



BetterWork

Preview

Compliance Assessment Report

Ananta Jeanswear Ltd.

12/03/2020

(dd/mm/yyyy)

Preview

Assessment date: 17/02/2020 *(dd/mm/yyyy)*

Cycle:

Report ID: 38860

Country: Bangladesh

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

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Supplier Name: Ananta Jeanswear Ltd.
Supplier Address: 277/2, Old: 134, Kabi Jashim Uddin Road, Pagar, Tongi, Gazipur
Pagar, Tongi

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

04/02/2019, 11/12/2017, 27/09/2016, 31/08/2015

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

5

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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Factory Visit Information

General information on the factory, on its key strengths and on the assessment process itself.

Overview of Non-Compliance

Overview of the areas of non-compliance found in the factory during the assessment visit.

Detailed Non-Compliance Findings

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

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. The factory is implementing a national initiative named Mothers @ Work jointly initiated by Better Work Bangladesh ILO and UNICEF in collaboration with Ministry of Health and Family Welfare and the Ministry of Labour and Employment in order to support maternity rights of women workers and promote breastfeeding in the industrial sector, especially the ready-made garment sector.
2. The enterprise participated in 'Gender Equality and Returns (GEAR)' initiative jointly implemented by ILO-Better Work Bangladesh and International Finance Corporation-IFC to ease career progression path for female sewing machine operators into supervisory roles. A total of five (05) sewing machine operators participated in the project.

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)

General Manager, Production

Senior Deputy General Manage, Compliance

Deputy General Manage, Compliance

Senior Manager, Administration

Deputy Manager, Compliance

Senior Executive, Compliance

Executive, Administration

Medical Officer

Welfare Officers

Fire Safety Officer

Doctor

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

Number of workers interviewed: 51 (male: 20, female: 31);

Individual interview: 26 (male-10, female-16);

4 group interviews (Participation committee, safety committee, maternity workers and new workers): 25 (male: 10, Female: 15).

Sections covered: Cutting, sewing, finishing, security and utility.

Interview process: Interview conducted without presence of management and using open ended question.

Interview location: Interviews were conducted in a separate area free from management presence such as in the empty meeting room, dining area, and corner of the production floor or stairs.

Sample selection process: Workers were randomly selected from different committee lists, personnel files, payroll, factory tour.

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)

Interviews with management and workers confirmed that HIV/AIDS status was not a factor in recruitment, 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)

N/A

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)

0

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)

0

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)

Management and workers' interview confirmed that there was no piece rate worker in the factory.

Contracts and Human Resources

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

3080

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

1182

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

160

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

160

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)*

Yes. Factory used subcontractors to complete the following production process:

- For washing services : Paradise Washing Plant Ltd.(Sister concern)

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

2578

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

902

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

342

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

120

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)*

16

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

3

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

The enterprise did not receive any notice of noncompliance from the Inspection Department during last twelve months.

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

Yes, the factory uses contractors to provide services at the factory that was not part of the production process;
- Al Rafian Enterprise for construction work.

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 except doctors those who are employed as contractual basis.

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)

N/A

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 had several policies relating to HR which are approved Director, Compliance and Administration and the policies are:

- mandatory minimum age requirements;
- appropriate work for young workers;
- equal treatment and non-discrimination;
- preventing sexual harassment;
- legal requirements in relation to termination;
- freedom of association; and
- working hours and compensation.

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

Yes.

The factory had a recruitment procedure with the following information:

- hiring criteria that are applied to all job applicants;
- verifying the age of workers prior to hiring;
- ensure compliance with legal requirements for workers under age 18; and
- ensure that workers retain ID documents.

Does the employer have adequate disciplinary and termination procedures?

(Ref 142)

Yes.

The factory had a disciplinary and termination procedures with the following information:

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

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

No.

The enterprise did not have any dispute resolution procedure.

However, the enterprise had a grievance handling procedure which included the following elements:

- clear options for submitting grievances that ensure anonymity and non-retaliation;
- fair review and appeal process;
- communication of changes made and/or resolution of grievance as appropriate.

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 factory had the followings:

- define accountability and/or responsibility for HR issues in writing for HR officer as well as top management;
- reporting line /organizational charts;
- description of job authority; and
- accountability through evaluation of performance.

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

Yes.

