers on the opportunity to use the factory's child care facility

Action Plan no 4.

Description

The factory will implement a response plan in the event of a fire, with employee roles and responsibility in case of an injury, and information on steps for reporting injury, and illness.

Company Action Plan Update

The factory has revised it emergency preparedness and response procedure to include what workers are to do in the event of an injury or and illness.

New Findings and Action Plans

NEW FINDING NO.1

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

Needle guards are pushed upwards, rendering them ineffective. [HSE.14]

Anti-fatigue mats are not provided to workers with standing jobs. [HSE.17]

Workers from the catering service providers were seen carrying large food containers on their heads from the ground floor to the 6th floor of Building # 1. The factory does not provide ergonomics trainings to these workers. [HSE.17]

The food handlers serving food were not using gloves or nose masks. They were using either a cap or a hair net. When the assessors arrived, the food handlers started using gloves on one hand instead of on both hands. The dishwashers are not provided with water resistant aprons. [HSE.22]

Assessors noted uncovered cooked food on dining tables. [HSE.22]

Insect repellents are not installed in dining areas. [HSE.22]

The water tank, which is a confined space, is not marked to warn workers. [HSE.14]

There is an excessive quantity of waste fabric stored in the waste storage room behind Building # 2. There is so much material that one could not reach the rear end of the room in the case of an emergency. [HSE.1]

Local Law or Code Requirement

FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.14, HSE.17, and HSE 22)

Recommendations for Immediate Action

1.
Install needle guards on all machines and ensure that they are use appropriately to prevent injury.
2.
Provide anti-fatigue mats to workers with standing jobs.
3.
Provide training on ergonomic practices to the catering service providers so that they know the safe practices for transporting large containers.
- 4.

Ensure that food handlers use gloves and masks when serving food and provide water resistant aprons to the dishwashers.

5. Keep cooked food covered when on the dining tables.

6. Install insect repellents in the dining areas.

7. Mark the water tank as a confined space to warn workers.

8. Remove the excess material and discourage the accumulation of excessive amounts of waste fabric and ensure that the materials are stored away from the walls in the waste storage room behind building # 2. Maintain defined passages between rows so that the room can be accessed in the case of an emergency.

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will ensure needle and eye guards are installed on all machines and workers are trained on the importance and safety of the guards.

The factory will provide anti-fatigue mats to workers with standing jobs.

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Company Action Plan Update

The factory has installed needle guards on all machine and has educated the workers and supervisors through Health and Safety training.

The factory has provided anti- fatigue mats to workers who's job requires them to stand.

Action Plan no 2.

Description

The factory will provide ergonomics trainings to the Workers of the catering service providers and monitor canteen workers to ensure they implement and maintain the training.

The factory will ensure that food handlers use gloves and masks when serving food and provided water resistant aprons to the dishwashers and the factory will arrange a training program for food handler regarding to use of PPE and enforce use through monitoring.

The factory will education and train canteen service providers on the importance of keeping food covered when placed on the dinning room tables.

The factory needs to install insect repellent in the dinning area.

Company Action Plan Update

The factory has provided ergonomics training and education to the canteen service providers on how to handle and move large containers of food from one location to another.

The factory has provided training and education to the canteen service providers on proper PPE when handling food and the

dishwashers.

The factory has provided training to the service workers and educated them on the importance of covering cooked food when placed on dinning room tables.

The factory has purchased and place insect repellent in the dinning area.

Action Plan no 3.

Description

The factory needs to post a warning sign at the water heater to inform workers of the water heater as it is located in a confined area.

The factory needs to organize the excessive quantity of waste fabric that is stored in the warehouse so the workers can access the exits in case of emergency.

Company Action Plan Update

The factory has made workers aware of the water heater by posting signs of it location.

The factory has moved the excess fabric waste and will ensure that it is not be stored near the walls in the storage room of the warehouse and maintain define walking aisles to be use in case of emergency.

NEW FINDING NO.2

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

The factory is in the process of upgrading the fire alarm system expects to have the system operational within the next seven days. There is not currently a temporary arrangement, such as a manually operated alarm, in use in the case of an emergency. [HSE.5]

Due to construction activity, the fire-fighting equipment is stored away work areas and not readily available for use. [HSE.6, HSE.7]

Local Law or Code Requirement

Bangladesh Gazette 2015, Chapter Six, Section 54; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.5, HSE.6, and HSE.7).

