



FAIR LABOR
ASSOCIATION®

INDEPENDENT EXTERNAL ASSESSMENT REPORT



Verification Assessment

COMPANIES: Delta Galil Industries Ltd.
COUNTRY: Egypt
ASSESSMENT DATE: 12/10/17
ASSESSOR: FLA EMEA
PRODUCTS: Apparel
NUMBER OF WORKERS:

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

1. The factory employs migrant workers from Bangladesh. There are currently 179 Bangladeshi workers in the facility and those workers work in a different building near the main building of the factory. However, 90 of them neither have visas nor work permits. While the assessors have not found any evidence of human trafficking, these workers are working in Egypt illegally. In addition, the factory does not provide any of the migrant workers with the legally mandated social insurance.
2. During the 3-month probation period, the factory does not pay workers any overtime premiums and does not register them with the Social Security Bureau. The factory only pays for the hospital expenses of the workers when they get sick during the probationary period.
3. Job application forms ask for personal information, such as marital status, religion, and status of military service, which can potentially lead to discriminatory hiring practices.
4. The current number of disabled workers does not meet the legal requirement that the disabled workers constitute at least 5% of the total workforce. There are currently 25 disabled workers employed by the facility; the factory needs to hire 42 more disabled workers to meet the legal requirement, based on the total number of workers.

Local Law or Code Requirement

Rehabilitation Law 1982, Article 49; Egyptian Constitution, Articles 28 and 40; Egyptian Labor Law, Article 28; Social Insurance Law, No:135, 2010; FLA Workplace Code (Employment Relationship Benchmarks ER.3 and ER.14; Compensation Benchmark C.10)

Root Causes

1. For registered migrant workers in Egypt, the employers are responsible for visa application fee, work permit fee and social security contributions. In addition, once the factory applies for registration for the migrant workers not previously registered in line with legal requirements, 1 million EGP will be charged as a monetary fine. As a result of these cost implications, the factory has not registered the migrant workers.
2. Since the factory is not sure whether the workers continue working beyond the probation period, management does not want to register workers with social security and begin paying the legally mandated premiums.
3. The factory does not pay probationary workers the overtime premium rate to decrease production costs.
4. Management was not aware that the information requested on the job application form could lead to discrimination.

5. There is a lack of detailed procedures on Recruitment and Hiring, such as eliminating all possible discrimination during the job application process, registering the workers for social insurance, a prohibition against charging introduction fees, and a prohibition of illegal or unnecessary/improper medical/pregnancy testing.
6. Regarding disabled workers, the factory is in communication with a governmental manpower agency to meet the quota; however, this agency has not directed many disabled candidates to the factory.
7. The hiring procedures do not mention any special categories of workers, including disabled workers, or the legal requirements for the hiring of special categories of workers.
8. There is no internal audit/review system to ensure that Recruitment and Hiring practices are in compliance with the legal requirements and FLA Benchmarks.
9. Management lacks awareness of the FLA's Workplace Code and Benchmarks.
10. These issues have not been brought to factory management's attention during previous external audits.

Recommendations for Immediate Action

1. Ensure that all migrant workers have the required visas and work permits and that they are registered for social insurance as soon as they start to work in the facility.
2. Ensure that all local workers are registered for social insurance at the time of recruitment. Provide all workers overtime premiums and social insurance once they start working at the factory regardless of the probation period.
3. Revise the job application forms removing discriminatory personal questions.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Partially Remediated

Explanation:

According to a documentation review, all migrant workers in the factory have visas and work permits. The factory does not register migrant workers for social insurance, but they are provided with medical support. If they need any medical treatment, the factory covers the cost. However, in one case the factory only paid half of the bill for a migrant worker's x-rays instead of paying the total amount.

Root Causes:

There is no specific requirement to register migrant workers with the social security administration. Therefore, factories can provide other type insurances to the migrant workers.

2. Finding Status: Partially Remediated

Explanation:

The factory attempts to register all workers with the Social Security Bureau when they are hired (including workers in their probationary period). However, workers who were hired since July 2017 have not yet been registered for social security. Additionally, the factory updated their policy regarding the payment of overtime (OT) wages during probationary periods. Both migrant and local workers are now receiving OT payments during their probationary periods. [ER.22, C.1, C.10]

Root Causes:

Due to a high workload, the Social Security Bureau is not registering workers immediately. Therefore, workers hired since July are on a wait list to be registered.

3. Finding Status: Remediated

Explanation:

The factory's job application forms have been updated and no longer request information on applicants' military

service, marital status, or religious affiliation.

4. Finding Status: Partially Remediated

Explanation:

Only 33 disabled workers work in the factory, which still does not meet legal requirements which state that 5% of the total workforce must be made up of disabled workers. However, the factory applied to the Labor Office to hire 52 more disabled workers. [ER.14, ND.1]

Root Causes:

The Labor Office has not presented the factory with differently abled applicants who would like a job. Most companies only hire differently abled people on paper and pay them the minimum wage in order to meet legal requirements.

Local Law or Code Requirement

Rehabilitation Law 1982, Article 49; Egyptian Constitution, Article 81; Social Insurance Law, No: 135, 2010; FLA Workplace Code (Employment Relationship Benchmarks ER.14 and ER.22; Compensation Benchmarks C.1 and C.10; NonDiscrimination Benchmark ND.1)

Recommendations for Immediate Action

1. Purchase private insurance for migrant workers that has the same coverage as what the Social Insurance Authority offers.
2. Contact the Labor Office again and hire 52 more disabled workers.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. We are covering all migrant workers with the medical insurance as the government not allowed to register migrant in the social security. 2. Now all the workers that hired in August 2018 are registered and now we are in the process with the social office to register September 2018. See attached sample form one 3. We sent again new letter asking the labor office to complete our 5% disabled workers. See attached letter

PREVIOUS FINDING NO.2

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

1. Although the factory has implemented a performance evaluation system for some sections, such as the sewing and quality departments, it does not have a policy and procedures for Personnel Development and a performance review system.
2. Although the factory gives a detailed orientation training, it does not provide workers with written documentation that substantiates all the issues covered in orientation.

Local Law or Code Requirement

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

Root Causes

1. Management lacks awareness of FLA Workplace Code and Benchmarks.
2. These issues have not been brought to the factory management's attention during previous external audits.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Partially Remediated

Explanation: The factory's Recruitment, Hiring & Personnel Development procedures indicate that all workers should receive performance reviews annually. The promotion programs include grades, skill tests, and trainings for improvement in written for Quality section workers. However, there are no policies or procedures on performance reviews for sewing section workers that include steps and processes, demonstrate linkages to job grading, prohibit FINDING NO.2

discrimination, provide written feedback, and comply with legal requirements. Furthermore, the factory does not have procedures on how to calculate workers' bonuses. [ER.1, ER.28, ER.29]

Root Causes: There is a different person responsible for performance reviews in each department, and each person created their own materials to carry out this responsibility. The factory does not have a standard management system, procedures on how to conduct performance reviews, or procedures on how to calculate bonuses.

2. Finding Status: Partially Remediated

Explanation: The factory provides Bengali migrant workers with written documentation that substantiates all of the issues covered during orientation training but does not provide this documentation to the Egyptian workers. [ER.15]

Root causes: Management does not fully understand this FLA requirement.

Local Law or Code Requirement

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

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. See attached how to calculate the production bonus and the bonus policy that includes all the types 2. The HR director is preparing a new employee handbook that will be distributed to all workers (new and old ones) by end of November 2018

PREVIOUS FINDING NO.3

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

1. The factory imposes undue restrictions on workers' use of annual leave. If workers use their annual leave, which they are legally entitled to, the factory deducts the attendance bonus. The bonus is given as an incentive for workers to encourage full attendance; however, this practice suggests that the deduction is a disciplinary measure against annual leave.