The employer communicate and implement HR policies and procedures through:

- recruitment posting;
- copies of signed worker contracts;
- induction training for workers and staff;
- worker-management committees;
- policies and internal regulations posted; and
- basic staff trainings.

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

Yes.

The employer adequately investigate performance under HR policies and procedures to identify weaknesses and make necessary adjustments through:

- Human Resources performance indicators, example, turnover rate, absenteeism rate, staff training target and excessive overtime.

Occupational Safety and Health

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

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

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

No.

The factory had an OSH policy signed by the top management but the policy did not included:

- establishing measurable objectives and improvement targets;

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

However, the policy included the following:

- compliance with legal requirements pertaining to OSH;
- continued improvement aimed at elimination of work-related injury and illness.

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

Yes

The factory has an emergency preparedness procedure included the following:

- reporting fires and other emergencies;
- alerting all employees to evacuate;
- evacuating all employees to a 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 had a risk management and control procedure which was not adequate. The procedure did not include:

- prioritize risks based on potential impact and likelihood;
- a hierarchy of controls that is used to select effective controls; and
- a risk register that drives the implementation of controls (list of risks with due dates, owners and next steps).

However, the employer identified hazards systematically.

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

No

The enterprise did not have an accident investigation procedure which included:

- lead to change in order to avoid re-occurrence;
- focus on sustainable solutions.

However, the employer identified the root causes of accidents/injuries.

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

No.

The employer did not adequately assign accountability to management for carrying out health and safety responsibility which necessarily required to include:

- responsibility for OSH issues in writing for Fire safety officer as well as top management he/she reports to.
- description of job duties and authority and accountability through evaluation of performance not mentioned;
- a safety committee with a mandate to consider OSH issues in the workplace.

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

No.

The enterprise did not adequately communicate and implement OSH policies and procedures.

- OSH policies and procedures were not communicated with the safety committee members;
- general workers were not adequately trained on relevant assigned tasks;
- training was not provided to the OSH committee members on their roles and responsibilities.

However, the enterprise had

- work instructions posted and easily accessible in the factory;
- evacuation plans and the list of the safety committee posted on the floors and notice board.

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 through:

- analysis of injury
- analysis of violation of OSH procedure; and
- regular management review and effectiveness of management system including performance on measurable objectives and targets.

However, the employer had

- regular testing quality of drinking water, air and noise tests.

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.

Working Conditions

Compensation

Social Security and Other Benefits Compulsory group insurance for workers

Contracts and Human Resources

Contracting Procedures Non-compliance with legal requirements for compensation, contracts, OSH, and/or working time pertaining to non-production workers and/or sub-contracted workers
Service book for workers

Dialogue, Discipline and Disputes Disciplinary measures.

Welfare Officer.

Employment Contracts Compliance of letters of appointment with labour law, collective agreement and service rules.
Workers' understanding of the terms and conditions of employment.

Occupational Safety and Health

Chemicals and Hazardous Substances Chemical safety data sheets for all chemicals and hazardous substances in the workplace

Emergency Preparedness Fire detection and alarm system [subject to public reporting]

Fire fighting equipment

Accessible, unobstructed, and/or unlocked emergency exits and escape routes during working hours, including overtime [subject to public reporting]

Adequate stairways

Health Services and First Aid Medical checks for workers

Onsite medical facilities and staff

First aid boxes/supplies in the workplace

OSH Management Systems Assessment of general occupational safety and health issues in the factory

Safety Committee

Legally required construction/ building / safety/ use permits/ fire license [subject to public reporting]

Welfare Facilities Lunch room and/or canteen

Worker Protection Providing workers with personal protective clothing and equipment

Training and encouragement of workers to use PPE, machines and/or equipment safely

Installing guards on all dangerous machines and equipment

Working Environment Workplace noise levels

Working Time

Overtime Informing workers about overtime

Regular Hours Working time records

Detailed Non-Compliance Findings

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

Working Conditions

Compensation

Social Security and Other Benefits

Issue	Compulsory group insurance for workers
Question	Does the employer provide compulsory group insurance for workers? (Ref 110)
Finding	Document review and interview with the management indicated that all workers were not covered by the insurance scheme. In a random check, it was observed that the facility management recruited approximately 30 new workers till the assessment date in the month of February 2020, but did not enrolled those workers profile into the biometric database as a result those workers were not covered by the safety net of insurance.
Source Consulted	Documentation, Management, Worker,
Legal Reference	Sections 99, BLA; Rule 98, BLR

