

HAITI

26th Compliance Synthesis Report

June 2022 - June 2023



International
Labour
Organization



IFC | International
Finance Corporation
WORLD BANK GROUP

Creating Markets, Creating Opportunities

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List of Acronyms

ADIH	Association des Industries d'Haïti (Haitian Industry Association)
BMST	Bureau de la Médiatrice Spéciale du Travail (Office of Ombudsperson)
CAOSS	Conseil d'Administration des Organes de Sécurité Sociale (Board of Social Security Bodies)
CP	Compliance point
CSS	Conseil Supérieur des Salaires (Wages High Council)
CTH	Confédération des Travailleurs Haïtiens (Confederation of Haitian Workers)
CTSP	Confédération des Travailleurs des secteurs Publics et Privés (Confederation of Workers from the Public and Private Sectors)
CTMO-HOPE	Commission Tripartite de Mise en œuvre de la loi HOPE (Tripartite Commission for the Implementation of the HOPE Law)
EA	Enterprise Advisor
GOSTTRA	Groupement Syndical des Travailleurs-eusses du Textile pour Réexportation d'assemblage (Union Group of Textile Workers for Re-export of the Assembly)
HELP	Haiti Economic Lift Program
HOPE	Haitian Hemispheric Opportunity through Partnership Encouragement Act
IOE	International Organization of Employers
ITUC	International Trade Union Confederation
MSDS	Material Safety Data Sheet
MAST	Ministère des Affaires Sociales et du Travail (Ministry of Social Affairs and Labor)

OFATMA	Office d'Assurance Accidents du Travail, Maladie et Maternité (Office for Work, Health and Maternity Insurance)
ONA	Office Nationale d'Assurance Vieillesse (National Office for Old-Age Insurance)
OSH	Occupational Safety and Health
PAC	Project Advisory Committee
PAP	Port-au-Prince, Haiti
PIC	Parc Industriel de Caracol (Industrial Park of Caracol)
PICC	Performance Improvement Consultative Committee
PIM	Parc Industriel Métropolitain (also referred to as SONAPI)
PPE	Personal Protective Equipment
SC/AFL-CIO	Solidarity Center/American Federation of Labor-Congress of Industrial Organizations
SDT	Table de Dialogue Social (Social Dialogue Table))
TAICNAR	Technical Assistance Improvement and Compliance Needs Assessment and Remediation
USDOL	United States Department of Labor

Section I: Introduction and Context

1.1 Background

Better Work – a collaboration between the United Nations’ International Labour Organization (ILO) and the International Finance Corporation (IFC), a member of the World Bank Group – is a comprehensive program bringing together all levels of the garment industry to improve working conditions, respect of labor rights for workers, and to boost the competitiveness of apparel businesses. The program was launched in Haiti in June 2009 as part of the global Better Work program with country operations in Bangladesh, Cambodia, Ethiopia, Egypt, Haiti, Indonesia, Jordan, Madagascar, Nicaragua, Pakistan, Sri Lanka and Viet Nam. Better Work is mainly operating in the apparel and footwear industry in the countries it is present. In Haiti, the program is mandatory for all apparel producers exporting their products to the US market under the HOPE II legislation.

The HOPE II law requires that Haiti, in cooperation with the ILO, establishes a Technical Assistance Improvement and Compliance Needs Assessment and Remediation Program (TAICNAR), which (i) assesses Haitian apparel factories exporting under the HOPE II law on compliance with international core labor standards and national Haitian labor law, (ii) assists these factories on their remediation efforts and (iii) provides capacity building to the Government of Haiti on these aspects. In addition, according to the HOPE legislation, biannual reports must be published to indicate enterprise-level compliance performance. Further details on the components of the HOPE II law and specific requirements regarding biannual reports being published by the entity operating the TAICNAR program are quoted in annex 1 (HOPE II Legislation Reporting Requirements). This is the twenty-fifth report under the HOPE legislation. Detailed enterprise-level data of compliance performance as required by the HOPE II legislation is included in the Factory Tables section below.

The two components of the HOPE II TAICNAR program aim to strengthen the labor compliance of Haiti's industry. The first of these elements focuses on assessing compliance with core labor standards and national labor law, supporting remediation efforts, and publicly reporting each factory's progress

on the Labor Ombudsman's register. The second element of the TAICNAR program consists of technical assistance to strengthen the legal and administrative structures for improving compliance in the industry. The scope of these services is extensive, encompassing technical assistance from the ILO in reviewing national laws and regulations to bring them into conformity with international standards, raise awareness of workers' rights, and train labor inspectors, judicial officers, and other government personnel.

