

Compliance Assessment Report

Ananta Sportswear Ltd.

15/09/2019

(dd/mm/yyyy)

Assessment date: 14/07/2019 *(dd/mm/yyyy)*

Cycle: 2

Report ID: 35628

Country: Bangladesh

ISIC: C (Manufacturing) - 14 (Manufacture of wearing apparel)

Supplier Name: Ananta Sportswear Ltd.
Supplier Address: Nischintapur, Ashulia, Savar

Previous assessment(s): (dd/mm/yyyy)

07/01/2018

Total number of assessment reports available (including this one):

2

This compliance report includes information about this factory's compliance performance at the time of the Better Work assessment. The key compliance results are explained in more detail on the following pages.

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Additional Information

The following section presents additional comments provided by the Enterprise Advisor.

Better Work Clusters and Compliance Points

Full list of clusters and compliance points assessed during a Better Work compliance assessment visit.

Factory Visit Information

The following section includes general information on the factory, on its key strengths, and on the assessment process itself.

Key Strengths and Process Integrity

Key strengths: (Ref 1)

1. Rehabilitation of trafficked women in the factory.
2. The enterprise organizes eye campaign once every after six months for workers and staff.
3. The enterprise has blood bank facility from where workers and their family members can get blood free of cost (if needed).
4. Education and schooling program for the worker's children.

Did the employer grant access to the enterprise and provide requested documents in a timely manner? (Ref 2)

Yes.

How many person days were spent on the assessment visit? (Ref 3)

4

Provide the titles of the management staff interviewed. (Ref 4)

Head of Compliance & Human resource

General Manager- Administration

Assistant General Manager- Compliance

Assistant Manager- Compliance

Welfare Officers

Medical assistant

Briefly describe the interviews with workers, union leaders, and worker representatives. (Ref 5)

Total workers were interviewed; 42, male- 20

Individual interview: 27, male- 10

Group interview (Participation committee and safety committee, general production workers): 21, male- 10.

Workers were selected by EAs from the sewing, cutting, finishing, embroidery, elastic, security and maintenance sections for interview.

Interview locations: Production floors and meeting room.

Interview process: Interview conducted without presence of management.

Selection process: Randomly selected by EAs based on factory tour, payroll, time record and personnel files.

Describe any significant issues not addressed elsewhere in the report. (Ref 6)

None.

Describe any significant concerns about process integrity (Ref 7)

None.

Discrimination

Is HIV/AIDS status a factor in hiring, employment, or termination? (Ref 15)

Worker and management interviews and document reviews indicated that HIV/AIDS status had not been a factor in hiring, employment or termination.

Freedom of Association and Collective Bargaining

How many active unions are there in the factory? (Ref 54)

0

What percentage of workers are union members? (Ref 55)

0

For each active registered union, provide

- the name of the union,
- the number of union members,
- the union's affiliation status (affiliated or non-affiliated with a federation or confederation),
- the name of the federation or confederation with which it is affiliated, if applicable. (Ref 56)

N/A

How many collective agreements are in effect in the factory? (Ref 57)

0

For each CBA, indicate:

- the parties
- the % of the workforce covered
- the duration of the agreement
- an overview of the issues covered (Ref 58)

N/A

How many strikes have there been since the last visit? (Ref 59)

0

For each strike, indicate:

- why workers went on strike
- whether the strike complied with legal requirements, and if not, which requirements were not complied with
- whether the strike resulted in violence
- the number of days workers were on strike
- the number of person days workers were on strike
- the outcome of the strike (Ref 60)

N/A

Compensation

At what rate are piece rate workers paid for overtime work? (Ref 85)

Worker and management interviews and documents review indicated that the enterprise did not have piece rate workers.

Contracts and Human Resources

How many total workers are employed by the factory? (Ref 113)

2775

How many of the workers are men? (Ref 114)

897

How many supervisors are employed by the factory? (Ref 115)

94

How many of the supervisors are men? (Ref 116)

93

How many of the supervisors are migrants? (Ref 117)

0

How many of the total workforce are migrant workers? (Ref 118)

0

How many of the migrant workers are men? (Ref 119)

0

Does the factory use subcontractors to complete all or part of the production process? (Ref 120)

Factory uses subcontractor for washing facility from Paradise washing Ltd.(sister concern of Aananta group) and embroidery from Alif Embroidery Village Ltd.

