



2008

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING REPORT

COMPANY: Umbro
COUNTRY: Pakistan
FACTORY CODE: 630057886G
MONITOR: T-Group Solutions Pvt. Ltd.
AUDIT DATE: November 21, 2008
PRODUCTS: Wovens, Jackets, Pants, Knit
Products
PROCESSES: Cutting to Packing
NUMBER OF WORKERS: 42

Company Comment: The Umbro licensee is no longer ordering product to be manufactured with this factory. Umbro, as a licensor, has implemented a new process to evaluate future suppliers to Umbro licensees, prior to production.



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Wages, Benefits and Overtime Compensation: Holidays, Leave, Legal Benefits and Bonuses

WBOT.5 Employers shall provide all legally mandated holidays, leave, benefits and bonuses, such as official holidays, annual leave, sick leave, severance payments and 13th month payments, to all eligible workers within legally defined time periods. In addition, all leave and bonuses shall be calculated correctly. (S)

Noncompliance

- Explanation:**
1. Factory does not provide group insurance as required by West Pakistan Industrial and Commercial Employment Standing Order (Ordinance) 1969, Section 10-A.
 2. Factory had not established Worker Profit Participation Fund as required under Companies Profit (Worker's Participation) Act, 1968; Section 3.
 3. Factory does not contribute to provincial Worker Welfare Fund as required under Worker Welfare Fund Ordinance 1971, Sections 3 and 4.
 4. As stated by the management, during probation period workers are provided with Casual or Sick Leave. As per Factories Act, 1934; Section 49-H, every worker shall be entitled to casual and sick leave. But, leave record not found available for review; hence, cannot confirm compliance.
 5. As stated by management, factory allows 8 days sick leave, whereas Factories Act, 1934; Section 49-H requires 16 days of sick leave to be provided to all workers. But, leave record not found available for review; hence, cannot confirm compliance.
 6. As stated by management, factory does not allow 14 consecutive days of Annual Leave for workers. This does not comply with requirement of Factories Act, 1934; Section 49-B, leave record not found available for review.
 7. Leave record not found available for review to verify and confirm if factory has paid balance of Annual Leave as Annual Leave Encashment to any worker, as required by Factories Act, 1934; Section 49-B (3) .
 8. Factory does not pay Annual Bonus to its workers as required by the West Pakistan Industrial and Commercial Employment Standing Order (Ordinance) 1969, Sections 10-C (2) a and b.
 9. Factory is not paying monthly contribution towards Social Security for Piece Rated Contract workers, to the concerned provincial government Social Security department as required by the Provincial Employees Social Security Ordinance, 1965.

10. Factory is not paying monthly contribution towards Employee Old Age Pension (EOBI) for any worker (salaried or piece rated contract workers), to the concerned provincial government Old Age Benefit Department as required by Employee Old Age Benefit Act, 1976 .

11. Factory is paying social security contribution for permanent salaried workers; yet, workers can not avail benefits from social security and old age without Social Security Card (issued by government social security departments). No worker has been issued with this social security card.

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Wages, Benefits and Overtime Compensation: General Compliance Wages, Benefits and Overtime Compensation

WBOT.1 Employers shall comply with all local laws, regulations and procedures concerning the payment of wages and benefits, including overtime compensation. In any case where laws and the FLA Code are contradictory, the standard that provides the greatest protection for workers shall apply. Where provisions are lacking, employers shall take measures to reasonably accommodate matters concerning the payments of wages and benefits, including overtime compensation. (S)

Noncompliance

Explanation: Minimum wages are not being paid as per unskilled and skill levels, as notified by local minimum wage board (The Punjab Gazette (Extraordinary) September 1, 2008). For example, (1) Helper Tailors are being paid Rs:4500 (less than unskilled wage) against Rs:6320 as notified; (2) Card Filler/Carder Man is being paid Rs:6500 against Rs:6600 as notified; (3) Helper (not elsewhere classified) is being paid Rs:4500 against Rs:6200. For Benefits, please refer to tab on benefits. As stated by management, OT is compensated at double the ordinary rate of wage, but OT payment records were not available for review. Hence, this cannot be verified.

