

Compliance Assessment Report

Desta PLC
12/11/2020
(dd/mm/yyyy)

Preview

Assessment date: 13/10/2020 (dd/mm/yyyy)

Cycle:

Report ID: 40434

Preview

Country: Ethiopia

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

Preview

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Supplier Name: Desta PLC
Supplier Address: Bole sub city , Gerji Wereda 13,House No. 3866 , addis Ababa,Ethiopia.

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

29/05/2019

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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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.

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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)

- The management was very cooperative during the assessment period.
- The factory provided face masks to all workers and raised workers' awareness through educational posters posted on the factory gate and at the work stations in order to protect workers from COVID-19.

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)

- Compliance Manager
- Compliance Officer
- HR Manager
- Production Manager
- HR Officer
- Maintenance Head

Briefly describe the interviews with workers, union leaders, and worker representatives.

(Ref 5)

- Number of workers interviewed: 42 (7 men and 35 women)
- Interview location: interview were conducted in two private meeting rooms within the factory.
- Interview format: group interview and individual interview.
- Worker selection process: Workers were selected purposively and randomly from different sections; and sample included workers with disability, workers on probation, pregnant workers, OSH committee members and TU representatives.

All worker interviews were conducted in the absence of management and using open-ended questions. All interviewed workers expressed themselves freely and openly answered the questions.

Describe any significant concerns about process integrity.

(Ref 6)

None

Describe any significant issues not addressed elsewhere in the report.

(Ref 7)

N/A

Freedom of Association and Collective Bargaining

How many active unions are there in the factory?

(Ref 68)

1

What percentage of workers are union members?

(Ref 69)

20%

How many collective bargaining agreements are in effect in the factory?

(Ref 70)

0

For each CBA, indicate:

- the parties
- the % of the workforce covered
- the duration of the agreement
- an overview of the issues covered (Ref 71)

N/A

How many strikes have there been since the last visit?

(Ref 72)

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 73)

N/A

For each active union, provide

- the name of the union,
- the number of union members (disaggregated by sex: (## women/ ## men),
- the number of union leaders (disaggregated by sex: (## women/ ## men),
- 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 74)

- DESTA PLC Basic Level Workers Union

- The union has 78 members (76 women/ 2 men)

- The number of union leaders are (8 women/ 2 men)

- The union is affiliated with federation

- The union is affiliated with Industrial Federation of Textile, Leather and Garment Workers' Trade Unions (IFTLGWU).

Compensation

What is the lowest monthly wage paid for ordinary hours of work to regular full time production workers? (Ref 97)

1560 ETB (Ethiopian Birr)

Contracts and Human Resources

How many total workers are employed by the factory?

(Ref 124)

389

How many of the workers are men?

(Ref 125)

32

How many of the total workforce are migrant workers?

(Ref 126)

0

How many of the migrant workers are men?

(Ref 127)

0

Does the factory use subcontractors to complete all or part of the production process?

(Ref 128)

N/A

How many permanent workers are employed by the factory?

(Ref 129)

389

How many of the permanent workers are men?

(Ref 130)

32

How many seasonal workers are employed by the factory?

(Ref 131)

0

How many of the seasonal workers are men?

(Ref 132)

0

How many supervisors are employed by the factory?

(Ref 133)

14

How many of the supervisors are men?

(Ref 134)

1

How many of the supervisors are migrants?

(Ref 135)

0

How many occasional workers are employed by the factory?

(Ref 136)

0

How many of the occasional workers are men?

(Ref 137)

0

How many irregular workers are employed by the factory?

(Ref 138)

0

How many of the irregular workers are men?

(Ref 139)

0

Has the factory received any notices of noncompliance from the labour ministry during last twelve months?

(Ref 140)

No

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

(Ref 141)

Yes; the factory uses the following contractors to provide services at the factory:

- Medical services: Leku Medium Clinic
- Transport services: Ephrem Getachew Mamo
- Canteen services: Tasty Foods PLC
- Cleaning services: Rose Solid and Liquid Waste Collecting and Transport Service
- Security guards service: Agar Security PLC
- Pest and rodent control services: Demeke Pest Control

How many workers with disabilities are employed by the factory?