How many permanent workers are employed by the factory? (Ref 121)

2373

How many of the permanent workers are men? (Ref 122)

688

How many probationary workers are employed by the factory? (Ref 123)

308

How many of the probationary workers are men? (Ref 124)

116

How many apprentices are employed by the factory? (Ref 125)

0

How many of the apprentices are men? (Ref 126)

0

How many temporary workers are employed by the factory? (Ref 127)

0

How many of the temporary workers are men? (Ref 128)

0

How many casual workers are employed by the factory? (Ref 129)

0

How many of the casual workers are men? (Ref 130)

0

How many substitute/badli workers are employed by the factory? (Ref 131)

0

How many of the substitute/badli workers are men? (Ref 132)

0

How many workers with disabilities are employed by the factory? (Ref 133)

15

How many of the workers with disabilities are men? (Ref 134)

6

Has the factory received any notices of noncompliance from the Inspection Department during last twelve months? (Ref 135)

No. The factory did not receive any notice of noncompliance from the Inspection Department during last twelve months. Last visit was on: 19/3/19.

Does the factory use contractors to provide services at the factory that are not part of the production process? (Ref 136)

No.

Does the employer use repeating fixed term contracts in order to avoid providing benefits to workers? (Ref 137)

No. Management and workers interview confirmed that, the factory uses open-term contract for employing the workers.

How many settlements are in effect in the factory? (Ref 138)

0

For each settlement, indicate:

- the parties
- the % of the workforce covered
- the duration of the agreement
- an overview of the issues covered (Ref 139)

0

Is there an adequate HR policy that is signed by top management with a clear commitment to meet all legal requirements? (Ref 140)

Yes.

The factory has a written Human Resources Policy signed by Managing Director.

The policy included:

- mandatory minimum wage requirement which is 18 year of age.
- description of appropriate work for young workers;
- equal treatment and non-discrimination;
- a clear commitment to meet all legal requirements;
- legal requirements in relation to termination;
- preventing sexual harassment;
- freedom of association; and
- working hours and compensation.

Does the employer have an adequate recruitment procedure? (Ref 141)

Yes.

The factory has a recruitment procedure which includes:

- verifying the age of workers prior to hiring;
- hiring criteria that are applied equally to all job applicants;
- legal requirements for workers under age of 18; and
- description on ensuring that workers retain their ID documents

Does the employer have adequate disciplinary and termination procedures? (Ref 142)

Yes.

The factory has disciplinary and termination procedures which include;

- a step-by-step warning system;
- clear specification of unacceptable behaviors or performance;
- the right to defend oneself prior to termination, and to representation during disciplinary processes;
- minimum time frames for warnings and payments;
- legal notice periods and termination payments.

Does the employer have adequate grievance handling and dispute resolution procedures? (Ref 143)

No.

The enterprise has a written grievance policy. The policy includes:

- clear options for submitting grievances and disputes;
- communication of changes made and/or resolution of grievance/dispute as appropriate;
- fair review and appeal process;

However, the policy does not specify options that ensure anonymity and non-retaliation.

The enterprise did not have a dispute resolution procedures.

Does the employer adequately assign accountability to management for following factory policies and procedures relating to Human Resource management and performance? (Ref 144)

Yes.

The employer assigns accountability to management for following factory policies and procedures relating to Human Resource management and performance. The employer developed job descriptions for the employees.

Reporting lines and authority and accountability through evaluation of performance are described in the policy and procedures.

Does the employer adequately communicate and implement HR policies and procedures? (Ref 145)

No.

The employer did not adequately communicate and implement HR policies and procedures through:

- adequate induction training for workers and staff;
- adequate training for worker-management committees;
- policies and internal regulations posted.

However, the enterprise had

- recruitment posting;
- copies of signed worker contracts.

Does the employer adequately investigate performance under HR policies and procedures to identify weaknesses and make necessary adjustments? (Ref 146)

No.

Through the document review and management interview, EAs noted that management does not have HR performance indicators such as worker satisfaction levels, or staff training targets.

Management was unable to show any document showing that they investigated violations of HR policies and procedures to identify weaknesses and make necessary adjustments to prevent recurrence of issues such as verbal abuse, excessive work hours and workplace injuries.

Occupational Safety and Health

How many work-related accidents and diseases have there been in the factory in the last 12 months? (Ref 170)

68 injuries were recorded in the injury register in last 12 months. Most of them were cut injuries and needle pricks.

Is there an adequate OSH Policy that is signed by top management? (Ref 171)

No.