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Wages, Benefits and Overtime Compensation: Minimum Wage

WBOT.2 Employers shall pay workers at least the legal minimum wage or the prevailing industry wage, whichever is higher. (S)

Noncompliance

Explanation: Minimum wages are not being paid as per unskilled and skill levels, as notified by local minimum wage board (The Punjab Gazette (Extraordinary) September 1, 2008). For example, (1) Helper Tailors are being paid Rs:4500 (less than unskilled wage) against Rs:6320 as notified; (2) Card Filler/Carder Man is being paid Rs:6500 against Rs:6600 as notified; (3) Helper (not elsewhere classified) is being paid Rs:4500 against Rs:6200. As defined by the Minimum Wages Act 1969, section 3(ii), a month is defined as 26 working days. Based on this definition, employees are to be compensated for the number of days worked based on monthly salary divided by 26 days, multiplied by the number of days worked. However, factory is basing this calculation on the number of days in the calendar month (30 or 31 days) instead of 26 days. By this method of calculation, an employee is being paid less than legally required.

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Wages, Benefits and Overtime Compensation: Training and Probation Wage

WBOT.3 Where probation or training wages are legally allowed, no worker shall be paid a probation or training wage for more than three months cumulatively. (S)

Uncorroborated Evidence of Noncompliance

Explanation: [There are no workers on training or probation.](#)

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Wages, Benefits and Overtime Compensation: Payment for All Hours Worked

WBOT.7 Workers shall be paid for all hours worked in a workweek. Calculation of hours worked must include all time that the employer allows or requires the worker to work. (S)

Noncompliance

Explanation: [Cannot confirm in absence of complete time records.](#)

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Wages, Benefits and Overtime Compensation: Calculation Basis for Overtime Payments

WBOT.8 Employers shall compensate workers for all hours worked. For workers on a piece rate payment scheme or any other incentive scheme, payments for overtime hours worked shall be calculated by applying the premium rate required by law or this Code on the same payment scheme as is used for calculating wages for normal working hours, unless the payment scheme used leads to higher wages for workers. (S)

Noncompliance

Explanation: As stated by management, OT is compensated at double the ordinary rate of wage, but OT payment records were not available for review. Also, time records are incomplete; hence, wages cannot be verified. As stated by management they use the formula for calculation of OT for 1 hour = total salary ÷ 30 or 31 days in month ÷ 8 hours in a day × 2 (twice the rate), whereas legally required formula to calculate OT for 1 hour = total salary ÷ 26 days in month ÷ 8 hours in a day × 2 (twice the rate). Overtime compensation records were not available for verification.

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Wages, Benefits and Overtime Compensation: Premium/Overtime Compensation

WBOT.10 The factory shall comply with all applicable laws, regulations and procedures governing the payment of premium rates for work on holidays, rest days, and overtime. (S)

Noncompliance

Explanation: As stated by management, OT is compensated at double the ordinary rate of wage, but OT payment records were not available for review. Also, time records are incomplete.=; hence, wages cannot be verified.

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Wages, Benefits and Overtime Compensation: Overtime Compensation Awareness

WBOT.11 Workers shall be informed, orally and in writing, about overtime compensation rates prior to undertaking overtime. (P)

Noncompliance

Explanation: [Policy on compensation and benefits not found defined or communicated to workers.](#)

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Wages, Benefits and Overtime Compensation: Accurate Calculation and Recording of Wage Compensation

WBOT.17 All payments to workers, including hourly wages, piecework, benefits, bonuses, and other incentives shall be calculated and recorded accurately. (S)

Noncompliance

Explanation: [Pay records for piece rated workers were not available for review. Factory does not pay Annual Bonus to its workers. For details on benefits, please refer to tab on benefits.](#)

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Wages, Benefits and Overtime Compensation: Payroll Record Maintenance/Worker Acknowledgement

WBOT.20 All compensation records shall be maintained accurately and shall be acknowledged by the worker as accurate. (P)

Noncompliance

Explanation: As per management, some workers have worked overtime, but no records were made available for review. Pay records for piece rated workers were not available for review.