Local Law or Code Requirement

Egyptian Labor Law, Article 47; FLA Workplace Code (Hours of Work Benchmarks HOW.12, HOW.13, and HOW.15)

Root Causes

1. The factory considers the attendance bonus an incentive system to encourage full attendance.

2. There are no detailed written procedures on bonuses and their implementation pertaining to annual leave.

3. Management lacks awareness of the FLA Workplace Code and Benchmarks. 4. There is no internal audit/review system to make sure that all implementations are in compliance with the legal requirements and the FLA Benchmarks.

5. These issues have not been brought to factory management's attention during previous external audits.

Recommendations for Immediate Action

1. Ensure that the factory does not impose undue restrictions on workers' annual leave by deducting the attendance bonus.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Not Remediated

Explanation:

The factory deducts from workers' attendance bonuses if they use their annual leave. The attendance bonus is EGP 200 (USD 11.34) per month, but if a worker uses one day of annual leave EGP 100 (USD 5.67) is deducted. If a worker uses more than one day of annual leave, they do not receive an attendance bonus at all that month. Therefore, this practice suggests that the deduction is a disciplinary measure against annual leave. [HOW.15]

Root Causes:

The factory considers the attendance bonus an incentive system to encourage full attendance. Additionally, there are no detailed written procedures on bonuses or their implementation with regard to annual leave.

Local Law or Code Requirement

Egyptian Labor Law, Article 47; FLA Workplace Code (Hours of Work Benchmark HOW.15)

Recommendations for Immediate Action

1. Ensure that the factory does not impose undue restrictions on workers' annual leave by deducting the attendance bonus.

PREVIOUS FINDING NO.4

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

1. The factory calculates the hourly rates for overtime premiums by dividing the monthly basic salary by 200 for the local workers (based on a 200 hours of work per month); however, this rate is 210 for the migrant workers. The discrepancy in the rates for overtime premiums shows a discrimination against migrant workers since they receive a smaller amount in overtime premium than local workers for the same work.

Local Law or Code Requirement

Egyptian Labor Law, Article 35; FLA Workplace Code (Compensation Benchmarks C.1 and C.7; Nondiscrimination Benchmarks ND.1 and ND.3)

Root Causes

1. Since the factory provides dormitory and food allowances to migrant workers, the factory management considers it fair to pay these workers a lower hourly rate than local workers who do not receive these benefits.
2. There are no detailed written policies and procedures on Wages & Benefits in the factory covering local and migrant workers.
3. Management lacks awareness of the FLA Workplace Code and Benchmarks. 4. These issues have not been brought to the factory management's attention during previous external audits.

Recommendations for Immediate Action

1. Ensure that the hourly overtime rates are calculated the same way for all workers.

VERIFICATION RESULT

Finding Status

Remediated

Remediation Details

1. Finding Status: Remediated

Explanation:

The factory updated their policies and now calculates both Egyptian and migrant workers' overtime premiums by dividing the basic monthly salary by 200.

PREVIOUS FINDING NO.5

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

1. The factory calculates the severance payments based on the basic monthly salary; however, the workers receive more than the basic salary when efficiency and attendance bonuses are included. While the average basic monthly salary is 700 EGP (USD 89), the actual total amount that the workers are paid is on average 1300 LE (USD 166). The factory makes severance payments to workers on the basis of the basic salary without adding the bonuses.

2. According to document review and management interviews, the factory gives loans to the workers; however, the monthly amount withheld to repay the loans is more than 10% of the wage, which violates the local law.

Local Law or Code Requirement

Egyptian Labor Law, Article 43; FLA Workplace Code (Compensation Benchmarks C.5 and C.11; Employment Relationship Benchmark ER.19)

Root Causes

1. There are no detailed written policies and procedures on Wages & Benefits in the factory for production workers.

2. Management lacks awareness of the FLA Workplace Code and Benchmarks. 3. These issues have not been brought to the factory management's attention during previous external audits.

Recommendations for Immediate Action

1. Ensure that the calculations for severance payments are based on the actual amount, instead of just the basic salary.

2. Ensure that the loan repayment does not exceed 10% of the worker's monthly wage.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Not Remediated

Explanation:

The factory calculates terminated employees' severance payments based on 1.5 months' salary for each year of employment. This does not comply with local law, which states that terminated employees should be paid two months' salary for each year of employment. For example, if a worker's monthly salary was EGP 1,500 (USD 84.99) and the factory decided to dismiss him/her after three years and two months of employment, the worker's termination payout is calculated as follows:

Two months' notice period salary: $(\text{EGP } 1,500 \times 2) = \text{EGP } 3,000$

Outstanding annual balance: $(2 \text{ days remaining balance} / 30) \times \text{EGP } 1,500 = \text{EGP } 100$

Severance payment: EGP 1,500*1.5*3 = EGP 6,750

Total termination payout: EGP 3,000 + EGP 100 + EGP 6,750 = EGP 9,850 (USD 558.10)

However, that worker's termination payout should be calculated as follows:

Two months' notice period salary: EGP 1,500*2 = EGP 3,000

Outstanding annual balance: (2 days remaining balance/ 30)* EGP 1,500 = EGP 100

Severance payment: EGP 1,500*2*3= EGP 9,000

Total termination payout: EGP 3,000 + EGP 100 + EGP 9,000 = EGP 12,100 (USD 685.59) [ER.19, C.1, C.5]

Root Causes:

Management does not think that they are legally required to pay terminated workers two months' salary for each year of employment.

2. Finding Status: Partially Remediated

Explanation:

The factory created a system to limit the total amount of the loans and the deductions from worker salaries. However, the factory still deducts more than between 15-16% from 44 out of 333 workers' monthly salaries to repay their loans.

[C.1, C.11]

Root Causes:

Workers are having trouble providing for their families due to high inflation rates so they are asking for more loan money.

Local Law or Code Requirement

Egyptian Labor Law, Articles 43, 111, 117, 118, and 122; FLA Workplace Code (Compensation Benchmarks C.1, C.5, and C.11; Employment Relationship Benchmark ER.19)

Recommendations for Immediate Action

1. Calculate workers' severance payments as legally required. Pay terminated workers two months' salary for every year of employment. Retroactively compensate any workers who were underpaid in the past 12 months.
2. Do not deduct more than 10% from workers' monthly wages for loan payments

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. The law indicates the company has to compensate the worker and if he is not, he/she can go to the court then the court will give minimum 2 months per year. See attach law. 2. The HR director will apply this by January 2019 as we will minimize the amount money that the worker request in order to deduct 10% by the law.

PREVIOUS FINDING NO.6

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Compensation

Finding Explanation

1.The factory operates on a 48-hour regular work week, which is in violation of the Prime Minister's decree on free trade zones, that factories in free trade zones should operate on a 42-hour regular work week. The factory does not pay workers overtime premium for the extra 6 hours at 135% of the regular rate.

Local Law or Code Requirement

Prime Minister Decision for Free Zones (24.03.1998), Article 91; Egyptian Labor Law, Article 85; FLA Workplace Code (Compensation Benchmark C.7)

Root Causes

1. It is a common practice for the factories located in this Free Trade Zone to ignore this decree. The local authorities have not enforced it, either.

2. These issues have not been brought to factory management's attention during previous external audits.

Recommendations for Immediate Action

1. In the case that the factory continues to operate on a 48-hour workweek instead of 42, ensure that extra 6 hours are paid as at the overtime premium rate. The overtime rate should be 135% of the regular rate during daytime work, and 170% during night-time work.

VERIFICATION RESULT

Finding Status

Remediated

Remediation Details

1. Finding Status: Remediated

Explanation: The factory's regular working hours are 42 hours per week. Workers work 8.5 hours per day, five days per week. The extra half hour per week is compensated as overtime.