The enterprise has an OSH policy which was not adequate. However, it did not include:

- continued improvement aimed at elimination of work-related injury and illness; and
- establishing measurable objectives and improvement.

However, the policy included the following:

- compliance with legal requirements pertaining to OSH.

In addition, the policy was not developed in consultation with workers and their representatives.

Is there an adequate emergency preparedness procedure? (Ref 172)

Yes.

The factory has emergency preparedness procedure which includes the following:

- reporting fires and other emergencies;
- alerting all employees to evacuate;
- evacuating employees to designated assembly location; and
- accounting for all employees after an evacuation.

Is there an adequate hazard/risk management and control procedure? (Ref 173)

No

The factory has a risk management and control procedure that was not adequate. The procedure did not include:

- how to identify hazards systematically;
- prioritize risks based on potential impact and likelihood;
- how to implement control; and
- a hierarchy of controls that is used to select effective controls.

However, the procedure included the following:

- a risk register that drives the implementation of controls (list of risks with due dates, owners and next steps).

Is there an adequate accident investigation procedure? (Ref 174)

No.

The factory did have a procedure which was not adequate. It did not include the following:

- root causes and taking corrective actions;
- focus on sustainable solutions; and
- lead to change in order to avoid recurrence.

Does the employer adequately assign accountability to management for carrying out health and safety responsibilities? (Ref 175)

Yes.

The factory has adequately assigned accountability to management for carrying out health and safety responsibilities.

- The factory defined accountability and/or responsibility for OSH issues in writing for OSH officer as well as top management he/she reports to.
- Reporting lines/organizational charts are available.
- Management ensures accountability of the OSH team through evaluation of performance.
- Management gives the OSH officer authority to perform responsibilities relating to OSH.

Does the employer adequately communicate and implement OSH policies and procedures? (Ref 176)

No.

The enterprise did not communicate and implement policies and procedures through:

- workers training relevant to assigned tasks;
- posting OSH policies and relevant procedures on the notice board;
- training of Safety committee; and
- work instructions posted and easily accessible in the factory.

However, the enterprise posted the evacuation plans throughout the factory floor and also posted name of OSH Committee members.

Does the employer adequately investigate, monitor and measure OSH issues to identify root causes and make necessary adjustments to prevent recurrence?

(Ref 177)

No.

The employer did not adequately investigate, monitor and measure OSH issues to identify root causes and make necessary adjustments to prevent recurrence through:

- OSH investigation and inspection;
- logging and analysis of violations of procedures;
- regular management review of effectiveness of management system including performance on measurable objectives and targets; and
- the accident investigation followed by an actual change in procedure/ practice where required.

However, the enterprise conducted drinking water test and noise test.

Overview of Non-Compliance

The following is an overview of the areas of non-compliance found in the factory during the assessment visit. It is based on the compliance assessment tool, which consists of 199 questions.

Core Labour Standards

Freedom of Association and Collective Bargaining

<i>Collective Bargaining</i>	Consultation with worker representatives
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Working Conditions

Compensation

<i>Paid Leave</i>	Payment for sick leave
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Contracts and Human Resources

<i>Dialogue, Discipline and Disputes</i>	Factory Participation Committee [subject to public reporting]
<i>Employment Contracts</i>	Workers' understanding of the terms and conditions of employment. Letter of appointment provided to all workers.

Occupational Safety and Health

<i>Chemicals and Hazardous Substances</i>	Inventory of chemicals and hazardous substances used in the workplace Labeling of chemicals and hazardous substances Storage of chemicals and hazardous substances [subject to public reporting] Chemical safety data sheets for all chemicals and hazardous substances in the workplace Training workers who work with chemicals and hazardous substances Washing facilities or cleansing materials in the event of chemical exposure
<i>Health Services and First Aid</i>	National policy on HIV/AIDS Onsite medical facilities and staff First aid boxes/supplies in the workplace
<i>OSH Management Systems</i>	Recording and reporting work-related accidents and diseases
<i>Welfare Facilities</i>	Washing facilities and/or soap Day care facilities/children's room Lunch room and/or canteen
<i>Worker Protection</i>	Providing workers with personal protective clothing and equipment Training and encouragement of workers to use PPE, machines and/or equipment safely Ergonomic requirements Installing guards on all dangerous machines and equipment

Working Time

<i>Leave</i>	Time off for sick leave
<i>Overtime</i>	Limits on overtime hours worked

Detailed Non-Compliance Findings

The following section presents the non-compliance findings recorded by the Enterprise Advisors during the assessment visit.