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Wages, Benefits and Overtime Compensation: Record Maintenance

WBOT.21 Employers shall ensure that all legally required payroll documents, journals and reports are available, complete, accurate and up-to-date. (P)

Noncompliance

Explanation: Pay records for piece rate workers were not available for review. Pay records prior to October 2008 were not available for review. Documents pertaining to legally mandated benefits were not available for review.

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Wages, Benefits and Overtime Compensation: Worker Wage Awareness

WBOT.22 Employers shall make every reasonable effort to ensure workers understand the wages, including the calculation of wages, incentives systems, benefits and bonuses they are entitled to in a factory and under applicable laws. To this end, employers shall communicate orally and in writing to all workers all relevant information in the local language or language(s) spoken by the workers, if different from the local language. (P)

Noncompliance

Explanation: [No such awareness programs conducted.](#)

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Wages, Benefits and Overtime Compensation: Posting Notices

WBOT.23 All notices that are legally required to be posted in the factory work areas shall be posted. All legally required documents, such as copies of legal code or law, shall be kept at the factory and available for inspection. (P)

Noncompliance

Explanation: Payment of Wages Rules, 1960, Rule 8, paymaster shall display, in a conspicuous place, at or near the main entrance of factory ... the day on which wages are paid. No such notice found displayed in factory. Factory does not have a copy of the minimum wage notification.

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Wages, Benefits and Overtime Compensation: Pay Statement

WBOT.26 Employers shall provide workers a pay statement each pay period, which shall show earned wages, wage calculations, regular and overtime pay, bonuses, all deductions and final total wage. (P)

Noncompliance

Explanation: [Factory does not issue salary slip to salaried employees or a wage slip for piece rated workers.](#)

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Forced Labor: Employment Terms/Voluntary Agreement

F.3 Employment terms shall be those to which the worker has voluntarily agreed, in as far as those terms do not fall below provisions of local laws, freely negotiated and valid collective bargaining agreements, or the FLA Code. (P)

Noncompliance

Explanation: [Factory does not maintain/issue Employment Contracts or Terms and Conditions for either the piece rated contract workers or the permanent employees.](#)

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Forced Labor: Employment Records

F.9 Employers shall maintain sufficient hiring and employment records to demonstrate and verify compliance with this Code provision. (P)

Noncompliance

Explanation: [Factory does not maintain/issue Employment Contracts or Terms and Conditions for either the piece rated contract workers or the permanent employees.](#)

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Forced Labor: Other - Forced Labor

Other

Noncompliance

Explanation: Factory does not recruit apprentices, whereas Apprenticeship Ordinance, 1969, Section 4(3), requires that factory shall train a number of apprentices equivalent to 20% of skilled workforce in apprenticeship trades. The job application has a question on religion.

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Freedom of Association: Other - Freedom of Association and Collective Bargaining

Other

Noncompliance

Explanation: [Factory does not have a definite policy on the Freedom of Association and Right to Collective Bargaining.](#)

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Harassment or Abuse: Discipline/Progressive Discipline

H&A.2 Employers shall have a written system of progressive discipline (e.g., a system of maintaining discipline through the application of escalating disciplinary action moving, for instance, from verbal warnings to written warnings to suspension and finally to termination). Any exceptions to this system (e.g., immediate termination for gross misconduct, such as theft or assault) shall also be in writing and clearly communicated to workers. (P)

Noncompliance

Explanation: [No system in place to educate and create awareness on disciplinary practices.](#)

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Harassment or Abuse: Other - Harassment or Abuse

Other

Noncompliance

Explanation: [Factory does not have a written policy on Harassment and Abuse.](#)

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Child Labor: Proof of Age Documentation

CL.3 Employers shall collect and maintain all documentation necessary to confirm and verify date of birth of all workers, such as birth certificates. In addition, the employers shall take reasonable measures to ensure such documentation is complete and accurate. (P)

Noncompliance

Explanation: Copy of National Identity card (which provides age) was found available for permanent employees only. There was no proof of age document maintained for piece rated workers.