(Ref 142)

5

How many of the workers with disabilities are men?

(Ref 143)

2

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

(Ref 144)

Yes. There is an adequate HR policy that is written and signed by the top management. The HR policy includes all production and non-production workers, mandatory minimum age requirements, appropriate work for young workers, equal treatment and non-discrimination, legal requirements in relation to termination, freedom of association, and working hours and compensation.

Does the employer have an adequate recruitment procedure?

(Ref 145)

Yes. The factory has an adequate recruitment procedure that describes methods for:

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

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

(Ref 146)

Yes. The employer adequately assign accountability through defined responsibility for HR issues in writing for HR staffs, an organizational chart showing the reporting lines and description of authority, and performance evaluations.

Does the employer adequately communicate and implement HR policies and procedures?

(Ref 147)

No. Although the factory communicates HR policies and procedures by providing copy of signed employment letters, induction training to all new workers and staffs, and informing trade unions and worker-management committees about relevant policies and procedures, job announcements refer to applicants' sex and internal work rules do not comply with legal requirements.

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

(Ref 148)

Yes. EAs confirmed that the factory looks at HR performance indicators including absenteeism rate, turnover rate, annual training plans and evaluation of training effectiveness, and updates its HR policies and procedures accordingly.

Does the factory have a valid business license? *(Ref 149)*

Yes; EAs confirmed that the factory has a valid and renewed commercial registration, taxpayer ID, and business license.

Does the employer have adequate disciplinary and termination procedures?

(Ref 150)

No, there is clear specification of unacceptable behaviours or performance, including violence and harassment, a step-by-step warning system, the right to defend oneself prior to termination, and to representation during disciplinary processes, legal notice periods and termination payments, time frames for warnings and payments. However, the underlying documented procedures are not in line with legal requirements.

Does the employer have adequate grievance handling and dispute resolution procedures?

(Ref 151)

Yes. The factory has adequate grievance handling procedures that include:

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

Occupational Safety and Health

In the last 12 months, how many of the following have there been in the factory:

- work-related injuries
- dangerous occurrences
- commuting injuries
- work-related diseases *(Ref 174)*

12 minor work-related injuries (8 needle pricks injuries, 2 fingers slammed by car doors, 2 minor leg injuries);

0 dangerous occurrences;

0 commuting injuries

Is there an adequate emergency preparedness procedure?

(Ref 175)

Yes. EAs confirmed that the factory has adequate emergency preparedness procedures that describes methods for reporting fires and other emergencies, alerting all employees to evacuate, evacuating employees to designated assembly locations, and accounting for all employees after evacuation.

Is there an adequate hazard/risk management and control procedure?

(Ref 176)

Yes. EAs confirmed that the factory has a hazard/risk management and control procedure that describes a systematic approach to identifying hazards, a structure to prioritize risks based on potential impact and likelihood, a hierarchy of controls and a risk register that drives the implementation of controls.

Is there an adequate accident investigation procedure?

(Ref 177)

Yes. The factory has an adequate accident investigation procedure that includes root cause analysis, sustainable solution, and requires change in order to avoid reoccurrences.

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

(Ref 178)

Yes. The factory has adequately assigned accountability to management for carrying out health and safety responsibilities for OSH officer and top management, the OSH Officer has sufficient time and authority to perform OSH issues, and there is an OSH committee with a mandate to consider OSH issues in the workplace.

Does the employer adequately communicate and implement OSH policies and procedures?

(Ref 179)

Yes; EAs verified that OSH policies and procedures are consistently communicated and implemented through induction training, training of OSH committee, posting of OSH committee members, posting of evacuation plans, informing service providers about relevant OSH policies and procedures, and posting policies and work instructions.

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

(Ref 180)

Yes; EAs verified that the factory adequately investigate, monitor, and measure OSH issues to identify root causes and make necessary adjustments to prevent reoccurrences through regular tests and inspection of OSH issues, recording results of violation of procedures, regular management review of effectiveness of management system, and accident investigations followed by actual change in procedure/practice.

Working Time

Does the employer provide time off for breastfeeding breaks?