Core Labour Standards

Freedom of Association and Collective Bargaining

Collective Bargaining

Issue	Consultation with worker representatives
Question	Does the employer consult with worker representatives where legally required? (Ref 76)
Finding	The employer did not consult about fixation of Festival Holidays for 2019 with the workers representative of Participation Committee.
Source Consulted	Documentation, Management, Worker,
Legal Reference	R94; Sections 28(a), 90(a), 108, 205, 235 BLA; Rules 32, 81, 90, 110, 184, 227, 228 BLR

Working Conditions

Compensation

Paid Leave

Issue	Payment for sick leave
Question	Does the employer pay workers correctly during sick leave? (Ref 101)
Finding	The employer did not pay workers correctly during sick leave. For Example, one sewing machine operator of line N-7 had been advised for two (2) days leave by factory's doctor due to cut injury. But the time card shows that the worker was absent on those days (February 09 & 10 2019). The payroll review indicated that the employer did not pay the worker during sick leave and deducted BDT 334.
Source Consulted	Documentation, Management, Worker,
Legal Reference	Section 116, BLA; Rule 106, BLR

Contracts and Human Resources

Employment Contracts

Issue	Workers' understanding of the terms and conditions of employment.
Question	Do workers understand the terms and conditions of employment? (Ref 149)
Finding	Document review and interview with the worker indicated that approximately 40% of the interviewed workers were not aware of entitlement of leave, termination procedures, reasons for termination and service benefits. However, working hours approval notice was posted in the factory.
Source Consulted	Documentation, Management, Worker,
Legal Reference	Sections 5, 111 BLA; Rule 19, BLR

Issue	Letter of appointment provided to all workers.
Question	Has the employer provided all workers with a letter of appointment? (Ref 150)
Finding	Approximately 5 out of 6 interviewed new workers informed that they received the appointment letter with a 3 to 7 days delay from their joining date. For example: in one case, EAs found that one worker of sewing section joined on 10/7/19 but did not receive the appointment letter till the assessment date (15/7/19).
Source Consulted	Documentation, Worker,
Legal Reference	Section 5, BLA; Rule 19, BLR

Dialogue, Discipline and Disputes

Issue	Factory Participation Committee [subject to public reporting] [Public Reporting Issue No.18746]
Question	Does the factory have a functioning Participation Committee? (Ref 168)
Finding	<p>The enterprise has formed a Participation Committee on 23, November 2017.</p> <p>a) Nomination: Workers' representatives were nominated by their co-workers.</p> <p>b) Election: The Election Committee was formed with 03 members from workers and 02 members from management. Workers and management interviews indicated that workers' representatives of PC were elected through an election. Nomination paper was submitted within more than 10 working days instead 7 working days of notification.</p> <p>c) Formation: The committee consists of 18 members; Management- 09 (Female-03) , Workers-09 (Female: 07).</p> <p>d) Meetings: PC met once in every two months. Agenda of the meetings were collected from the workers' representatives before the meetings. Last meeting was held on: 17/6/2019.</p> <p>e) Meeting minutes were send to Director of Labour within 7 days of the meetings. Last 3 meeting minutes indicated that decisions made in the PC meetings were implemented.</p> <p>f) Communication: The workers' representatives were not known to the newly recruited workers. Workers' representatives of PC can bring workers' issues in the PC meetings and also can communicate with the workers the decisions of the meetings.</p> <p>g) Roles and Responsibilities: Approximately 70% of the PC members were aware of their roles and responsibilities.</p> <p>h) Training: PC receives regular training on their roles and responsibilities from the enterprise.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	ILO Convention 135; Sections 205-208, BLA; Rules 183-201, BLR

Occupational Safety and Health

OSH Management Systems

Issue	Recording and reporting work-related accidents and diseases
Question	Does the employer record work-related accidents and diseases and inform the governmental authorities as required by law? (Ref 181)
Finding	Document review and interview with the workers indicated that the facility management failed to record multiple workplace injury cases. For example, one case has been identified about finger injury (where worker has taken leave for 2 days) which were not recorded in the injury register.
Source Consulted	Documentation, Management, Worker,
Legal Reference	P155; Sections 80, 82 BLA; Rules 69-74, BLR