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Non-Discrimination: Other - Non-Discrimination

Other

Noncompliance

Explanation: [Factory does not have a policy on Non-Discrimination.](#)

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Code Awareness:

GEN.1 Establish and articulate clear, written workplace standards. Formally convey those standards to Company factories as well as to licensees, contractors and suppliers.

Noncompliance

- Explanation:** 1. Umbro has not provided a code poster to the facility.
2. Management staff and workers were not aware of any code elements. No awareness training has been conducted.
3. There is no channel established for employees to report any noncompliance issues to the company.

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Code Awareness:

GEN.2 Ensure that all Company factories as well as contractors and suppliers inform their employees about the workplace standards orally and through the posting of standards in a prominent place (in the local languages spoken by employees and managers) and undertake other efforts to educate employees about the standards on a regular basis.

Noncompliance

Explanation: 1. Umbro has not provided a code poster to the facility.

2. Management staff and workers were not aware of any code elements. No awareness training has been conducted.

3. There is no channel established for employees to report any noncompliance issues to the company.

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Code Awareness:

GEN.3 Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable Company employees and employees of contractors and suppliers to report to the Company on noncompliance with the workplace standards, with security that they shall not be punished or prejudiced for doing so.

Noncompliance

Explanation: [There is no channel established for employees to report any noncompliance issues to the company.](#)

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Health and Safety: General Compliance Health and Safety

H&S.1 Employers shall comply with all local laws, regulations and procedures concerning health and safety. (S)

Noncompliance

- Explanation:**
1. Lime-Washing, Painting or Varnishing records not found maintained by factory as required by Punjab Factories Rules, 1978 Rule 17 & 45 Form F2.
 2. Building Stability Certificate not found available as required by Punjab Factories Rules, 1978 Rule 95(1) Form.
 3. Boiler inspection certificate not found. Steam generation plant in press department falls under definition of boiler. Boiler Inspector (government department) shall inspect and certify that the boiler is as required by Boiler and Pressure Vessels Ordinance, 2002.

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Health and Safety: Document Maintenance/Worker Accessibility and Awareness

H&S.2 All documents required to be available to workers and management by applicable laws (such as health and safety policies, MSDS, etc.) shall be made available in the prescribed manner and in the local language or language(s) spoken by the workers if different from the local language. (P)

Noncompliance

Explanation: [No policies available.](#)

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Health and Safety: Written Health and Safety Policy

H&S.3 Employers are required to develop, maintain and regularly review a written health and safety policy. The policy must, at the very least, be aimed at complying with legal minimum safety and health standards, regulations and procedures. (P)

Noncompliance

Explanation: [Factory does not have a policy on Health and Safety.](#)

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Health and Safety: Worker Consultation

H&S.4 The health and safety policy shall be developed and implemented in consultation with workers or their representatives. (P)

Noncompliance

Explanation: [No policy developed.](#)

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Health and Safety: Health and Safety Management System

H&S.5 The health and safety policy shall contain the framework for a comprehensive health and safety management system within which employers' responsibilities and workers' rights and duties, various responsibilities of designated personnel, procedures that enable workers to raise health and safety concerns and procedures for reporting death, injury, illness and other health and safety issues (for instance, near-miss accidents) are clear and regularly tested and reviewed. (P)

Noncompliance

Explanation: [Factory does not have any Health and Safety policy.](#)

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Health and Safety: Communication to Workers

H&S.6 The health and safety policy shall be communicated to all workers in the local language or language(s) spoken by workers if different from the local language. (P)

Noncompliance

Explanation: [No policy available.](#)

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Health and Safety: Notification and Record Maintenance

H&S.7 Employers shall notify the relevant authorities of all illnesses and accidents as required by applicable laws. All illness, safety and accident reports shall be maintained on site for at least one year, or longer if required by law. (P)

Noncompliance

Explanation:

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Health and Safety: Permits and Certificates

H&S.8 The employer shall at all times be in possession of all legally required and valid permits and certificates related to health and safety issues, such as those related to the purchase and storage of chemicals, fire safety inspections, inspection of machinery, and (chemical) waste disposal. (P)

Noncompliance

Explanation: Boiler inspection certificate not found available. Steam generation plant in press department falls under definition of boiler. Boiler Inspector (government department) shall inspect and certify the boiler as required by Boiler and Pressure Vessels Ordinance, 2002. Factory does not have emissions test report for air discharged from power generator.