Contracts and Human Resources

Employment Contracts

Issue	Compliance of letters of appointment with labour law, collective agreement and service rules.
Question	Do the letters of appointment comply with the labour law, collective agreement and service rules? (Ref 148)
Finding	<p>The following condition in the appointment letter is not consistent with the labour law</p> <p>01. for fire & safety officer:</p> <p>- usual working hour was 10 hours a day (excluding 01 hour lunch and rest break). and</p> <p>02. for medical officer:</p> <p>- your service will be for two years on contractual basis and it will be renewed after two years if management decide to continue with you.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Section 5, BLA; Rule 19(4)(j), BLR

Issue	Workers' understanding of the terms and conditions of employment.
Question	Do workers understand the terms and conditions of employment? (Ref 149)
Finding	Approximately 40% of the interviewed workers were not aware about the terms and conditions of employment such as termination and resignation procedures. The daily working hour instruction was posted on the notice board.
Source Consulted	Observation, Documentation, Management, Worker,
Legal Reference	Sections 5, 111 BLA; Rule 19, BLR

Contracting Procedures

Issue	Non-compliance with legal requirements for compensation, contracts, OSH, and/or working time pertaining to non-production workers and/or sub-contracted workers
Question	Have you found non-compliance with legal requirements for compensation, contracts, OSH, and/or working time pertaining to non-production workers and/or sub-contracted workers? (Ref 153)
Finding	During floor visit it was observed that the facility management sourced approximately 10 workers through a contractor for on going construction work. However, the following requirements were missing; - the contractor license from concern authority for providing services to the RMG sector was not available.
Source Consulted	Observation, Documentation, Management, Worker,
Legal Reference	Sections 2(Lxv), 3a, 5, 121, BLA; Rules 7(1), 8, 16, BLR

Issue	Service book for workers
Question	Do all workers (other than apprentices, substitute/badli or casual workers) have a service book? (Ref 154)
Finding	During document review it was observed that 02 out of 10 randomly checked service books were not updated with following information: - disciplinary procedure (where applicable).
Source Consulted	Documentation, Management,
Legal Reference	Sections 6-8, BLA; Rules 20-22, BLR

Dialogue, Discipline and Disputes

Issue	Disciplinary measures.
Question	Do the disciplinary measures comply with legal requirements? (Ref 164)
Finding	<p>Documents review and interview with the management indicated that the disciplinary procedure conducted in case of awarding punishment to worker were not in compliance with legal requirements. For example: 01 worker had been awarded punishment (issued letter of warning) for using face book account in mobile phone at working hour, where there were not adequate disciplinary process conducted to conclude the guilt such as:</p> <ul style="list-style-type: none"> - investigation committees were not comprised of equal representatives from the management and workers; - no cross examination to conclude the conviction of charge of misconduct. <p>Documents checked: 05 workers personnel files and disciplinary procedure.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Sections 2(9A), 23-25, BLA; Rules 29, 30, BLR

Issue	Welfare Officer.
Question	Does the factory have a qualified welfare officer/s? (Ref 169)
Finding	<p>The facility management had five welfare officers with required academic qualification. Interview with the welfare officers and document review indicated that the appointed officials were not adequately engaged in:</p> <ul style="list-style-type: none"> - advise the management on the training requirement of the workers; and - consult with the employer and workers representatives on wages and service conditions.
Source Consulted	Documentation, Management,
Legal Reference	Section 89(8), BLA; Rules 79, 185 BLR

Occupational Safety and Health

OSH Management Systems

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Issue	Assessment of general occupational safety and health issues in the factory
Question	Has the employer performed an assessment of general occupational safety and health issues in the factory? (Ref 178)
Finding	The enterprise conducted an assessment of general occupational safety and health (OSH) issues. The safety checklist maintained by the facility to identify the occupational safety and health risks did not include transportation of goods. However, it was developed in consultation with the safety committee. Moreover, the enterprise conducted an assessment of general occupational safety and health (OSH) issues by the safety committee but not any recommendation of remediation.
Source Consulted	Documentation, Management, Worker,
Legal Reference	Recommendation 164; Rules Schedule IV, Sections (1)(b), (4), BLR