Chemicals and Hazardous Substances

Issue	Inventory of chemicals and hazardous substances used in the workplace
Question	Does the employer keep an inventory of chemicals and hazardous substances used in the workplace? (Ref 184)
Finding	Document review and interview with the management and workers indicated that the facility management did not keep an inventory for all the hazardous substances and chemicals they use in the spot removing room such as dry solvent, R-pen, Marco, Daril. However, the facility management maintains an inventory for the chemicals used in the facility such as spot removing chemicals, machine oil and chemicals used in the boiler as dosing chemicals where required information were mentioned such as: CAS number, area of use, MSDS availability, chemical name, and supplier details.
Source Consulted	Documentation, Management, Worker,
Legal Reference	C170; Section 90 BLA; Rule 80(1)(a), BLR; Rule 32, Acid Rules (2004)

Issue	Labeling of chemicals and hazardous substances
Question	Are chemicals and hazardous substances properly labelled? (Ref 185)
Finding	The factory did not provide proper labeling for spot lifting chemicals such as dry solvent, R-pen, Marco, Daril. used in the spot removing room. The employer did not label specifying signal word, hazard statement, precautionary statement, supplier identification.
Source Consulted	Observation, Management, Worker,
Legal Reference	C170; R177; Rule 33, Acid Rules (2004)

Issue	Storage of chemicals and hazardous substances [subject to public reporting] [Public Reporting Issue No.18745]
Question	Are chemicals and hazardous substances properly stored? (Ref 186)
Finding	During the production floor visit, EAs observed that the chemicals and hazardous substances used in the workplace were not properly stored. The enterprise did not provide secondary containment for the chemicals and hazardous substances; such as dry solvent, R-pen, Marco, Daril in the spot removing room.
Source Consulted	Observation, Management, Worker,
Legal Reference	Guidelines for Assessment of Fire and Electrical Safety of Existing RMG Factory Buildings in Bangladesh, Section 2.8.1; Rule 21, Acid Rules (2004)

Issue	Chemical safety data sheets for all chemicals and hazardous substances in the workplace
Question	Does the employer have chemical safety data sheets for the hazardous chemicals used in the workplace? (Ref 187)
Finding	The factory did not post any MSDS in local language for hazardous substances and chemicals they use in spot removing room such as dry solvent, R-pen, Marco, Daril. However, MSDS was found posted in the chemical storage room for machine oil and for spot removing chemicals in the spot removing room.
Source Consulted	Observation, Documentation, Management, Worker,
Legal Reference	C170; Rule 68(10), BLR

Issue	Training workers who work with chemicals and hazardous substances
Question	Has the employer effectively trained workers who work with chemicals and hazardous substances? (Ref 189)
Finding	The management did not provided trainings to the workers for using hazardous substances and chemicals they use in spot removing room such as dry solvent, R-pen, Marco, Daril. Interview with the spot removing operators who required to handle those chemicals did not have clear understanding on risks, PPE, use and disposal of the chemical in case of any emergency or spillage.
Source Consulted	Documentation, Management, Worker,
Legal Reference	C170; Section 78A(3), BLA; Rules 67(2), 85, Schedule IV, BLR

Issue	Washing facilities or cleansing materials in the event of chemical exposure
Question	Does the employer provide adequate washing facilities and cleansing materials in the event of exposure to hazardous chemicals? (Ref 190)
Finding	Existing eye wash facilities were not functional in spot removing room. For example, - no lid cover to cover the nozzles. - the eye wash station had no hand press system to operate easily.
Source Consulted	Observation, Management, Worker,
Legal Reference	C170; R177; Rule 77(5)(s), BLR; ILO Code of Practice on Safety in the Use of Chemicals

Worker Protection

Issue	Providing workers with personal protective clothing and equipment
Question	Does the employer provide workers with all necessary personal protective clothing and equipment? (Ref 193)
Finding	The employer did not provide necessary personal protective equipment (PPE) to all the workers, such as: - inappropriate masks were provided to the over lock machine operators which cannot protect workers from the exposure of dust; - ear plugs were not provided to the bar-tack machine operators.
Source Consulted	Observation, Management, Worker,
Legal Reference	R97; Section 78(a) BLA; Rules 46, 67, BLR

Issue	Training and encouragement of workers to use PPE, machines and/or equipment safely
Question	Are workers effectively trained and encouraged to properly use personal protective equipment, machines and equipment? (Ref 194)
Finding	According to management statement, workers were given orientation and awareness training on using PPE and equipment after recruitment. However, the EAs observed that the training was not effective enough to encourage them to use personal protective equipment properly. For example, - approximately 25% of over-lock machine operators in the sewing section were not using provided at least fabric masks; and -approximately 30% of the embroidery section workers were not using provided ear plugs.
Source Consulted	Observation, Management, Worker,
Legal Reference	R97; Section 78A BLA; Rules 57, 67, BLR