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Health and Safety: Evacuation Requirements and Procedure

H&S.9 All applicable legally required or recommended elements of safe evacuation (such as posting of evacuation plans, the installation and maintenance of an employee alarm and emergency lighting systems, ensuring aisles/exits are not blocked and that workers are not blocked within their workstations, employee education, evacuation procedures, etc.) shall be complied with. Workers shall be trained in evacuation procedures. Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually. (S)

Noncompliance

- Explanation:**
1. Rear aisle in cutting section is very narrow and was partially blocked with cut fabric.
 2. Fabric bundles seen stored on rear aisles and evacuation routes in cutting section.
 3. While evacuation route markings are missing from cutting section, aisle markings, evacuation route markings, exit markings and evacuation plans are not installed in the sewing, finishing and packing areas.
 4. Evacuation drills are not conducted periodically. The last drill was conducted on December 27, 2007.
 5. 2nd exit from sewing section in building located in plot #193-S was blocked with garment bundles.
 6. Side aisles in the sewing section are very narrow and not easily passable.
 7. A concrete hump is seen at exit from 1st floor of building located in plot # 5-S. This could cause injury during an emergency evacuation.
 8. Fire extinguishers are not installed in building located in plot # 193.
 9. Emergency lights are not installed above exits.
 10. Most electric panel boxes in building located in plot # 193-S, were seen left open with no covers.
 11. Instances of taped joints on electric wires seen in both buildings.
 12. Electric cables connecting overhead tube lights with mains were seen hanging loose in all work areas.

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Health and Safety: Safety Equipment and First Aid Training

H&S.10 All safety and medical equipment (such as fire fighting equipment, first aid kits, etc.) shall be available in sufficient numbers throughout the factory, maintained and stocked as prescribed and easily accessible to workers. A sufficient number of workers shall be trained in first aid and fire fighting techniques. (S)

Noncompliance

Explanation: 1. As stated by management, no employee is trained in first aid procedures.

2. Contents of first aid (item wise and quantity) do not match with contents for first aid kit as required by Punjab Factories Rules, 1978 Rule 96(1) Appendix-1, Part c.

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Health and Safety: Personal Protective Equipment

H&S.11 Workers shall be provided with effective and all necessary personal protective equipment (such as gloves, eye protection, hearing protection, respiratory protection, etc.) to prevent unsafe exposure (such as inhalation or contact with solvent vapors, noise, dust, etc.) to health and safety hazards, including medical waste. (S)

Noncompliance

Explanation: 1. Eye shields were missing from buttoning machines.

2. PPE is not provided to workers in cutting and sewing sections (respiratory masks).

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Health and Safety: Ventilation/Electrical/Facility Installation and Maintenance

H&S.17 All necessary ventilation, plumbing, electrical, noise and lighting services shall be installed and maintained to conform to applicable laws and in such a manner as to prevent or minimize hazardous conditions to workers in the facility. (S)

Noncompliance

Explanation: [Lighting levels recorded at needle points on sewing machines were ranging between 63 – 98 lux.](#)

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Health and Safety: Machinery Maintenance and Worker Training

H&S.18 All production machinery, equipment and tools shall be regularly maintained and properly guarded. Workers shall receive training in the proper use and safe operation of machinery, equipment and tools they use. Employers shall ensure safety instructions are either displayed/posted near all machinery or are readily accessible to the workers. (S)

Noncompliance

Explanation: 1. Undermotor pulley guards and belt guards are missing from all sewing machines.
2. Needle guards are not installed on sewing machines.