PREVIOUS FINDING NO.7

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Hours of Work

Finding Explanation

1. There are currently 16 local and 46 migrant young workers in the facility, who work 9 hours a day like the other workers, including daily overtime. By law, young workers should not work more than 6 hours a day. Moreover, they work one hour of overtime, when needed, which is also in violation of the local law.
2. The factory's total daily working hours (regular + overtime hours) exceeded the legal limit of 10 hours in October, September, August, and July 2015. From a sample of 20 workers, 9 exceeded the legal limit, with maximum working time of 13 hours.
3. In October 2015, 1 out of 20; in August 2015, 2 out of 20 and in May 2015, 1 out of 2 sampled workers worked without a 24-hour rest period in a 7-day period, resulting in 13 consecutive days of work.
4. Workers pregnant for more than 6 months work 9 hours daily. However, the legal daily limit is 8 hours for pregnant workers, starting from the 6th month of their pregnancy.
5. The factory regularly implements overtime work for migrant workers. Although the weekly workdays are Sunday to Thursday, the factory arranges for more than 48 working hours a week (an additional overtime of 6 hours for a total of 54 hours), including work on Saturday.
6. The working hours recording system does not contain any identification method for pregnant and young workers.
7. The factory does not inform workers in writing that they can refuse overtime without facing negative consequence. Nor does the factory notify workers in advance about changes in the rest days.

Local Law or Code Requirement

Egyptian Labor Law, Articles 80, 82, 83, 101; Egyptian Law 126, 2008, Provision of the Child Law, Article 70; FLA Workplace Code (Employment Relationship Benchmark ER.14; Child Labor Benchmark CL.4; Hours of Work Benchmarks HOW.1, HOW.4, HOW.5, HOW.6, HOW.7, and HOW.8)

Root Causes

1. There are no defined limits in the factory regarding the working hours of special categories of workers.
2. Migrant workers are more vulnerable to excessive working hours as their stay in the country is dependent on their employment.
3. There is a lack of robust, close communication between the factory and the buyers regarding order placements and capacity.
4. Management lacks awareness of the FLA's Workplace Code, Compliance Benchmarks, and the Principles of Fair Labor & Responsible Production.

5. The factory does not have detailed Hours of Work policy and procedures. 6. The Hours of Work procedures include a maximum of 10 daily hours total, in keeping with the local law. However, this procedure has not been implemented.

7. There is no internal audit/review system to ensure that all policies are compliant with local law and the FLA Workplace Code and Benchmarks.

8. These issues have not been brought to the factory management's attention during previous external audits.

Recommendations for Immediate Action

1. Limit young workers' and pregnant workers' working hours to 6 hours a day and 8 hours a day respectively, as required by law.

2. Implement a system to ensure that all overtime hours performed in the factory are within the legal limits.

3. Ensure that the total daily working hours (regular + overtime) do not exceed 10 hours.

4. Ensure that all workers have 1 day off in each 7-day period.

5. Ensure that migrant workers' weekly working hours are the same as the local workers'.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Not Remediated

Explanation:

Although the factory changed its working hours schedule, young workers (who were all local workers at the time of this assessment) have the same schedule as normal workers. They also work 30 minutes of overtime on a daily basis and occasionally work Saturday overtime as well. This does not comply with local law which states that young workers should not work more than six hours per day and should not work overtime. Additionally, young worker start their break after five hours of work instead of after four hours of work. [ER.14, CL.4, HOW.4]

Root Causes:

There are no defined limits in the factory regarding the working hours of special categories of workers. Additionally, production processes will be affected if young workers have a different schedule from the rest of the workforce.

2. Finding Status: Not Remediated

Explanation:

Assessors reviewed 30 sampled workers' time records for the months of January, April, May, June, October, and November 2017. They found that one of the 30 sampled workers worked 12 hours on one Friday in October 2017. Additionally, one worker worked 63 hours in one week in May 2017. [HOW.1, HOW.8]

Root Causes:

The factory does not implement its working hours policy strictly. This allows certain departments/production areas to exceed the maximum legal daily working hours.

3. Finding Status: Not Remediated

Explanation:

Assessors reviewed 30 sampled workers' time records for the months of January, April, May, June, October, and November 2017. Two of the 30 sampled workers did not receive 24 hours of rest in every seven day period. One of the two worked 30 days without rest in May 2017 and 15 days without rest in January 2017. The other worked 10 days without rest in October 2017. [HOW.2]

Root Causes:

The factory does not implement its working hours policy strictly. This allows certain departments/production areas to exceed the FLA and legal limits on consecutive days worked without rest.

4. Finding Status: Remediated

Explanation:

The factory updated its working hours policy and schedule to be 8.5 hours per day, five days per week.

. Finding Status: Remediated

Explanation:

The factory updated its working hours policy and schedule to be 8.5 hours per day, five days per week. This applies to all workers (both migrant workers and local workers). All workers also occasionally work overtime on Saturdays.

6. Finding Status: Not Remediated

Explanation:

Pregnant and young workers are still not identified in the factory's working hours records. [HOW.5]

Root Causes:

There are no defined limits in the factory's policies regarding the working hours of special categories of workers.

7. Finding Status: Remediated

Explanation:

The factory informs workers that they can refuse to work overtime. Any changes to workers' rest days are communicated one day ahead of time.

Local Law or Code Requirement

Egyptian Labor Law, Articles 80, 82, 83, 101; Egyptian Law 126, 2008, Provision of the Child Law, Article 70; FLA Workplace Code (Employment Relationship Benchmark ER.14; Child Labor Benchmark CL.4; Hours of Work Benchmarks HOW.1, HOW.2, HOW.4, HOW.5, and HOW.8)

Recommendations for Immediate Action

1. Limit young workers' working hours to six hours per day. Do not allow young workers to work overtime. Ensure that young workers receive a break after four hours of work.
2. Do not allow daily working hours (including regular and overtime hours) to exceed the legal limit of ten hours per day and sixty hours per week
3. Provide all workers at least 24 consecutive hours of rest in every seven day period.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. The recruitment team didn't hire any worker less than 18 years and all the recruited ones are completing the legal age. 2. This is totally stopped for all departments without any exception since February 2018 and is followed by our operation director 3. This is totally stopped for all departments without any exception since February 2018 and is followed by our operation director 4. We have pregnant and they are working 8.5 in 5 days not 6 days. Can you please send me the article law number that indicate this.

PREVIOUS FINDING NO.8

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Communication & Worker Involvement (Macro)

Finding Explanation

1. 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. 2. The factory does not communicate its Termination & Retrenchment policy and procedures to the workers. The factory does not arrange consultation meetings with workers or worker representatives before management reaches any final decisions on layoffs.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.16, ER.25.2, and ER.32; Compensation Benchmark C.17)

Root Causes

1. The management does not recognize the benefits of worker integration.
2. The management lacks awareness of the FLA Workplace Code and Benchmarks.
3. These issues have not been brought to factory management's attention during previous external audits.

Recommendations for Immediate Action

1. Establish a system for integrating workers into the process of revising procedures and for receiving the workers' input into different facets of factory's operations.
2. Ensure that the Termination & Retrenchment policy and procedures are communicated to the workforce.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Remediated

Explanation: The factory communicates its policies and procedures to workers. All policies and procedures are posted and brands' Codes of Conduct are announced to the workers. Workers can submit concerns and suggestions via suggestion boxes, through worker representatives, or by speaking directly with Human Resources staff.