(Ref 241)

No

Does the employer provide time off for paternity leave?

(Ref 242)

Yes

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 205 questions.

Core Labour Standards

Child Labour

Documentation and Protection of Young Workers Age verification system

Discrimination

Gender Job announcements (gender)

Working Conditions

Compensation

Wage Information, Use and Deduction Deductions from workers' wages

Contracts and Human Resources

Employment Contracts Internal Rules less favorable for workers than what is required by national law

Occupational Safety and Health

Chemicals and Hazardous Substances Labelling of chemicals and hazardous substances

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

Emergency Preparedness Periodic emergency drills [public reporting issue]

Health Services and First Aid Medical checks for workers

Worker Protection Legally required license/ permit/ certification/ training for operators / technicians of [machines, equipment, electrical installations, boiler, lifting equipment, and/or welding]

Legally required permits/ certificates for the installation/ operation/ maintenance of machines and equipment (e.g., electrical installations, generator, boiler, lifting equipment, and/or welding)

Working Time

Overtime Voluntary overtime

Regular Hours Regular daily and weekly working hours

Detailed Non-Compliance Findings

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

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Core Labour Standards

Child Labour

Documentation and Protection of Young Workers

Issue	Age verification system
Question	Does the employer have a reliable system in place to verify the age of workers prior to hiring? <i>(Ref 12)</i>
Finding	<p>EAs confirmed by checking personnel files and interviewing management and workers that workers are asked to bring their national ID and school certificate to verify their age prior to hiring. However, 3 of the 42 workers' personnel files reviewed did not include the worker's ID nor the school certificate.</p> <p>Management stated that they do verify the age of workers by checking their national ID and school certificate prior to hiring. They mentioned that these files were copies sent by the Head Office, and the missing IDs and school certificates were available in the original files.</p> <p>Document checked: 42 personnel files.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	C138, R146; Labour Proclamation 1156/2019, Art. 89(1, 2)

Discrimination

Gender

Issue	Job announcements (gender)
Question	Do job announcements refer to the applicant's gender? <i>(Ref 29)</i>
Finding	<p>By reviewing a sample of three job announcements, EAs verified that job announcements refer to the applicants' gender.</p> <ul style="list-style-type: none">- The first job announcement (for 20 sewing helpers, 15 sewing line quality controllers, and 30 sewing trainees) was open to female applicants only.- The second job announcement (for 10 sewing line quality controllers) was open to female applicants only.- The third job announcement (for a forklift driver) was open to male applicants only. <p>Therefore, the factory specified the applicants' gender for recruiting 75 women as sewing helpers, sewing line quality controllers, and sewing trainees and one man as forklift driver.</p> <p>Documents checked: recruitment request forms (issued on 20/7/2020 and 08/10/2020); and external vacancy announcements (issued on 10/03/2020, 21/07/2020, 08/10/2020).</p>
Source Consulted	Documentation,
Legal Reference	C111; Ethiopian Constitution, Arts. 25, 35(8); Labour Proclamation 1156/2019, Arts. 14(1)(f), 87(1,2)

Working Conditions

Compensation

Wage Information, Use and Deduction

Issue	Deductions from workers' wages
Question	Has the employer made any unauthorized deductions from wages? (Ref 110)
Finding	<p>According to the disciplinary letters included in the reviewed personnel files, workers were fined with a day's wage deduction for not meeting production targets.</p> <p>Interviewed workers confirmed that if they fail to reach the target, management takes disciplinary action by writing warning letters and then fine them by deducting a day's pay.</p> <p>Management acknowledged that they use to implement this practice, but stopped it after the COVID-19 outbreak. They added that the Production Manager used to decide the type of penalty to be applied to workers who did not meet the targets.</p> <p>Document checked: 42 personnel files.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Labour Proclamation 1156/2019, Arts. 54(1), 59; see also ILO Recommendation 85