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Health and Safety: Proper Use of Machinery

H&S.19 Employers shall only use positive incentives (risk awareness training, demonstration of proper use, awards, bonuses, etc.) to ensure workers use machinery, equipment and tools properly and safely. Workers shall not suffer any negative consequences for refusing to work with machinery, equipment or tools that are not properly guarded or reasonably considered unsafe. (P)

Noncompliance

Explanation: [No such system in place.](#)

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Health and Safety: Bodily Strain

H&S.20 Workstations, including seating and standing arrangements and reach required to obtain tools, shall be designed and set-up in such a manner as to minimize bodily strains. Employers shall train workers in proper lifting techniques and items such as belts shall be provided. (S)

Noncompliance

- Explanation:** 1. All workers with sitting jobs are provided with hard wooden stools.
2. Workers with standing jobs were seen wearing hard-soled high-heeled footwear or working barefoot.

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Health and Safety: Sanitation in Factory Facilities

H&S.22 All facilities including factory buildings, toilets, canteens, kitchens, and clinics, shall be kept clean and safe and be in compliance with all applicable laws, including relevant sanitation, medical and safety and health regulations. (S)

Noncompliance

Explanation: Towels and soap were missing from toilets.

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Health and Safety: Drinking Water

H&S.26 Safe and clean drinking water shall be freely available at all times, within reasonable distance of the workplace. Drinking water shall be of a reasonable temperature and the means to drink water (cups, etc.) must be safe and sanitary and available in an appropriate number. (S)

Noncompliance

Explanation: Drinking water analysis report was not available for review; hence, cannot verify if the water is potable.

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Health and Safety: Other - Health and Safety

Other

Noncompliance

Explanation: 1. Workers not found vaccinated for cholera, small pox, typhoid every year; legally required by Factories Act, 1934, Section 23-A & Punjab Factories Rules, 1978, Rule 47(2).

2. Workers not found vaccinated against local area disease Hepatitis B.

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Hours of Work: General Compliance Hours of Work

HOW.1 Employers shall comply with all local laws, regulations and procedures concerning hours of work, public holidays and leave. (S)

Noncompliance

Explanation: [There is no documented policy on Hours of Work.](#)

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Hours of Work: Rest Day

HOW.2 Workers shall be entitled to at least one day off in every seven-day period. If workers must work on a rest day, an alternative day off must be provided within that same seven-day period or immediately following the seven-day period. (P)

Noncompliance

Explanation: [Cannot confirm in absence of complete time records.](#)

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Hours of Work: Meal and Rest Breaks

HOW.3 Employers shall provide reasonable meal and rest breaks, which, at a minimum, must comply with local laws. (S)

Uncorroborated Evidence of Noncompliance

Explanation: A break of 1 hour is provided for lunch, which is in compliance with legal requirements.

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Hours of Work: Protected Workers (Women and Young Workers)

HOW.4 The factory shall comply with all applicable laws governing work hours regulating or limiting the nature, frequency and volume of work performed by women or workers under the age of 18. (S)

Noncompliance

Explanation: Time records are incomplete. Manual time records are available from September 25, 2007 to April 7, 2008. Time records were not maintained during the period April 8, 2008 to September 30, 2008. Times in/out are not recorded. As per practice, security guards record time in and time out and employees sign on manual time register on a daily basis. In absence of records, actual hours of work and weekly off could not be verified. Currently, only attendance records are being maintained, which record the attendance and not the working hours. Security guards work 24 hours round the clock, whereas Factories Act, 1934 Section 36 requires a maximum shift of 9 hours a day.

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Hours of Work: Time Recording System

HOW.6 Time worked by all workers, regardless of compensation system, shall be fully documented by time cards or other accurate and reliable recording systems such as electronic swipe cards. Employers are prohibited from maintaining multiple time-keeping systems and/or false records for any fraudulent reason, such as to falsely demonstrate working hours. Time records maintained shall be authentic and accurate. (P)

Noncompliance

Explanation: 1. As stated by management, workers have worked overtime in the past, but no time records were made available for review to verify working hours and compensation.