2. Finding Status: Partially Remediated

Explanation: The factory's Termination procedures are posted in all languages spoken by workers. However, consultation meetings are not held before layoffs occur. [ER.32]

Root Causes: The factory only terminates workers due to a disciplinary action which is rarely implemented (only after issuing three warnings). These warning letters are sent to the workers' homes, so assessors were unable to review the records. Since the factory's disciplinary rules allow the termination of workers after three warnings, the factory does not hold additional meetings with workers or worker representatives before termination occurs. The meeting is held between the HR director and the direct manager with the worker that will be terminated only

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.32)

PREVIOUS FINDING NO.9

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Grievance System

Finding Explanation

1. The factory has placed suggestion boxes at the entrance of the production areas and the cafeteria instead of in places that would ensure confidentiality, such as the dressing rooms or restrooms. Therefore, workers do not use the suggestion boxes effectively and there are no records of grievances lodged through the boxes on file.
2. There is no grievance policy and the existing procedures that manage the grievance system do not include a direct settlement of the grievance by the worker and the immediate supervisor; however in practice, these procedures are implemented.
3. The 'Employee complaints instructions' document includes a hotline number for conveying grievances; however, the hotline was not functional when the assessors called the number.
4. The factory does not review and update its procedures on Grievance System.

Local Law or Code Requirement

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

Root Causes

1. Neither workers nor worker representatives are trained on the current grievance system and are not well informed about: a) how to

use the suggestion boxes and b) what the next steps are.

2. Grievance procedures do not cover protecting the anonymity of the workers when using the suggestion boxes. There is a lack of management awareness that the complaint boxes should be placed in a location that will ensure workers' anonymity.

3. The factory does not provide ongoing trainings on the current grievance procedures to the workers, and the workers are not aware that the suggestion boxes can be an effective way to convey their grievances. Procedures are posted on the bulletin boards, but this is not sufficient to raise awareness.

4. Management believes that the current open door policy is effective enough for workers to share their problems and suggestions. FINDING NO.9 Management was not aware that multiple grievance mechanisms need to be in place to have a functioning grievance systems so that workers can choose a mechanism they feel most comfortable using.

5. Management lacks awareness of the FLA Workplace Code and Compliance Benchmarks, and the Principles of Fair Labor & Responsible Production.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Remediated

Explanation:

The suggestion boxes were moved to the restrooms to ensure confidentiality.

2. Finding Status: Remediated

Explanation:

The factory's Grievance System procedures allow for the direct settlement of grievances by the worker and their immediate supervisor.

3. Finding Status: Partially Remediated

Explanation:

The factory's grievance submission hotline number is operational. However, it is in English instead of the workers' local language(s). [ER.25]

Root Causes:

Root Causes: Neither the factory nor the workers use the hotline number as a system of communication so management did not focus on remedying this issue.

4. Finding Status: Remediated

Explanation:

The factory regularly reviews and updates its Grievance System procedures.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.25)

COMPANY ACTION PLANS

Action Plan no 1.

Description

This is from the grievance channels and it is in Arabic, however the workers are preferring the open door channel.

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Workplace Conduct & Discipline

Finding Explanation

1. Although the factory provided trainings on Harassment/Abuse issues to all supervisors in the past (2012 and 2015), and there is an anti-abuse policy in place, some supervisors still use an improper form of punishment whereby they make the workers who did not come to work the previous day to wait standing in front of their offices for 30-40 minutes in order to humiliate them. Based on FLA benchmarks, this practice constitutes a form of physical and psychological abuse.
2. The factory locks the restroom doors for the last 45 minutes of work time between 4:30 PM and 5:15 PM. According to management, workers hang out at the restrooms before the end of the workday.
3. The factory imposes monetary fines in the form of bonus deductions. For example, the workplace rules stipulate that 5 hours of bonus pay will be deducted for not wearing a uniform and 10 hours of bonus pay for leaving the production line without permission.
4. The factory communicates workplace rules to workers during orientation; however, the factory does not provide workers with a copy of the workplace rules.
5. There is no procedure for employees to appeal disciplinary actions taken against them.
6. The factory does not periodically review and update its policy and procedures on Workplace Conduct & Discipline.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.15, and ER.27; Harassment or Abuse Benchmarks H/A.1, H/A.5, H/A.6, and H/A.8; Health, Safety & Environment Benchmark HSE.21)

Root Causes

1. Management has not effectively monitored improper punishment and abuse issues after the creation of and training on the anti-abuse policy.
2. The anti-abuse policy does not cover how workers can convey such issues to management.
3. Workplace rules do not include any statement related to the Harassment/Abuse guidelines of the factory.
4. There is no on-going training for all employees on disciplinary procedures, the anti-abuse policy, and workplace rules of the factory.
5. The factory experiences a productivity decrease at the end of the day. The factory's solution to address the decrease in productivity was to restrict workers' movement by locking the bathroom doors during the last 45 minutes of the day.
6. The local law allows factories to make deductions to maintain disciplinary actions and the management do not know that monetary deductions violate the FLA Compliance Benchmarks. Management does not consider the deductions as monetary fines since they are not taken from the salaries but from the bonuses.
7. Management lacks awareness of the FLA Workplace Code and Benchmarks.
8. These issues have not been brought to the factory management's attention during previous external audits.

Recommendations for Immediate Action

1. Investigate the supervisors' practice of forcing workers to wait standing in front of their offices and create strict guidelines for the management personnel and supervisors to cease any kind of physical and psychological harassment/abuse in the factory.
2. Cease the practice of locking the restroom doors of the factory during the last 45 minutes of working time and ensure that there are no restrictions on the use of going to restrooms at any time in the factory.
3. Cease the practice of imposing monetary fines as deductions from the bonuses to maintain discipline in the factory.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Remediated

Explanation: According to management and worker interviews, none of the supervisors uses inappropriate or abusive punishments to maintain discipline.

2. Finding Status: Remediated

Explanation: Based on management and worker interviews, workers are allowed to use the restrooms at any time without restriction.

3. Finding Status: Not Remediated

Explanation: The factory still deducts from workers' bonuses to maintain discipline. [H/A.2]

Root Causes: Local law allows factories to make deductions in order to maintain discipline. Management does not know that monetary penalties violate the FLA Workplace Code. Management also does not consider the bonus deductions to be monetary penalties since they are not taken from the workers' salaries.

4. Finding Status: Partially Remediated

Explanation: Workers are not provided with a copy of the workplace rules during orientation training. However, the workplace rules are posted on the notice boards. [ER.15]

Root Causes: Since the workplace rules are posted on the notice boards, the factory does not provide workers with a copy.

5. Finding Status: Not Remediated

Explanation: There are no procedures for workers to appeal disciplinary actions taken against them. [ER.1, ER.27]

Root Causes: Management does not fully understand the reasoning behind this requirement.

6. Finding Status: Remediated

Explanation: The factory periodically reviews and updates its Workplace Conduct & Discipline policy and procedures.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.15, and ER.27; Harassment or Abuse Benchmarks H/A.2)

Recommendations for Immediate Action

1. Cease the practice of making deductions from workers' bonuses to maintain discipline

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. The Bonus is given for worker performance, respecting the company rules and efficiency so to gain the whole bonus and if any missing, the worker will not take the whole bonus. And this was written in the bonus policy. See attached policy and the bonus calculation 2. The direct manager communicate with the worker the reason of not taking his full bouns and the worker sign on the disciplinary reason against his knowledge. See attach sample

PREVIOUS FINDING NO.11

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. Materials are stacked on top of each other without a shelf system in Warehouse 1 near the knitting section. This poses risk of materials falling down and causing injury.
2. There is an area in the fabric warehouse that poses risk of falling from height. There was no sign or protective chain at the time of the facility tour.
3. One of the steel gloves for a worker in the cutting section has holes.
4. The fabric spreading machine has a stopping sensor; however, this sensor was not adequately sensitive, posing risk of injury.
5. 30% of the lockstitch and overlock machines do not have eye and finger guards and workers do not use (they have displaced or removed) the machine guards for the machines that do have them.
6. The forklift in the fabric warehouse does not have warning lights.
7. The cables of the backup power source for the computers were overflowing from the electrical panel. In addition, the cover of the switchbox was open. (Note: Both issues were fixed during the assessment.)
8. There are no anti-fatigue mats for workers who work standing to reduce fatigue caused by standing for long periods on a hard surface. The factory does not provide ergonomic training or ergonomic breaks, either.