Contracts and Human Resources

Employment Contracts

Issue	Internal Rules less favorable for workers than what is required by national law
Question	If there are internal rules, are the provisions at least as favourable for workers as the law? <i>(Ref 156)</i>
Finding	<p>EAs found that the internal rule of the factory as less favourable to workers than what is required by the law.</p> <p>The factory's disciplinary procedure states that a worker who does not meet the required quality and production targets is sequentially penalized with a day's pay penalty, 3 days' pay penalty and, after the last warning, termination. In addition, factory's disciplinary procedure states a worker who is not willing to work overtime is sequentially penalized with 2 days' pay penalty and an initial warning, 4 days' pay penalty and a second warning, 6 days' pay penalty and a final warning, and eventually termination.</p> <p>Penalties for not reaching required quality and production targets was confirmed during interviews with workers and through document check. However, interviewed workers stated that they have not been penalized for refusing to work overtime.</p> <p>Management stated that penalties for not achieving targets were lifted after the COVID-19 outbreak. They added that workers who do not want to work overtime are free to complain following the grievance procedures posted at the work place.</p> <p>Document checked: 42 personnel files, disciplinary procedures of the factory.</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Labour Proclamation 1156/2019, Art. 2(6)

Preview

Occupational Safety and Health

Chemicals and Hazardous Substances

Issue	Labelling of chemicals and hazardous substances
Question	Are chemicals and hazardous substances properly labelled? <i>(Ref 190)</i>
Finding	<p>EAs confirmed that oil cans in the mechanic room and spot cleaning material containers in finishing room have no labels that identify the chemical or substance, trade name, the supplier, chemical classification, hazard symbols, associated risks, and safety precautions.</p> <p>Management mentioned that the labels dropped off due to the frequent use of the containers.</p>
Source Consulted	Observation, Management,
Legal Reference	C170; Labour Ministry OSH Directive 2008, Art. 64

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Issue	Chemical safety data sheets for all hazardous chemicals and substances in the workplace
Question	Does the employer have chemical safety data sheets for the hazardous chemicals used in the workplace? <i>(Ref 192)</i>
Finding	EAs found that although the factory has chemical safety data sheets for hazardous chemicals used in the workplace, MSDSs are not made available to concerned workers in the workplace, but are kept in the Compliance Office. Only 15% of the MSDSs of the chemicals used in the workplace (4 of 26 chemicals) were translated into local languages. The management acknowledged the issue and said they would take corrective actions to make MSDSs available to the concerned workers. Document checked: MSDSs for 26 chemicals and hazardous substances.
Source Consulted	Observation, Documentation, Management,
Legal Reference	C170; Labour Ministry OSH Directive 2008, Art. 65

Worker Protection

Issue	Legally required license/ permit/ certification/ training for operators / technicians of [machines, equipment, electrical installations, boiler, lifting equipment, and/or welding]
Question	Do the operators / technicians for machinery, equipment, electrical installations, boiler, lifting equipment, and/or welding have legally required license/ permit/ certification/ training? <i>(Ref 203)</i>
Finding	By reviewing relevant documents and interviews with management, EAs verified that operators for electrical installations, boiler, and forklift do not have the legally required license or training. Management stated that the technicians can operate generators and the boiler, but they outsource servicing. Furthermore, they have published a job post for a licensed forklift driver. Document checked: job announcement post on 8/10/2020.
Source Consulted	Documentation, Management,
Legal Reference	Labour Proclamation 1156/2019, Art. 92(2); Labour Ministry OSH Directive 2008, Arts. 52(4), 53(2)(b)

Preview

Issue	Legally required permits/ certificates for the installation/ operation/ maintenance of machines and equipment (e.g., electrical installations, generator, boiler, lifting equipment, and/or welding)
Question	Does the employer have the legally required permits/ certificates for the installation/ operation/ maintenance of special machines and equipment (e.g., electrical installations, generator, boiler, lifting equipment, and/or welding)? (Ref 204)
Finding	By interviewing management, EAs confirmed that the factory does not have the legally required licenses for the operation and maintenance of generators, boilers, and lifting equipment. Management stated that the factory's boiler is very small and can be easily operated by technicians, and they outsource servicing of generators, boilers, and forklift.
Source Consulted	Management,
Legal Reference	Labour Ministry OSH Directive 2008, Arts. 25(3), 167(1, 2), 169, 170, 188