Issue	Ergonomic requirements
Question	Does the employer comply with ergonomic requirements? (Ref 195)
Finding	Enterprise did not provide any seating arrangement for 10% of the long standing workers in the finishing section (line QC, poly, folding, etc.)
Source Consulted	Observation,
Legal Reference	Recommendation 102; Section 74 BLA; Rule 63, BLR; Ergonomic Checkpoints: Practical and easy-to-implement solutions for improving safety, health and working conditions. 2d ed. ILO 2010, Checkpoints 6, 9, 54, 58, 59

Issue	Installing guards on all dangerous machines and equipment
Question	Are proper guards installed and maintained on all dangerous machines and equipment? (Ref 196)
Finding	Approximately 40% of single needle sewing machine guards and approximately 25% of the eye guards of the over lock machines in the sewing sections were found placed at inappropriate height or misplaced which could not protect the workers from injury.
Source Consulted	Observation, Management, Worker,
Legal Reference	Sections 63, 67, 70(3), BLA; Rules 61, 62 (1-d), 64, BLR

Welfare Facilities

Issue	Washing facilities and/or soap
Question	Does the workplace have adequate washing facilities and adequate soap? (Ref 208)
Finding	It was observed that soap was not provided in the toilets of 6th and 7th floor.
Source Consulted	Observation, Management, Worker,
Legal Reference	Section 91, BLA; Rule 86, BLR

Issue	Day care facilities/children's room
Question	Does the workplace have adequate day care facilities? (Ref 211)
Finding	<p>There was a combined day care facility for the workers of 2 factories which was located in the same premises. However, following requirements were missing in the child care facility:</p> <ul style="list-style-type: none"> - towel was provided for the use of each child however only 3 towel was using by the day care giver. - interview with the working mothers indicated that management did not allow children below 18 months and helper's child to be in the day care.
Source Consulted	Observation, Management, Worker,
Legal Reference	Section 94, BLA; Rules 94, 95, BLR

Issue	Lunch room and/or canteen
Question	Does the workplace have an adequate lunch room, and/or canteen? (Ref 212)
Finding	Facility visit and interview with the management and workers indicated that there was a canteen facility available for the workers where there was no seating arrangement.
Source Consulted	Observation, Management, Worker,
Legal Reference	Sections 92 and 93, BLA; Rules 87-92, BLR

Health Services and First Aid

Issue	National policy on HIV/AIDS
Question	Does the employer comply with national policy on HIV/AIDS? (Ref 215)
Finding	Document review and interview with the management and workers indicated that the enterprise trained approximately 60% workers on HIV/AIDS. Approximately 70% of the trained interviewed workers were found not aware of the sensitive, accurate and up-to-date information about risks reduction in their personal lives and rejection by co-workers in case of infected persons.
Source Consulted	Documentation, Management, Worker,
Legal Reference	National Policy on HIV/AIDS and STD Related Issues, Section 11

Issue	Onsite medical facilities and staff
Question	Does the employer provide required health facilities and staff? (Ref 216)
Finding	<p>There was a medical facility for approximately 6000 workers of two factories in the same premises. The medical center did not meet the following requirements:</p> <ul style="list-style-type: none"> - 1 doctor was available instead of 2 doctors at a time. - Enterprise had 6 bed instead of legally required 7 bed. - no dresser was appointed; - no nurse was appointed; - no room for examining patient; - no store room for medical items ; - no room for workers infected in contagious or infectious diseases; - no facility for clinical laboratory, X-ray; physio-therapy and minor surgery;
Source Consulted	Documentation, Management, Worker,
Legal Reference	Section 89, BLA; Rules 77, 78, BLR

Issue	First aid boxes/supplies in the workplace
Question	Has the employer ensured that there are a sufficient number of readily accessible first aid boxes/supplies in the workplace? (Ref 217)
Finding	The facility had required number of first aid boxes. The sampled boxes (07 boxes in 6th and 7th floor) did not have the legally required number and quantity of items, such as multiple size of bandages (including sterilized bandages), oral saline, iodine solution, and a pair of scissors.
Source Consulted	Observation, Management, Worker,
Legal Reference	Convention 155; Section 89, BLA; Rule 76, BLR