Local Law or Code Requirement

Egyptian Labor Law 12/2003, Book 5, Articles 209, 217, and 219; FLA Workplace Code (Health, Safety & Environmental Benchmarks HSE.1, HSE.7, HSE.8, HSE.14, and HSE.17)

Root Causes

1. The factory does not have a risk assessment covering fall protection, safe storage systems, and Health and Safety related hazards.
2. The Health and Safety procedures and instructions do not cover safe storage, machine guards, and ergonomics.
3. The Health and Safety procedures do not cover how workers can raise health and safety concerns/grievances and protection against retaliation for workers who raise health and safety concerns.
4. The factory has not identified training needs related to Health and Safety issues with worker involvement.
5. The Health and Safety Committee does not conduct detailed internal audits on a periodic basis in every section including the electrical room.
6. Management lacks awareness of the FLA Workplace Code and Compliance Benchmarks.
7. These issues have never been brought to the attention of factory management during previous external audits.

Recommendations for Immediate Action

1. Ensure that product boxes and fabrics are not stacked too high; otherwise provide a shelf system for safe storage.
2. Provide protective chains and signs for areas that pose a risk of falling.
3. Provide proper and new steel gloves for the workers working in the cutting section.
4. Provide warning lights for the forklift for traffic and vehicle safety.
5. Ensure that all sewing machines have protective eye and finger guards and that all workers use them properly.
6. Ensure that all cables are properly stowed and the covers of the switchboxes and electric panels are kept closed.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Remediated

Explanation:

During a factory tour, assessors observed that shelves have been installed in Warehouse 1 and materials are stored properly.

2. Finding Status: Partially Remediated

Explanation:

The factory installed a protective chain in the fabric warehouse. However, there is still no warning sign posted. [HSE.6 HSE.1]

Root Causes:

This area is only used by the warehouse workers who load/unload material from trucks. Since these workers are aware of the fall risk, the factory has not posted a warning sign.

3. Finding Status: Remediated

Explanation:

All of the steel gloves checked in the cutting department were in good condition.

4. Finding Status: Not Remediated

Explanation:

The emergency stop sensors on the fabric spreading machines are manually operated and not sensitive enough. This poses a risk of injury. [HSE.14 HSE.1]

Root Causes:

The factory's Health & Safety procedures don't identify the sensors' sensitivity as an issue.

5. Finding Status: Not Remediated

Explanation:

30% of the lockstitch and overlock machines, including the machines in the training center, do not have eye and finger guards. Additionally, most workers do not use the guards on the machines that do have them. [HSE.14 HSE.1]

Root Causes:

The Health & Safety procedures and safety instructions do not cover machine guards.

6. Finding Status: Remediated

Explanation:

The factory installed warning lights for the forklift in the warehouse.

7. Finding Status: Remediated

Explanation:

The cables for the computers' backup power source were not overflowing out of the electrical panel, and the switchbox cover was closed.

8. Finding Status: Not Remediated

Explanation:

Assessors observed that half of the standing workers were provided mats. However, they are just rubber mats, not anti-fatigue mats. The factory does not provide ergonomic training or ergonomic breaks, either. [HSE.17 HSE.1]

Root Causes:

The employee responsible does not understand the difference between rubber and anti-fatigue mats and why this matters for ergonomic health. The factory has not implemented an ergonomics program and the risk assessments conducted by the factory do not cover ergonomic issues in detail.

Local Law or Code Requirement

Egyptian Labor Law 12/2003, Book 5, Articles 209, 217, 218 and 219; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.6, HSE.14, and HSE.17)

Recommendations for Immediate Action

1. Post a warning sign in the area of the fabric warehouse which poses a fall risk.
2. Install more sensitive sensors for the fabric spreading machines.
3. Install eye and finger guards on all lockstitch and overlock machines. Train workers on the proper use of machine guards. Monitor to ensure compliance.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. See attached photo for the warning sign 2. See attached updated risk analysis as the sensor sensitivity in it 3. See attached photos that the instructions are posted on the machines and on site general training that was given to the workers. See attached material. 4. See attached updated risk assessment and the training material for the ergonomics that was given by external training company

PREVIOUS FINDING NO.12

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. One of the emergency exits in the sewing section (DELTA 1-2) was locked at the time of the assessment, and another one has a doorsill which poses risk of tripping.
2. The main door of the factory is a sliding door that opens directly to the assembly point, and it was not open at the time of the assessment.
3. The evacuation aisle outside of the buildings, which goes to the assembly point through the main door, has an uneven surface, which poses risk of tripping. FINDING NO.12
4. One of the emergency exits in the warehouse near the knitting section was obstructed by pipes and a pallet truck. Also, the door is a sliding door with a sill.
5. The fire extinguishers in the knitting section were not mounted on the wall, but were placed on the ground and were in their nylon covers. The fire extinguishers in the accessories warehouse were also in their nylon covers. Additionally, one of the extinguishers in the warehouse near the knitting section was mounted too high, above 150 cm, which makes it difficult to reach in case of fire emergency.
6. There is a sliding platform for the hasps running along the emergency evacuation aisle in the knitting section. It might hinder evacuation in case of an emergency.
7. The evacuation map in the warehouse is placed too high, and the 'You Are Here' mark was not easily visible or comprehensible. (Note: This was fixed during the assessment.) Also, the emergency assembly point is not labelled on any of the evacuation maps.
8. Some emergency evacuation aisles were obstructed with fabric rolls and goods in the cutting, packing, and sewing sections, including the Bengali workers' sewing section.
9. The main emergency exit door in the cutting section is a sliding door, instead of a door that opens outwards. Also, the fire hose near (left of) that door is connected to the water source, which is located on the other side (right of) of the door. The hose which runs along the door poses the risk of tripping.
10. Both the Final Warehouse 2 and the sewing section (a separate building) for Bengali workers have sliding doors for one of their emergency exits.
11. The emergency exit in the Accessories Warehouse is a sliding door used also for loading, and there are stairs on the right side of the door leading to the ground level. The door was obstructed with goods and loading truck at the time of the assessment.
12. The emergency exits in the main canteen and the rest area of Bengali workers were obstructed with tables and chairs.
13. Fire extinguishers were blocked by product boxes in the Final Warehouse and the Bengali workers' sewing section.
14. The emergency exit door was locked with a glass lock in the Final Warehouse, which can be broken in case of emergency. Also, an emergency exit was designed with the same glass lock in the second floor of the building where the Bengali workers work.
15. The emergency evacuation aisle that goes to the door with the glass lock in the Final Warehouse is separated with an iron pipe and highly stacked product boxes, which prevent visibility of both the aisle and the door. Moreover, there are too many unused materials, such as chairs, table legs, and iron pieces, placed past the door on the walkway that goes to the assembly point.
16. The fire alarm button located between the switchboard and the door in the Packing Section is not adequately visible. One of the fire alarm buttons in the Bengali workers' sewing section has no sign indicating its location.
17. One of the emergency exits in the building (floor 1) where Bengali workers work was obstructed by boxes and a pallet truck (forklift). Moreover, boxes and pallets are placed on the evacuation aisle that leads to the assembly area.
18. The emergency exit door in the fabric warehouse has a sill, and the door opens to an area approximately 60cm above the ground, which poses risk of falling. Moreover, there is no sign guiding people to turn right for the main emergency evacuation route and stairs.
19. There are no external emergency stairs as a secondary emergency exit for the dormitory building (5 floors), where approximately 60 Bengali workers live.
20. There are no fire extinguishers in the dormitory.