Health Services and First Aid

Issue	Medical checks for workers
Question	Does the employer comply with legal requirements regarding preliminary and periodic medical checks for workers? (Ref 213)
Finding	EAs confirmed that the factory has not arranged preliminary medical exams nor periodic medical checks to workers engaged in hazardous work such as embroidery and chemical handling. Interviewed workers confirmed that they did not undergo preliminary/regular medical checks. Management acknowledged the issue and said that the exposure to risk is minimal and does not cause serious problems, but they will work to comply with the legal requirements.
Source Consulted	Management, Union, Worker,
Legal Reference	Labour Proclamation 1156/2019, Art. 92(5); Labour Ministry OSH Directive 2008, Arts. 76, 81, 86, 91, 95, 99, Schedule 5

Emergency Preparedness

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Issue	Periodic emergency drills [public reporting issue]
Question	Does the employer conduct periodic emergency drills? (Ref 238)
Finding	<p>Although the factory conducts periodic emergency drills, EAs confirmed the last emergency drill was conducted more than one year ago.</p> <p>Interviewed workers confirmed the same.</p> <p>The management said that the emergency drill was delayed because of COVID-19; and mentioned that management is providing emergency drills training to workers at their workstation. However, no evidence of the emergency drill training at the workstations or lines was shared with EAs.</p> <p>Document checked: two latest drill record forms: 14/08/2019 and 05/02/2019</p>
Source Consulted	Documentation, Management, Worker,
Legal Reference	Labour Ministry OSH Directive 2008, Arts. 11(5), 27(1), 35(3)

Working Time

Regular Hours

Issue	Regular daily and weekly working hours
Question	Do regular daily or weekly working hours exceed the legal limit? (Ref 246)
Finding	<p>EAs found that the daily working time schedules of the factory are from 8:00 AM to 5:00 PM with a 30 minutes lunch break from Monday to Friday, and from 8:00 AM to 1:30 PM on Saturday.</p> <p>Interviewed workers confirmed the same.</p> <p>Therefore, workers work 8.5 regular hours/day, thus exceeding the 8 hours daily limit. Weekly regular working hours do not exceed the 48 hours limit.</p> <p>Management confirmed the issue, and mentioned that they arranged a half-day leave on Saturday for workers who are studying.</p> <p>Documents checked: attendance records for the months of February, June, and September.</p>
Source Consulted	Documentation, Management, Union, Worker,
Legal Reference	C1; Labour Proclamation 1156/2019, Arts. 61, 63, 64

Overtime

Preview

Issue	Voluntary overtime
Question	Does the employer comply with requirements for voluntary overtime? (Ref 248)
Finding	<p>EAs identified by interviewing workers that management does not ask workers their written consent to perform overtime, as overtime needs are announced only verbally.</p> <p>Management said that they do not force workers to perform overtime. Whenever workers do not want to work overtime, they can complain following the grievance procedure. They added that they have posted a notice in the factory according to which workers who do not want to work overtime can present their complaints to the Grievance Handling Committee.</p> <p>Interviewed workers confirmed this information.</p>
Source Consulted	Management, Union, Worker,
Legal Reference	Labour Proclamation 1156/2019, Arts. 67(1), 71(1)

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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 15?** (Ref 8)

Finding Through review of relevant age verification documents (ID and school certificates) EAs confirmed that workers were above the age of 18.

This information was confirmed through interviews with management and workers.

Documents reviewed: 42 personnel files.

Source Consulted Observation, Documentation, Management, Worker,

Legal Reference **C138; Labour Proclamation 1156/2019, Art. 89(2)**

Discrimination

Gender

Question **Does the employer give women priority in promotion and access to training when they are equally as qualified as men?** (Ref 34)

Finding By reviewing the relevant documents and through interviews with management and workers EAs confirmed that promotion and access to training is based on performance. Employees are requested to fill in a training needs assessment, which must be approved by their Supervisor.

During the reporting period, 79 workers were promoted to higher positions in the factory(71 women/ 8 men).

Documents checked: staff training assessment form; training effectiveness assessment form.