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Issue	Safety Committee
Question	Does the factory have a functioning Safety Committee? (Ref 180)
Finding	<p>The enterprise had formed Safety Committees in the factory on 06/08/2018. The Committee members were nominated by the Participation Committee members.</p> <p>Number of total members: 12, Management: 06 (Female-1), Workers: 06 (Female-03)</p> <p>The interviewed members of the Safety Committee were not adequately aware about their roles and responsibilities as they did not exercise their roles and responsibilities properly in the workplace finding and remediating workplace safety issues.</p> <p>Meeting: Meetings were held in every 2-3 months. Meeting minutes were preserved after the meeting but not posted on the notice board. Meeting agenda were usually set by the management. Last meeting held on 17/12/2019.</p> <p>Safety Committee functions did not include:</p> <ul style="list-style-type: none"> - developing workers awareness on workplace safety and health; and - making recommendations on compensation for workplace accidents and to avoid OSH injuries.
Source Consulted	Documentation, Management, Worker,
Legal Reference	C155 and R164; Section 90(a), BLA; Rules 81-85, Schedule IV, BLR

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Issue	Legally required construction/ building / safety/ use permits/ fire license [subject to public reporting]
Question	Does the employer have legally required construction permits/ structural safety certificates/ fire license? (Ref 182)
Finding	Factory made the operational changes of 1st floor of building-1 (block-B) which is currently used as finished good store but it was not included at approved lay out plan.
Source Consulted	Observation, Documentation, Management, Worker,
Legal Reference	Section 326, BLA; Rules 53, 353, Schedule III, BLR; Forms 32, 76; Fire Prevention and Extinction Act (2003), Sections 4; Guidelines for Assessment of Structural Integrity of Existing RMG Factory Buildings in Bangladesh, Sections 1.4, 7.0, 9.0, 12.0, 14.0, 18.0

Chemicals and Hazardous Substances

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 enterprise did not have material safety data sheet (MSDS) for coolant which kept in generator room.
Source Consulted	Observation, Management, Worker,
Legal Reference	C170; Rule 68(10), BLR

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	<p>Document review, worker and management interviews indicated that, the employer did not provide appropriate personal protective equipment.</p> <ul style="list-style-type: none"> - fabric masks were provided instead of appropriate dust masks to the over lock machine operators and cutter in cutting section. - appropriate apron to the mechanics protecting from exposure when they handle machine oil and WD-40 for maintenance work.
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	<p>According to the management statement, workers were given orientation and awareness training on using personal protective equipment after recruitment. However, the EAs observed that the provided training was not effective to encourage them using personal protective equipment properly. For example,</p> <ul style="list-style-type: none"> - approximately 30% of over lock machine operators in the sewing section were not using provided functional eye guards; - approximately 30% of the single needle sewing machine operators in the sewing section were not using provided needle guards at a proper height.
Source Consulted	Observation, Documentation, Management, Worker,
Legal Reference	R97; Section 78A BLA; Rules 57, 67, BLR

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	<p>During floor visit it was observed that, safety measures were not adequately taken for the following machines:</p> <ul style="list-style-type: none"> - Approximately 50% needle guard of the single needle sewing machine were fixed at an inappropriate height which were not able to protect from needle prick; and - Approximately 30% of the eye guards were not functional (either scratched or misplaced) in over lock machines; - Approximately 10% of the over lock machines had no eye guards.
Source Consulted	Observation, Management, Worker,
Legal Reference	Sections 63, 67, 70(3), BLA; Rules 61, 62 (1-d), 64, BLR

Working Environment

Preview

Issue	Workplace noise levels
Question	Are noise levels acceptable? (Ref 204)
Finding	<p>Document review and interview with the workers and management indicated that noise was high in the generator area of ground floor. The noise test report provided by the facility management was 102.6 decibel where there was no system adopted to reduce the noise level. The interviewed workers of the generator room and surrounded areas informed that they felt very discomfort during the operation of the generator.</p> <p>Document checked: Noise test report, 25 April, 2019.</p>
Source Consulted	Observation, Documentation, Management, Worker,
Legal Reference	Rule 68(xxvii), BLR; Convention 148; Recommendation 97