Local Law or Code Requirement

Egyptian Labor Law 12/2003, Book 5, Article 214; FLA Workplace Code (Health, Safety & Environmental Benchmarks HSE.1, HSE.5, and HSE.25)

Root Causes

1. The factory does not have a risk assessment that covers identifying, evaluating, and correcting fire hazards.
2. The factory management did not commission a fire risk assessment by a third party expert.
3. The Health and Safety procedures do not include detailed precautions on fire risks since the risks have not been identified.
4. The factory does not identify fire safety training needs of the workers, focusing on obstruction of the exits and evacuation routes, with worker involvement.
5. The Health and Safety procedures do not cover channels for workers to raise health and safety concerns and protection against retaliation for workers who raise health and safety concerns.
6. The Health and Safety Committee is not conducting detailed internal audits on a periodic basis focusing on fire safety risks.
7. Based on management interview, glass locks are installed for prevention against theft by outsiders.
8. These issues have never been brought to the attention of factory management during previous external audits.

Recommendations for Immediate Action

1. Ensure that all emergency exits are kept unlocked at all times. Cease the use of glass or breakable locks.
2. Ensure that all emergency exit doors open outwards with a push-bar system and do not have sills.
3. Level the evacuation roads so as to get rid of uneven surfaces.
4. Clear the emergency exits and evacuation aisles of all blockages.
5. Remove or relocate the sliding platform from the evacuation route in the knitting section.
6. Mount all fire extinguishers (max 12 kg) at a proper level (max 90 cm from the ground) and remove all nylon bags for easy access.
7. Ensure that all fire hoses are located next to the water source.
8. Label the emergency assembly point on all evacuation maps and ensure that 'you are here' signs are understandable. Also relocate the maps to a proper height for easy reading.
9. Ensure that all emergency exit doors and evacuation aisles are easily visible and evacuation instructions are easily noticeable.
10. Ensure that all fire alarm buttons are easily visible and accessible.
11. Provide a proper chain and sign for the fabric warehouse emergency exit to prevent people from falling and being misled in case of emergency.
12. Provide emergency stairs and fire extinguishers for the Bengali workers' dormitory building.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Partially Remediated

Explanation:

During the factory tour, assessors confirmed that the doorsill which posed a fall risk was removed and that the emergency exits were not locked. However, there is a breakable lock on one of the doors which can be broken in case of emergency. [HSE.5 HSE.1]

Root Causes:

For security reasons the factory locks all doors which open directly to the outside the factory, such as this emergency exit door.

2. Finding Status: Remediated

Explanation:

The main entrance to the factory is still a sliding door. However, it was open during the assessment. There are security personnel at the entrance at all times. There is no risk for safe evacuation.

3. Finding Status: Remediated

Explanation:

The surface of the aisle that leads to the emergency assembly area was repaired and no longer poses a fall risk.

4. Finding Status: Partially Remediated

Explanation:

The doorsill was removed from the emergency exit door. However, during the assessment a truck was obstructing the emergency exit and material boxes were placed in front of the door during the loading process. [HSE.5 HSE.1]

Root Causes:

Since the emergency exit door is also a loading door, trucks and boxes obstruct the exit. Workers do not receive enough training on leaving sufficient space for safe evacuation during the loading process.

5. Finding Status: Remediated

Explanation:

During a factory tour, assessors observed that all fire extinguishers were mounted on the walls at the proper level and that all of the nylon covers were removed.

6. Finding Status: Remediated

Explanation:

The sliding platform for the hasps has not been removed from the knitting section. However, during the factory tour it was in use and the platforms which carry hasps were in the corridor, which is not an emergency evacuation aisle.

Therefore, the evacuation aisle was not obstructed. Furthermore, the platforms are only used once at the beginning of each shift.

7. Finding Status: Remediated

Explanation:

The evacuation maps in the factory have been fixed. They are now marked with 'you are here' signs and emergency assembly points.

8. Finding Status: Partially Remediated

Explanation:

There are several evacuation aisles which are obstructed with fabric rolls and goods in the packing sections. [HSE.5 HSE.1]

Root Causes:

The factory does not identify the training needs and training frequency of each section, such as the risk of obstructions in the packing section.

9. Finding Status: Remediated

Explanation:

The factory added an emergency exit door within the sliding door and keeps the sliding door open during production hours. Additionally, the water hose was moved to the same side of water source, so that it is no longer a tripping hazard.

10. Finding Status: Partially Remediated

Explanation:

There is still a emergency exit sliding door in the warehouse and it door is open all the time. Bengali workers no longer work in a separate sewing section, instead they work in the same sewing section as the other workers. The area where the Bengali workers used to work is currently being used as a training center and management declared

that it will be closing soon since the building will be sold. This section has the sliding door. [HSE.5]

Root Causes:

Since the warehouse emergency exit doors also serve as loading doors, they are designed to slide open.

11. Finding Status: Not Remediated

Explanation:

The emergency exit in the Accessories Warehouse is a sliding door that is also used for loading. There are also stairs on the right side of the door leading to the ground level. At the time of the assessment, the door was obstructed with goods and a loading truck; the responsible personnel left all of the boxes in front of the door when they left for their break. [HSE.5 HSE.1]

Root Causes:

The factory has not identified the training needs or the frequency of the trainings for each sections, such as the risk of obstructing the loading doors in the warehouses. These obstructions are not covered in the factory's risk assessments, either.

12. Finding Status: Not Remediated

Explanation:

The emergency exit door in the canteen was obstructed by tables. In addition, the emergency exit door has a breakable lock which can be broken in case of emergency. The rest area for the Bengali workers is no longer in use. [HSE.5 HSE.1]

Root Causes:

For security reasons, the factory locks the doors which open directly to the outside of the factory, such as this emergency exit door. The factory's risk assessments do not cover the obstruction of the canteen emergency exit, either.

13. Finding Status: Remediated

Explanation:

The Bengali workers' sewing section is temporarily being used as a training center and all sewing workers work in same section. During the factory tour, assessors observed that all fire extinguishers are free from obstruction.

14. Finding Status: Partially Remediated

Explanation:

The Bengali workers' production site is no longer in use. The emergency exit door in the Final Warehouse was still locked with a breakable lock which can be broken in case of emergency. [HSE.5]

Root Causes:

For security reasons, the factory locks the doors which open directly to the outside of the factory .

15. Finding Status: Remediated

Explanation:

The factory removed the boxes which limited visibility and both the emergency exit door and the aisle are now visible. A sign leading to the emergency exit was posted. There are no obstructions on the walkway that leads to the emergency assembly area.

16. Finding Status: Remediated

Explanation:

The Packing Section is no longer used as a packing section. This room is now used as a supply chain office for office staff. The factory posted a fire alarm button sign.

17. Finding Status: Not Remediated

Explanation:

The Bengali workers do not work in this building anymore. At the time of the assessment, only the first floor was in use (as a training center). The training center has a capacity of 60 people. One of the emergency exit doors was locked. The area outside of the emergency exit was totally obstructed. There were no operational fire extinguishers in this section and the fire hoses were obstructed. The factory fixed all of these issues during the assessment. [HSE.5, HSE.6 HSE.1]

Root Causes:

Since this section is only being used as a training center temporarily and the building will be sold in the near future, the factory did not pay a lot of attention to fire safety issues.

18. Finding Status: Remediated

Explanation:

The factory removed the doorsill from the emergency exit door. A protective chain was installed for the area which poses a fall risk. A sign guiding people to the emergency evacuation route and stairs was also installed.

19. Finding Status: Remediated

Explanation:

The factory does not provide housing for workers anymore. Instead, accommodation allowances are provided to the migrant workers and they rent apartments.

20. Finding Status: Remediated

Explanation:

The factory does not provide housing for workers anymore. Instead, accommodation allowances are provided to the migrant workers and they rent apartments.

Local Law or Code Requirement

Egyptian Labor Law 12/2003, Book 5, Article 214; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.5, and HSE.6)

Recommendations for Immediate Action

1. Remove the breakable locks from all emergency exit doors. Instead, install push bar doors which cannot be opened from the outside for security.
2. Clear the obstructions from all emergency exits and emergency evacuation aisles. Train the warehouse workers on emergency evacuation safety/safe loading practices.
3. Ensure that all emergency exits are designed to open outwards or ensure that sliding emergency exit doors are open during all working hours.