Working Time

Overtime

Issue	Limits on overtime hours worked
Question	Does the employer comply with limits on overtime hours worked? (Ref 248)
Finding	<p>Worker and management interviews, and checked excessive OT and attendance records indicated that in the months of December 2018, May 2019 and June 2019 workers worked excessive OT in the cutting, sewing and finishing sections. For example, the EAs noted the following working hours in those months in the different sections:</p> <p>In December 2018:</p> <p>Cutting section: maximum 4 OT hours (total 12 hours) in a day, 24 OT hours (total 72 hours) in a week; Sewing section: maximum 4 OT hours (total 12 hours) in a day, 24 OT hours (total 72 hours) in a week Finishing section: maximum 4 OT hours (total 12 hours) in a day, 24 OT hours (total 72 hours) in a week.</p> <p>In May, 2019:</p> <p>Cutting section: maximum 4 OT hours (total 12 hours) in a day, 24 OT hours (total 72 hours) in a week; Sewing section: maximum 4 OT hours (total 12 hours) in a day, 24 OT hours (total 72 hours) in a week Finishing section: maximum 4 OT hours (total 12 hours) in a day, 24 OT hours (total 72 hours) in a week.</p> <p>In June, 2019</p> <p>Cutting section: maximum 4 OT hours (total 12 hours) in a day, 24 OT hours (total 72 hours) in a week; Sewing section: maximum 4 OT hours (total 12 hours) in a day, 24 OT hours (total 72 hours) in a week Finishing section: maximum 4 OT hours (total 12 hours) in a day, 24 OT hours (total 72 hours) in a week.</p> <p>Document checked: Payroll and job card for the month of December 2018, February 2019, May 2019 and June 2019 .</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Sections 100, 102, BLA; Rule 99(1), BLR

Leave

Issue	Time off for sick leave
Question	Does the employer provide 14 days of sick leave per year? (Ref 256)
Finding	<p>Document review and interview with the management and workers indicated the employer did not give sick leave properly to the workers.</p> <p>For example, a worker was prescribed 1 day sick leave on 6/3/19. The facility management adjusted 1 day of sick leave with the casual leave deducting this day from the total accrual of casual leave days.</p> <p>Document review indicated that there was no individual's application for such adjustment from the casual leave days on the part of the workers.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Section 116 , BLA; Rule 106, BLR

Additional Information

This section of the report contains additional information provided by the Enterprise Advisors on areas NOT found to be in non-compliance, including on certain issues that require findings in all assessments regardless of their compliance status.

Child Labour

Child Labourers

Question	Have you found any workers under the age of 14? (Ref 8)
Finding	EAs did not see any workers who appeared to be underage. Workers interviewed were at least 14 years of age. EAs reviewed 25 personnel files, which also confirmed that workers were at least 18 years of age. Management stated that they only hire workers who were at least 18.
Source Consulted	Observation, Documentation, Management, Worker,
Legal Reference	C138; Sections 2(Lxiii), 34(1), BLA

Documentation and Protection of Young Workers

Question	Does the employer have a reliable system in place to verify the age of workers prior to hiring? (Ref 12)
Finding	The management checks workers' birth certificates, national identity cards and educational certificates prior to hiring. In-house doctor examines workers' physical appearance, teeth for female workers, facial hair for male workers to confirm their age and fitness for the job. Management and worker interviews confirmed this.
Source Consulted	Observation, Documentation, Management, Worker,
Legal Reference	C138, R146;Section 36, BLA; Rule 34 and Form 15, BLR

Freedom of Association and Collective Bargaining

Freedom to Associate

Question	Can workers freely form and join the union of their choice? (Ref 61)
Finding	Management and workers interview indicated that factory did not have any union in the factory. EAs did not find evidence during the assessment to indicate that factory management opposed workers exercising their Freedom of Association (FoA) rights.
Source Consulted	Documentation, Management, Worker,
Legal Reference	C87; Sections 176(a), 179, 183, 190, 193, BLA; Rules 167, 176, and Forms 55(A), 61(A), BLR