Source Consulted Documentation, Management, Union, Worker,

Legal Reference **C111; Ethiopian Constitution, Arts. 25, 35(8); Labour Proclamation 1156/2019, Arts. 14(1)(f), 87(1, 2)**

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Compensation

Minimum Wages/Piece Rate Wages

Question **Does the employer pay regular workers correctly for ordinary hours of work based on legally established wage rates?**

(Ref 98)

Finding EAs confirmed through documents check and interviews with workers/union representatives and management that the employer pays regular workers correctly for ordinary hours as provided in the employment contracts.

Document checked: workers' employment letter; payrolls for the months of February, June, and September 2020.

Source Consulted Documentation, Management, Union, Worker,

Wage Information, Use and Deduction

Question **Does the employer keep only one accurate payroll record?**

(Ref 111)

Finding EAs verified that the payrolls, attendance sheets, and management interviews all indicated that the factory keeps only one accurate payroll record.

Document checked: payrolls and attendance records for the months of February, June, and September 2020.

Source Consulted Documentation, Management,

Legal Reference **Labour Proclamation 1156/2019, Art. 60**

Paid Leave

Question **Does the employer pay workers correctly for maternity leave?**

(Ref 117)

Finding By reviewing the relevant documents and through interviews with management and workers, EAs verified that the employer paid women on maternity leave their full salary and on time.

Document checked: payrolls and attendance records for the months of February, June, and September 2020.

Source Consulted Documentation, Management, Union, Worker,

Legal Reference **Labour Proclamation 1156/2019, Art. 88(2-4)**

Question **Does the employer pay workers correctly during prenatal visits?**
(Ref 118)

Finding By reviewing relevant documents and interviews with management and workers, EAs verified that the employer paid women who took time off for medical examinations related to their pregnancy their full salary and on time.

Document checked: 42 personnel files; and payrolls for months of February, June, and September 2020.

Source Consulted Documentation, Management, Worker,

Legal Reference **Labour Proclamation 1156/2019, Art. 88(1)**

Contracts and Human Resources

Employment Contracts

Question **Do all persons who perform work for the factory, both on the premises and offsite, have a contract?**
(Ref 155)

Finding By reviewing the relevant documents and through interviews with management and workers, EAs verified that all workers in the factory had written contracts (of indefinite duration for permanent workers, and temporary contracts for trainees/workers on probationary period), which are kept in their personnel files.

Documents checked: 42 personnel files.

Source Consulted Documentation, Management, Union, Worker,

Legal Reference **Labour Proclamation 1156/2019, Arts. 3(1), 4**

Occupational Safety and Health

OSH Management Systems

Question **Is there an adequate OSH policy signed by top management?**
(Ref 181)

Finding The factory has a written OSH policy detailing OSH arrangements and responsibilities of management, supervisors and workers in ensuring OSH, commitment of the management to preventing work-related accidents and illnesses, and to complying with legal requirements concerning OSH.

Document checked: Health and Safety policy.

Source Consulted Documentation, Management,

Legal Reference **R164; Labour Proclamation 1156/2019, Art. 93(1); Labour Ministry OSH Directive 2008, Art. 38**

Worker Protection

Question **Does the employer provide workers with all necessary personal protective clothing and equipment?**
(Ref 197)

Finding EAs verified that the factory provides free PPE to all workers when hazards cannot be prevented or controlled at source. The PPE provided includes: face masks to all workers, safety gloves for cutting operators, ear plugs for embroidery machine operators.

Interviewed workers also confirmed that the factory management provides the PPE free of charge to employees whose works require it.

Source Consulted Observation, Management, Union, Worker,

Legal Reference **Labour Proclamation 1156/2019, Art. 92(3); Labour Ministry OSH Directive 2008, Arts. 41-51**

Working Time

Overtime

Question **Does the employer comply with limits on overtime hours worked?**
(Ref 247)

Finding EAs confirmed through documents review and interview with workers and management that the factory complies with overtime hours daily limits of 4 hours/day and weekly limits of 12 hours/week.

Documents checked: payrolls and attendance records for the months of February, June, and September.

Source Consulted Documentation, Management, Union, Worker,

Legal Reference **Labour Proclamation 1156/2019, Art. 67**

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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>