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. All the locks are removed and install alarm system if the door is open for security purpose in the security room 2. Training was given to the loading workers to keep the emergency exit empty during loading. See attached photo and training attendees list 3. All the workers are taking awareness training annually for WRAP principles and Delta ,customers COC including labor and H&S. See attach attendees signature 4. The building is sold and all our sliding doors are opened in it door opened outwards. See attached sample photo 5. The workers took awareness training for the importance of keeping all the emergency doors free from any obstructions. Also the risk assessment is updated. See attached 6. All the tables are moved away from the emergency exit and all the doors that have a breakable lock are removed See attached photos. 7. All the doors that have a breakable lock are removed See attached photos. 8. The factory is sold

PREVIOUS FINDING NO.13

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The Material Safety Data Sheet (MSDS) of Tri Chloro Ethylene AI (2. solvent of Acetone) has no CAS (Chemical Abstract Service) code and does not include the 16 sections covering all hazard details.

Local Law or Code Requirement

Egyptian Labor Law 12/2003, Book 5, Article 211; FLA Workplace Code (Health, Safety, & Environmental Benchmarks HSE.1 and HSE.10)

Root Causes

1. The factory does not have a risk assessment covering chemical risks and safety.
2. Neither the Health and Safety committee members nor management are aware of the correct MSDS form types, contents, and their importance.
3. The Health and Safety Committee does not conduct detailed internal audits on a periodic basis focusing on chemical safety.

Recommendations for Immediate Action

1. Create an inventory for the chemicals in the factory and provide proper Material Safety Data Sheets (MSDS) for each chemical. Post the Material Safety Data Sheets (MSDS) for all chemicals and hazardous substances used in the workplace at the usage and storage sites of the chemicals and hazardous substances, in the local language and the language spoken by workers, if different from the local language.
FINDING NO.13

2. All MSDS forms should include, at a minimum, the information listed below:

- a. Product and Company Identification
- b. Hazards Identification
- c. Composition, Information on Ingredients
- d. First Aid Measures
- e. Fire Fighting Measures
- f. Accidental Release Measures
- g. Handling And Storage
- h. Exposure Controls, Personal Protection
- i. Physical And Chemical Properties
- j. Stability And Reactivity
- k. Toxicological Information
- l. Ecological Information
- m. Disposal Considerations
- n. Transport Information
- o. Regulatory Information
- p. Other Information

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Partially Remediated
Explanation:

The factory provided an updated MSDS for TriChloro. However, during the factory tour assessors found thinner in the production area that did not match the MSDS provided. The thinner and the MSDS were from different manufacturers. [HSE.1, HSE.2, HSE.10]

Root Causes:

The factory purchased the thinner from a local supplier that imports it from abroad in large containers and distributes for sale in smaller ones. The supplier provided the original manufacturer's MSDS.

Local Law or Code Requirement

Egyptian Labor Law 12/2003, Book 5, Article 211; FLA Workplace Code (Health, Safety, & Environment Benchmarks HSE.1, HSE.2, and HSE.10)

Recommendations for Immediate Action

1. Only purchase chemicals that come with MSDS from the correct manufacturer. Purchase chemicals through authorized manufacturers who can produce accurate MSDS.

COMPANY ACTION PLANS

Action Plan no 1.

Description

See attached the MSDS for the local supplier.

PREVIOUS FINDING NO.14

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The Health & Safety procedures do not cover channels for workers to raise health and safety concerns and protection against retaliation for workers who raise health and safety concerns.
2. The factory does not review its Health & Safety program on a periodic basis.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.1 and ER.31)

Root Causes

1. Since management has an open door policy, they think the workers can convey any concerns related to Health and Safety.
2. Management lacks awareness of the FLA's Workplace Code and Benchmarks.

VERIFICATION RESULT

Finding Status

Partially Remediated

Remediation Details

1. Finding Status: Partially Remediated

Explanation: According to a documentation review, the factory's Health & Safety procedures include steps for workers to raise Health & Safety concerns, however, they do not protect workers who raise Health & Safety concerns against retaliation. [ER.31]

Root Causes:

The factory lacks information on this FLA Benchmark.

2. Finding Status: Remediated

Explanation:

The factory periodically reviews all of its policies and procedures.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.31)

COMPANY ACTION PLANS

Action Plan no 1.

Description

It was added that any worker will raise any health and safety concern will not have any problem against his retaliation. See attached H&S document

PREVIOUS FINDING NO.15

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Environmental Protection

Finding Explanation

1. The oil-contaminated water that comes out of the dryer and compressor is directly discharged into the outside FINDING NO.15 environment, which is damaging to the soil.
2. The factory wastes are not stored in one designated area. While they are generally separated according to their types, the wastes are stored everywhere such as in front of the exit doors, between the buildings, and along the evacuation aisles leading to the assembly area.
3. There were empty thinner cans in the designated area for nylon and plastic bag storage. In addition, there were empty oil barrels lying around in the compressor room and generator room.
4. The environment policy of the factory does not include a statement of the factory management's general support of energy and water efficiency, and a commitment to minimize impacts with respect to air emissions, waste, hazardous materials and other applicable environmental risks.
5. The factory does not have formal procedures on Environmental Protection, including protections for workers who allege environmental violations.

Local Law or Code Requirement

Egyptian Labor Law 12/2003, Book 5, Article 211/C and E, FLA Workplace Code (Employment Relationship Benchmark ER.31; Health, Safety & Environmental Benchmark HSE.1)

Root Causes

1. The factory does not have detailed procedures that include all environmental risks in the factory, such as discharged oil- contaminated water, oil barrels and thinner cans.
2. The factory has not conducted a detailed risk assessment regarding environmental protection.
3. These issues have never been brought to the attention of factory management during previous external audits either supplier or brand audits.
4. Management lacks awareness of FLA's Workplace Code & Compliance Benchmarks.

Recommendations for Immediate Action

1. Collect the contaminated water that comes out of the dryer and compressor in barrels, and have it disposed by an authorized third

party waste collection service.

2. Store all wastes in designated areas according to their types.

3. Segregate all kind of wastes in separate places such as thinner cans and nylon bags, and store them properly

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Not Remediated

Explanation:

Oil-contaminated water is discharged underground through a pipe to the sewer. [HSE.9]

Root Causes:

The factory does not understand the reasoning behind this FLA requirement. Furthermore, the factory does not have a well-established environmental protection program. As a result, the direct discharge of oil-contaminated water is not thought of as a risk to the environment.

2. Finding Status: Partially Remediated

Explanation:

The factory designated an area for waste storage. However, there is no protected area for each type of waste; different types of waste are all stored next to each other in an open space in the building's shared yard. Chemical waste is stored on the ground in the chemical storage area without any protections and labels. [HSE.9 HSE.1]

Root Causes:

Although the factory is open for improvement related to Environmental Protection, the factory management lacks awareness and detailed perception on environmental protection needs.

3. Finding Status: Remediated

Explanation:

During the factory tour, assessors confirmed that there were no chemical cans mixed in with other kind of waste. There were no empty oil barrels lying around in the compressor room or generator room.

4. Finding Status: Remediated

Explanation:

The factory updated their Environmental Protection policy to include a statement of the factory management's general support of energy and water efficiency as well as a commitment to minimize impacts with respect to air emissions, waste, hazardous materials, and other applicable environmental risks.

5. Finding Status: Remediated

Explanation:

The factory created formal written Environmental Protection procedures which include protections for workers who allege environmental violations.

Local Law or Code Requirement

Egyptian Labor Law 12/2003, Book 5, Article 211/C and E; FLA Workplace Code (Health, Safety & Environment Benchmark HSE.1 and HSE.9)

Recommendations for Immediate Action

1. Collect the oil-contaminated water that comes out of the dryer and compressor in barrels. Then have it disposed of by an authorized third-party hazardous waste collection service.