Welfare Facilities

Issue	Lunch room and/or canteen
Question	Does the workplace have an adequate lunch room, and/or canteen? (Ref 212)
Finding	<p>The enterprise had a canteen facility which is separated from the dining facility but the canteen was not adequated due to:</p> <ul style="list-style-type: none"> - the seating capacity is 10 instead of required 308 for 3080 workers.
Source Consulted	Observation, Documentation, Management, Worker,
Legal Reference	Sections 92 and 93, BLA; Rules 87-92, BLR

Health Services and First Aid

Issue	Medical checks for workers
Question	Does the employer comply with legal requirements regarding medical checks for workers? (Ref 213)
Finding	<p>Document review, worker and management interview indicated that the enterprise did not have pre-assignment medical checks in practice for workers who engaged in dangerous operations such as electrician, boiler operator and generator operator. For example, one electrician joined 01/07/2018 but the enterprise did not conduct pre-assignment medical checks in the time of joining.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	C148, R177, and R156; Section 79(c), BLA; Rules 68(1, 4, 5-8), BLR

Issue	Onsite medical facilities and staff
Question	Does the employer provide required health facilities and staff? (Ref 216)
Finding	<p>Document review and interview with the management and workers indicated that the enterprise had a medical facility for approximately 3080 workers of the factory. The following arrangements were missing in the medical facility:</p> <p>a. The enterprise had appointed 02 registered medical practitioners for part time instead of full time. The medical practitioners performed the duty for 03 days in a week alternatively (One was for Saturday, Sunday, Monday and another one was for Tuesday, Wednesday and Thursday) and from 10.00am to 5.00pm.</p> <p>b. appointed 1 nurse instead of 2 nurse.</p>
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	<p>Randomly checked 04 first aid boxes in sewing, cutting and finishing sections did not have required first aid items such as no rectify spirit, eye drop or alcoholic solution, antiseptic and oral saline solutions.</p> <p>Moreover, the name of the person in charge of each box were not posted.</p>
Source Consulted	Observation, Management, Worker,
Legal Reference	Convention 155; Section 89, BLA; Rule 76, BLR

Emergency Preparedness

Issue	Fire detection and alarm system [subject to public reporting]
Question	Does the workplace have a fire detection and alarm system? (Ref 232)
Finding	<p>The fire detection and alarm system was not properly functional as following issues were identified in control panel;</p> <p>- multiple (53) detectors were trouble in possession due to dust deposition.</p> <p>Management acknowledged the issue.</p>
Source Consulted	Observation, Management, Worker,
Legal Reference	Section 62(5), BLA; Guidelines for Assessment of Fire and Electrical Safety of Existing RMG Factory Buildings in Bangladesh, Sections 3.4, 3.7.12

Issue	Fire fighting equipment
Question	Does the workplace have adequate fire-fighting equipment? (Ref 233)
Finding	<p>1. During floor visit and interview with the workers and management indicated that workplace is not properly equip with fire fighting equipments such as (fire gas masks, helmet, blanket) at 2nd, 3rd and 4th floor at new building (block-A).</p> <p>2. Foam type extinguisher were not available to protect fire incident as factory stored machine oil in the maintenance room at 7th floor of block-B. However, the facility had provided dry chemical powder type extinguisher at near by.</p>
Source Consulted	Observation, Management, Worker,
Legal Reference	Section 62(1), BLA; Rule 55(1-7, 15-17), BLR; Guidelines for Assessment of Fire and Electrical Safety of Existing RMG Factory Buildings in Bangladesh, Sections 2.8.1, 3.5

Issue	Accessible, unobstructed, and/or unlocked emergency exits and escape routes during working hours, including overtime [subject to public reporting]
Question	Are the emergency exits and escape routes accessible, unobstructed and unlocked during working hours, including overtime? (Ref 238)
Finding	<p>During floor tour it was observed that aisles were partially obstructed by table, cartoons at packing area.</p> <p>Moreover, at least 10-12 workers were found obstructed by co-workers, table and product at different areas of sewing section.</p> <p>Management acknowledge the issue.</p>
Source Consulted	Observation, Management, Worker,
Legal Reference	Sections 62(3, 6), 72, BLA; Rules 54, 59, BLR; Guidelines for Assessment of Fire and Electrical Safety of Existing RMG Factory Buildings in Bangladesh, Sections 2.9.2, 2.9.5