Compensation

Minimum Wages/Piece Rate Wages

Question	Does the employer pay at least minimum wage for ordinary hours of work to permanent full time workers? (Ref 86)
Finding	<p>Management paid regular permanent workers in accordance with the to minimum wages circular 2013 (till November 2018), minimum wages circular December 2018 (in December 2018) and amended minimum wages circular December 2018 (from January 2019) considering designation and grade (for ordinary hours of work).Management paid regular permanent workers in accordance with the individually negotiated amount based on appointment letter and not less than minimum wages circular 2013 (till November 2018), minimum wages circular December 2018 (in December 2018) and amended minimum wages circular December 2018 (from January 2019) considering designation and grade (for ordinary hours of work).</p> <p>Documents checked: Payrolls of December 2018 and May and June 2019.</p> <p>Workers confirmed that they received the amounts shown in the payrolls.</p>
Source Consulted	Documentation,
Legal Reference	Sections 148, 149, BLA; Rule 133(1), BLR; Minimum Wage Gazette, 2013; Textile Wage Circular 2011

Wage Information, Use and Deduction

Question	Does the employer keep only one accurate payroll record? (Ref 97)
Finding	<p>Document reviews and worker and management interviews indicated that the factory maintained a set of payroll. The payroll contained required information such as workers ID number, name, designation and , medical treatment, food, attendance bonus, overtime and deductions.</p> <p>Documents checked: Payrolls of May, June, 2019 , December 2018.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Rule 111(1), Form 38, BLR

Paid Leave

Question	Does the employer pay workers on time and correctly when they take maternity leave? (Ref 103)
Finding	<p>Management provided 112 days paid maternity leave to workers who had worked in the factory for not less than six months immediately preceding the day of delivery. Workers receive their average monthly earnings during the three months preceding the leave, including overtime pay and bonuses. Workers received these payments within 3 working days of providing proof of the pregnancy/birth as per worker's preferred mode of payment. There were 20 pregnant workers working in the factory at present but no workers was on maternity leave.</p> <p>Documents checked: 08 maternity workers personnel files, maternity leave register and benefits calculation at random. Interviewed workers confirmed that the employer pays workers' benefits correctly when women take maternity leave.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Sections 46-49, BLA; Rules 38, 39, Forms 18, 18A, and 19, BLR

Occupational Safety and Health

Emergency Preparedness

Question	Does the employer conduct periodic emergency drills? (Ref 239)
Finding	<p>Management conducted periodic emergency drills for all workers. The last three emergency drills were held on 10/02/2019, 24/02/2019, 18/05/2019 Workers confirmed that they know how to react in case of emergency.</p> <p>Documents checked: Emergency drill records for 2018 and 2019.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Section 62(7, 8), BLA; Rule 55(14), BLR; Guidelines for Assessment of Fire and Electrical Safety of Existing RMG Factory Buildings in Bangladesh, Section 3.8

Working Time

Regular Hours

Question	Do regular daily or weekly working hours exceed the legal limit (8 hours per day, 48 hours per week)? (Ref 244)
Finding	<p>Normal working hours did not exceed 8 hours per day, 6 days per week (48 hours). Regular working hours were 8.00 am to 5.00 pm, from Saturday to Thursday.</p> <p>Documents checked: Internal regulations, working hours posted in the workplace, time records of May, June, 2019, December 2018.</p> <p>Interviewed 16 workers and two management staff.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Sections 100, 102, BLA; Rule 99(1), BLR

Better Work Clusters and Compliance Points

Better Work carries out factory assessments to monitor compliance with international core labour standards and national labour law, and where national law either fails to address or lacks clarity around a relevant issue regarding conditions at work, according to benchmarks established by Better Work based on international labour standards and good practices. Better Work organizes reporting into eight areas of labour standards, also known as clusters. Four of the clusters are international core labour standards, based on fundamental rights at work and four are based on national labour law relating to working conditions. As such, factory assessments aim to monitor compliance with these areas.

Core labour standards: Adopted in 1998, the ILO Declaration on Fundamental Principles and Rights at Work commits Member States to respect and promote principles and rights in four categories, whether or not they have ratified the relevant Conventions. These categories are: freedom of association and the effective recognition of the right to collective bargaining, the elimination of forced labour, the abolition of child labour, and the elimination of discrimination in respect of employment and occupation. The relevant ILO Conventions from which the 1998 Declaration derives—29, 87, 98, 105, 100, 111, 138, and 182—provide the framework for assessing non-compliance in the core labour standards clusters across all Better Work country programmes.

National labour law: The four other clusters monitor compliance with standards primarily set by national law, so they vary from country to country. This set consists of compensation, contracts and human resources, occupational safety and health, and working time.

Each of the eight clusters is divided into its key components, known as “compliance points”. Each of these compliance points contains specific questions that may vary from country to country. The detailed list of compliance points can be found at the following link:
<http://links.betterwork.org/compliance>