2. Segregate waste according to type and store in protected containers or areas. Label all waste storage areas

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. See attached photo for the basin that was done to store in it the oil until it was taken by the petroluim company. 2. See

attached photo for the chemical waste containers with labels.

PREVIOUS FINDING NO.16

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Training (Macro)

Finding Explanation

1. The factory does not provide supervisors with training on Termination & Retrenchment, Grievance System, and Industrial Relations.
2. The factory does not provide workers with on-going trainings on Termination & Retrenchment, Industrial Relations, Workplace Conduct & Discipline, Grievance System, and Environmental Protection.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1 and ER.17; Health, Safety & Environmental Benchmarks HSE.6, HSE.8, HSE.9, and HSE.14)

Root Causes

1. There is no study conducted with the involvement of the workforce on the training needs to identify gaps.
2. There is not a comprehensive internal audit system to ensure compliance with local laws/regulations and FLA Workplace Code & Compliance Benchmarks.
3. Management lacks awareness of FLA's Workplace Code, Compliance Benchmarks, and Principles of Fair Labor & Responsible Production.
4. These issues have not been brought to attention of the factory management during previous external audits.

VERIFICATION RESULT

Finding Status

Not Remediated

Remediation Details

1. Finding Status: Not Remediated

Explanation: According to a documentation review, the factory still does not provide supervisors with training on Termination & Retrenchment, Grievance System, or Environmental Protection. [ER.17]

Root Causes:

Since the factory announces and posts all of its policies and procedures, management does not see the point of a specific training system for supervisors.

2. Finding Status: Not Remediated

Explanation:

The factory does not provide workers with ongoing training on Termination & Retrenchment, Industrial Relations, Workplace Conduct & Discipline, Grievance System, Environmental Protection, Compensation, or Hours of Work. The factory communicates factory policy and procedures on employment functions via announcements or shows in the screen in production area during workers are working, however, does not provide periodic trainings. [ER.1]

Root Causes:

Since the factory announces and posts all of its policies and procedures, management has not established an ongoing training system on any of the Employment Functions except for Health & Safety.

Local Law or Code Requirement

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

COMPANY ACTION PLANS

Action Plan no 1.

Description

1. See attached signed attendees list training for all the company supervisors including this one 2. See attached attendees workers training list that will conduct annual for the WRAP, Delta and customers COC and it is cover,health and safety,compensation,working hours

PREVIOUS FINDING NO.17

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Industrial Relations

Finding Explanation

1. The factory does not have a written policy or procedures on Industrial Relations & Freedom of Association. Consequently, the factory does not review and update its policy and procedures on Industrial Relations & Freedom of Association.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.1)

Root Causes

1. Based on management review, since there is no unionisation in the factory, the management did not feel the need to create Industrial Relations & Freedom of Association policy and procedures.

2. Management lacks awareness of FLA's Workplace Code, Compliance Benchmarks, and Principles of Fair Labor & Responsible Production.

VERIFICATION RESULT

Finding Status

Remediated

Remediation Details

1. Finding Status: Remediated

Explanation:

The factory created a policy and procedures on Industrial Relations. All policies and procedures in the factory are regularly reviewed and updated.

PREVIOUS FINDING NO.18

SUSTAINABLE IMPROVEMENT REQUIRED

FINDING TYPE: Review Process (Macro)

Finding Explanation

The factory has a review system for the existing policy and procedures; however, the revisions are tracked on an Excel document, instead of being filed in the same folder as the documents under review. Therefore, it was difficult for the assessment to verify whether the policies and procedures were properly reviewed and revised.

Local Law or Code Requirement

Root Causes

1. The factory finds it easier to track the revisions using an Excel chart.
2. Management lacks awareness of FLA Workplace Code and Benchmarks.

VERIFICATION RESULT

Finding Status

Remediated

Remediation Details

1. Finding Status: Remediated

Explanation:

The factory created a periodic review system for all of its policies and procedures

New Findings and Action Plans

NEW FINDING NO.1

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Health & Safety

Finding Explanation

1. The factory has a childcare area outside of the factory area. It is located on the ground floor of an apartment building and is not licensed to operate as childcare facility. Furthermore, the emergency exit doors do not open outwards. Factory management stated that the government is not issuing licenses for new childcare facilities. [HSE.1, HSE.4, HSE.5]
2. Assessors were unable to review the electrician's certification since the certificate was not in the factory during the assessment. Management stated that the electrician keeps his certificate at home. [HSE.1, HSE.2, HSE.4]
3. There is no secondary containment for the chemicals in the chemical storage area. [HSE.9]
4. The MSDS for the thinner is not posted in the maintenance room where thinner is used. Maintenance workers are not trained on thinner usage. [HSE.10 HSE.1]
5. Safety instructions are not posted near the machinery. [HSE.14]
6. The factory does not have a lightning protection system. [HSE.13]
7. The factory has not implemented a lockout/tagout program by locking out equipment when it is needed. [HSE.14]

Local Law or Code Requirement

Egyptian Labor Law No. 12 of 2003, Articles 96, 211 and 216;1 FLA Workplace Code (Health, Safety & Environmental Protection Benchmarks HSE.1, HSE.2, HSE.4, HSE.5, HSE.9, HSE.10, HSE.13, HSE.14, and HSE.17)

Recommendations for Immediate Action

1. Obtain a license to operate a childcare facility. Replace the emergency exit doors in the childcare facility with doors that open outwards.
2. Keep a copy of the electrician's certificate in the factory as legally required.
3. Install secondary containment for the chemicals in the chemical storage area.
4. Post the MSDS for the thinner in the maintenance room. Train maintenance workers on chemical usage.
5. Post safety instructions next to all machines in the language(s) spoken by workers.

6. Install a lighting protection system.

7. Implement a lockout/tagout program. Assign workers to be responsible for locking out equipment when needed. Train these workers accordingly.

NEW FINDING NO.2

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Recruitment, Hiring & Personnel Development

Finding Explanation

1. The factory doesn't sign special contracts with young workers which include the Labor Office's approval for their hiring, working hours, and break times. Additionally, the young workers' names, assigned tasks, and the names of the personnel responsible for controlling their work have not been sent to the Labor Office for approval as required by law. [ER.14, CL.3, CL.4]
2. The Recruitment, Hiring & Personnel Development procedures do not include guidance on special categories of workers. [ER.14]
3. The factory does not provide on-going training on Recruitment, Hiring and Personnel Development. [ER.1]

Local Law or Code Requirement

Egyptian Labor Law No. 12 of 2003, Articles 100, 101, and 102; FLA Workplace Code (Employment Relationship Benchmarks ER.1 and ER.14; Child Labor Benchmarks CL.3 and CL.4)

Recommendations for Immediate Action

1. Get approval from the Labor Office before hiring young workers. Also submit young workers' working hours, break times, names, assigned tasks, and the names of the personnel responsible for controlling their work to the Labor Office for approval. Sign special contracts with young workers which include the Labor Office's approval for their hiring, working hours, and break times.

NEW FINDING NO.3

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Workplace Conduct & Discipline

Finding Explanation

1. The orientation training provided to new workers does not cover the workplace rules. [ER.1, ER.15]
2. The factory only terminates workers due to a disciplinary action which is rarely implemented (only after issuing three warnings). These warning letters are sent to the workers' homes, so assessors were unable to review the records. The factory does not retain a copy of the termination letters for their records.

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.2, ER.15 and ER.27)

NEW FINDING NO.4

IMMEDIATE ACTION REQUIRED

FINDING TYPE: Industrial Relations

Finding Explanation

1. The factory does not clearly define in writing the person who is responsible for Industrial Relations in the factory. [ER.1]

Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.1)