Issue	Adequate stairways
Question	Does the workplace have adequate stairways that can be used in case of emergency? (Ref 240)
Finding	<p>During floor visit it was observed that the fire rated door was not install at 2nd, 3rd and 4th floor of new building (block-A).</p> <p>Management acknowledged the issue.</p>
Source Consulted	Observation, Management, Worker,
Legal Reference	Sections 62(1), 72, BLA; Rule 54(3-9), BLR; Guidelines for Assessment of Fire and Electrical Safety of Existing RMG Factory Buildings in Bangladesh, Sections 2.5.2, 2.9.8, 2.9.11

Working Time

Regular Hours

Issue	Working time records
Question	Do the working time records reflect the hours actually worked? (Ref 245)
Finding	<p>Worker and management interview and document review indicated that the worker worked Fridays (weekly rest days) on 01.02.2019, 29.03.2019, 12..04.2019, 19.04.2019, 26.04.2019, 03.05.2019, 05.07.2019, 01.11.2019, 06.12.2019, 13.12.2019. These working hours had not been reflected in the job cards.</p> <p>However, the facility management kept record of those working hours in a form of meeting minutes and notice documents.</p> <p>Document checked: Time records of February, March, April, May, July, November, December 2019.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Rules 102(2, 4), 363, BLR, Form 34

Overtime

Issue	Informing workers about overtime
Question	Does the employer inform workers about overtime at least 2 hours in advance? (Ref 251)
Finding	<p>Interview with the workers and management confirmed that the facility management communicated the information of over time work with the workers maximum one hour in advance everyday, instead of at least two hours in advance.</p>
Source Consulted	Management, Worker,
Legal Reference	Rule 99(1), BLR

Preview

Preview

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.

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Child Labour

Child Labourers

Question	Have you found any workers under the age of 14? (Ref 8)
Finding	<p>Based on our visual observations, interviews with workers, and employment record checks, EAs found no indication that management employed workers under the age of 14. Management stated that they only hire workers who are at least 14.</p> <p>Documents checked: HR records for 15 workers.</p>
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	<p>The management checks workers' birth certificates, national identity cards and educational certificates (if any) 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.</p> <p>Documents checked: Human Resource records for 15 workers.</p> <p>Interviewed workers and management related with the age verification process confirmed the mentioned age verification process is being practiced in this enterprise.</p>
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	<p>During the enterprise visit and worker interviews indicated that workers had no idea about unions and their activities. EAs did not find evidence during the assessment to indicate that factory management was opposed to workers exercising their Freedom of Association (FoA) rights.</p> <p>FoA policy was posted on the notice board.</p>
Source Consulted	Observation, 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 minimum wages circular 2018 and revised minimum wages circular January 2019 considering designation and grade (for ordinary hours of work).</p> <p>Management paid regular permanent workers in accordance with the individually negotiated amount based on appointment letter and not less than minimum wages circular.</p> <p>Workers confirmed that they received the amounts shown in the payroll.</p> <p>Documents checked: Payrolls for April and November 2019 and January 2020.</p>
Source Consulted	Documentation, Management, Worker,
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>Management kept only one payroll ledger that records all hours worked and all wages paid. The payroll includes workers ID number, name, designation and date of joining, grade, basic wage, payment of house rent, transportation, medical allowance, food allowance, gross wages, attendance bonus, overtime rate and amount, deduction and worker signature.</p> <p>Documents checked: Payrolls and time records of April, November 2019 and January 2020.</p> <p>Interviewed 10 workers stated they have signed on only one set of pay roll and its contained all required information.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Rule 111(1), Form 38, BLR

Paid Leave

Preview

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 her 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 the woman providing proof of the pregnancy/birth as per worker prefers payment mode. There were 91 pregnant worker in the factory in last 12 months. During assessment 26 workers were on maternity leave.</p> <p>Documents checked: 10 maternity workers file.</p> <p>Interviewed workers confirmed that they received maternity benefits accordingly.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Sections 46-49, BLA; Rules 38, 39, Forms 18, 18A, and 19, BLR

Contracts and Human Resources

Employment Contracts

Question	Has the employer provided all workers with a letter of appointment? (Ref 150)
Finding	<p>All workers who worked for the factory had a letter of appointment. Regular workers were employed under undetermined duration letter of appointment. All workers' employment contract were in writing. management provided all workers with a copy (original) of their employment letter of appointment.</p> <p>Documents checked: HR records of 20 sampled workers and interviewed 11 newly recruited workers.</p> <p>Worker and management interview indicated that the enterprise issued the letter of appointment to the workers on the day of joining.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Section 5, BLA; Rule 19, BLR

Dialogue, Discipline and Disputes

Question	Does the factory have a functioning Participation Committee? (Ref 168)
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The enterprise formed a Participation Committee (PC) on 26/07/2018 and the committee comply with the followings:

Nomination process: Candidate were nominated by their co-workers. The PC election commission was formed by the 05 members(03 workers and 02 management).