Recommendations for Immediate Action

1.
Provide a temporary arrangement, such as a manually operated alarm or hand bell, to use in the case of an emergency until the installation of the upgraded fire alarm system is completed.
2.
Place fire-fighting equipment in an area so that they are readily available for use.

COMPANY ACTION PLANS

Action Plan no 1.

Description

The Fire Safety Officer will ensure the equipment is to always available for all work areas and update the Fire Policy to include fire-fighting equipment will be free from obstruction.

Company Action Plan Update

The factory has upgraded the fire alarm system and appointed The Fire Safety Officer to ensure the system is working at all times.

The factory has assigned a location in the facility for the fire fighting equipment and appointed the Fire Safety Officer to ensure the equipment is always available and not obstructed as described in the fire policy.

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

The factory does not have any guidance documents for external contractors or service providers concerning health and safety. [ER.31]

The factory conducted a risk assessment on October 12, 2017. The report does not provide any information on the risks identified, the impact, or the control measures to reduce risks. However, it does define the storage of oils and provision of Fire extinguishers. [HSE.1]

Local Law or Code Requirement

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

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will provide the guidance for health and safety to external contractors and service providers at the time of agreement. The factory will update the risk assessment process to include the risks identified, the impact, the control measure to reduce risk.

Company Action Plan Update

The factory has implemented a health and safety procedure to be provided to their external contractors and service providers at the time of the agreement and business relationship.

Action Plan no 2.

Description

The factory needs to revise their risk assessment documentation by including the identified risks, the impact of the risk or the control measures to reduce the risk.

Company Action Plan Update

The factory has revised their risk assessment report to include the identified risks, the impact of the risk or the control measures to reduce the risk.

NEW FINDING NO.4

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

The payment date is not recorded on wage pay records. [C.15]

As per practice, workers are provided with annual wage increases based on their hire date. If a worker is hired between the 1st and the 15th day of the month, the increase takes effect on the 1st of the month in the following year. If the worker is hired between the 16th and the last day of the month, the increase takes effect on the 1st of the following month in which worker was hired. With this practice, a worker who is hired before the 15th of the month receives an additional amount while the worker who is hired after the 15th of the month loses an amount. For example, if Worker A is hired on April 15, 2017, that worker receives an increase effective on April 1st, 2018. However, if Worker B is hired on April 16, 2017, that worker receives an increase effective on May 1st, 2018. [C.6]

The information on available and used leave is not recorded on the service cards that are filed in workers' individual file, as legally required. Therefore, information on leave is not readily available. The leave information is maintained electronically through the HR department and is made available to workers upon request. [C.15]

Local Law or Code Requirement

Bangladesh Gazette 2015, Chapter Two, Section 20; FLA workplace Code (Compensation Benchmarks C.6 and C.15)

Recommendations for Immediate Action

1. Record the payment dates on wage pay records.
2. Calculate the effective date for increments from date of hire instead of calculating it on the fortnight in which the

worker is hired.

3. Record information on available leave on the service cards filed in workers' files, as legally required.

COMPANY ACTION PLANS

Action Plan no 1.

Description

The factory will include the payment date on payroll records.

The factory will record the available leave on the service cards filed in the workers' files.

Company Action Plan Update

The factory management has corrected the effective date and the calculation for increments based on the hire date.

Action Plan no 2.

Description

The factory needs to revise their process for recording specific details of payment records to show the date the payment was made to employees.

Company Action Plan Update

The factory has updated their payment records to include the date in which payments are made to its employees.

Action Plan no 3.

Description

The factory needs to calculate the effective date for wage increases based on the date the employee is hired.

Company Action Plan Update

The factory has revised their wage increase process for workers to receive their increase based on the workers hire date.

Action Plan no 4.

Description

The factory should record the legal time allowed and available to workers for a leave of absence and document the amount of time used for leave on the workers service cards in the workers' individual files.

Company Action Plan Update

The factory has updated its process to include the legal time allowed and available to workers for a leave of absence and maintain the amount of time that has been used by the workers. All data is recorded on the worker's service cards that are filed in the worker's individual HR files.