2. Manual time records are available from September 25, 2007 to April 7, 2008. Time records were not maintained from April 8, 2008 to September 30, 2008. Times in/out are not recorded. As per practice, security guards record times in and out and employees sign on manual time register on a daily basis. In the absence of records, actual hours of work and weekly off could not be verified. Currently, only attendance records are being maintained, which records the attendance and not the working hours.

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Hours of Work: Overtime/Reduced Mandated Overtime

HOW.8 The employer shall demonstrate a commitment to reduce overtime and to enact a voluntary overtime system, including for overtime mandated to meet extraordinary business circumstances. (P)

Noncompliance

Explanation: [Factory does not get any written consent from worker prior to working overtime.](#)

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Hours of Work: Annual Leave

HOW.14 Employers shall provide workers with paid annual leave as required under local laws, regulations and procedures. (S)

Explanation: Leave record was not available for review. Monitors were unable to verify and confirm if factory has paid balance of annual leave as Annual Leave Encashment to any worker, as required by Factories Act, 1934; Section 49-B (3).

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Hours of Work: Annual Leave/Determination

HOW.15 Employers shall not impose any undue restrictions on workers' use of annual leave. The time at which annual leave is taken is determined by the employer in consultation with the worker, taking into account work requirements and the opportunities for rest and relaxation available to the worker. (S)

Noncompliance

Explanation: [As stated by management, factory does not allow 14 consecutive days of Annual Leave for workers. This does not comply with requirement of Factories Act, 1934; Section 49-B. Leave record not found available for review.](#)

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Hours of Work: Annual Leave/Restrictions

HOW.16 Any factory restrictions or procedures applicable to taking annual leave, such as requiring a minimum period of service before being allowed to use annual leave, written requests to be submitted a certain time before the annual leave would be taken, etc., must be in line with local laws, regulations and procedures and must be communicated in full to all workers. (S)

Noncompliance

- Explanation:**
1. As stated by management, during probation period workers are provided with Casual or Sick Leave. As per Factories Act, 1934, Section 49-H, every worker shall be entitled to sick and casual leave. But, leave record not found available for review; hence, cannot confirm compliance.
 2. As stated by management, factory allows 8 days sick leave, whereas Factories Act, 1934, Section 49-H requires 16 days of sick leave to be provided to all workers, but leave record not found available.
 3. As stated by management, during probation period workers are provided with Casual or Sick Leave. As per Factories Act, 1934, Section 49-H ... every worker shall be entitled to sick and casual. But, leave record not found available for review; hence, cannot confirm compliance.
 4. As stated by management, factory allows 8 days sick leave, whereas Factories Act, 1934, Section 49-H requires 16 days of sick leave to be provided to all workers. But, leave record not found available for review; hence, cannot confirm compliance.
 5. As stated by management, factory does not allow 14 consecutive days of Annual Leave for workers. This does not comply with requirement of Factories Act, 1934, Section 49-B. Leave record not found available for review.
 6. Leave record was not found available to verify and confirm if factory has paid balance of Annual Leave as Annual Leave Encashment to any worker, as required by Factories Act, 1934, Section 49-B (3).

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Hours of Work: Annual Leave/Wage Payments

HOW.18 Employers shall provide workers taking annual leave their normal or average wages for the full period of annual leave in advance, unless specified differently under local laws, regulations and procedures. (S)

Noncompliance

Explanation: [Leave record not found available for review to verify and confirm if factory has paid balance of Annual Leave as Annual Leave Encashment to any worker, as required by Factories Act, 1934, Section 49-B \(3\) .](#)

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Hours of Work: Sick Leave

HOW.19 Employers shall provide workers with sick leave as required under local laws, regulations and procedures. (S)

Noncompliance

- Explanation:** 1. As stated by management, during probation period workers are provided with Casual or Sick Leave. As per Factories Act, 1934, Section 49-H, every worker shall be entitled to sick and casual. But, leave record not found available for review.
2. As stated by management, factory allows 8 days sick leave whereas Factories Act, 1934; Section 49-H requires 16 days of sick leave to be provided to all workers, but leave record not found available for review.

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