Election process: The Participation committee was formed with members (workers' representatives) chosen through an election process.

Finding Number of Participation Committee members: 22; Management-09 (Female-01), Workers-13 (Female: 11).

Meeting Agenda and Minutes: The management shared the meeting agenda with the PC members before the meeting time. Meeting agenda were set by both management and workers. The meeting minutes were maintained in the files. Meeting minutes was posted on the notice board. The decision points of the PC meeting were know by the workers specially in all sections. Last meeting was held on 25/01/2020.

Roles and responsibilities: The interviewed workers' representatives in the PC were found aware of the provisions of law those are applicable in their job.

Training: The PC members received in-house training on their roles and responsibilities.

Source Consulted	Documentation, Management, Worker,
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Legal Reference	ILO Convention 135; Sections 205-208, BLA; Rules 183-201, BLR
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Occupational Safety and Health

Emergency Preparedness

Question	Does the employer conduct periodic emergency drills? (Ref 239)
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Finding The management conducted emergency drill for all workers. The last three emergency drills were held on 23/11/2019, 24/09/2019, 20/06/2019 for day shift workers and 06/10/2019 and 09/05/2019 for night shift workers. Workers confirmed that they know how to react in case of emergency.

Documents checked: Emergency drill records of 2019.

Source Consulted	Documentation, Management, Worker,
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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
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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

Regular working hours did not exceed 8 hours per day, 6 days per week (48 hours). In cutting, sewing, finishing section regular working hour 08:00am-05:00pm and 8.00pm-5.00am, night shift. 6 days per week (Saturday to Thursday, 48 hours per week) and sample section regular working hour 08.00 am -5.00 pm. 6 days per week (Sunday to Friday, 48 hours per week).

Friday is weekend for cutting, sewing, finishing sections and Saturday is weekend for sample section.

Documents checked: Internal regulations.

Management and worker interviews confirmed this.

Source Consulted

Documentation, Management, Worker,

Legal Reference

Sections 100, 102, BLA; Rule 99(1), BLR

REVIEW

Overtime

Question

Does the employer comply with limits on overtime hours worked? (Ref 248)

Document review and interview with the management indicated that the facility management engaged workers in overtime work where the workers have performed up to 4 hours overtime in a day and 72 hours total in a week. The facility management engaged workers in such extended work hours following the working hour exemption order issued by the government that is in effect from 01 October, 2018, 17 April, 2019 and 14 October, 2019 latest.

The EAs noted the following working hours in those months in the different sections;

In January 2020:

Sewing Section, maximum 04 OT hours (total 12 hours) in a day, 24 hours (total 72 hours) in a week

Cutting Section, maximum 04 OT hours (total 12 hours) in a day, 23 hours (total 71 hours) in a week

Finishing Section, maximum 04 OT hours (total 12 hours) in a day, 24 hours (total 72 hours) in a week

Finding

In November 2019:

Sewing Section, maximum 04 OT hours (total 12 hours) in a day, 24 hours (total 72 hours) in a week

Cutting Section, maximum 04 OT hours (total 12 hours) in a day, 24 hours (total 72 hours) in a week

Finishing Section, maximum 04 OT hours (total 12 hours) in a day, 24 hours (total 72 hours) in a week

In February 2019:

Sewing Section, maximum 04 OT hours (total 12 hours) in a day, 23 hours (total 71 hours) in a week

Cutting Section, maximum 04 OT hours (total 12 hours) in a day, 24 hours (total 72 hours) in a week

Finishing Section, maximum 04 OT hours (total 12 hours) in a day, 24 hours (total 72 hours) in a week

Documents checked: Payroll and time records of February & November 2019 and January 2020.

Source Consulted

Documentation, Management, Worker,

Legal Reference

Sections 100, 102, BLA; Rule 99(1), BLR

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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>