To encourage compliance with core labor standards and national labor law, the legislation indicates that preferential treatment may be withdrawn, suspended, or limited by the President of the United States from producers who – even after assistance has been provided – fail to come into compliance with the core labor standards and national labor law that is related and consistent with those standards. Removal of benefits is based on the government of the United States' determinations, based primarily on non-compliance identifications made by the U.S. Department of Labor (USDOL). While Better Work Haiti reports are consulted as USDOL carries out its mandate to implement HOPE II, Better Work Haiti's non-compliance findings cannot, on their own, serve to impact preferential treatment under the HOPE Act.

Better Work Haiti implemented the first component of the TAICNAR program from 2009 until 2017, while other ILO projects, particularly the ILO-MAST capacity-building project, worked on the second component. As of 2018, with the start of the third phase of the Better Work Haiti project (2018 - 2022), Better Work also took on several elements of the second component of the TAICNAR program while carrying out activities covering TAICNAR component one. For the period 2022 to 2027, Better Work Haiti is focusing on its sustainability strategy, to ensure the continuation of program's benefits. Better Work Haiti's program's strategy builds on the Better Work Global program's strategy for the period 2017-22. As such, this strategy shares the same broad vision for the program as a catalyst for transformative change in global supply chains and the promotion of the country's labor market governance and business practices that actively support decent work and balanced socio-economic development.

Better Work Haiti seeks to establish and reinforce strategic partnerships with relevant stakeholders, to carry out Better Work Haiti activities, to reinforce the replication and scaling up of learning outcomes / implemented models,

focusing on social dialogue, promoting gender equality, and understanding national labor laws and international conventions, to improve working conditions and workers' wellbeing.

The Better Work program coordinates its work with the Labor Ombudsman and a tripartite Project Advisory Committee (PAC). This Committee meets with Better Work regularly to discuss the program's activities. The PAC members represent the private sector, government and worker representatives, and the Labor Ombudsperson in line with the Committee's HOPE law's requirements.

Therefore, Better Work follows this two-pronged approach at the country level to improve Haiti's garment industry's working conditions and competitiveness. On the one hand, direct factory-level interventions allow deep insight into each company's compliance performance and assist in a tailored way. On the other hand, the program works with the tripartite constituents to address endemic challenges more substantially by bringing stakeholders together, sharing industry data, and offering technical assistance to address compliance challenges and capacity-building needs.



Haiti apparel industry in numbers



31

Factories in the
program



42,500

Workers employed
(63% women)



8

Industrial zones
hosting 90% of textile



~ \$400 million

Apparel exports in USD million
YTD (↓ -24.58 in 2023)



36

Brands and
Retailers



7

Government
Partners



11

Active workers'
organizations



26

Industry Compliance
Synthesis Reports



12

Better Work
Haiti Staff



14

Years serving
in Haiti

Better Work Haiti continues to work with industry stakeholders, namely the workers' and employers' organizations and the government representatives, to not only safeguard jobs in the textile and apparel sector but also to multiply them through increased productivity and demands from international buyers. Better Work Haiti continues to engage with international buyers to address concerning issues and challenges such as a new decree regarding working hours and lunch break payment, persistent non-compliance in OSH and the country situation in general. The discussions around the renewal of the HOPE Law have given all actors an added incentive to work together to address the non-compliance issues that may affect the sector's growth and productivity. The non-compliances related to social security have been a key point in the discussions for the renewal of the HOPE law.

According to the data published in October 2022, by the US Department of Commerce Office of Textiles and Apparel (OTEXA), the Haitian textile industry exported approximated USD 400 Million worth of products to the United States for the period ending June 2023. This represents a decrease of nearly 24.6 percent for the same period. This reporting period shows 42,500 jobs in the sector, compared to approximately 58,500 during the last reporting period.

Building on the strong partnerships Better Work has developed with the government, global brands, employers, and unions, over the years, the program plays a central role in realizing the full potential of the HOPE II Act – a preferential trade program with the US. Convening diverse stakeholders to tackle shared challenges and supporting institutions' efforts to monitor and safeguard factory compliance with international labor standards will be top priorities.

Key partners

- ▶ Ministry of Social Affairs and Labor (MAST)
- ▶ Office of the Labor Ombudsman (BMST)
- ▶ National Insurance and Pensions Office (ONA)
- ▶ Office for Employment Injury, Illness and Maternity (OFTMA)
- ▶ Ministry of Commerce and Industry (MCI)
- ▶ Ministry of Economic and Finance (MEF)
- ▶ Office of the State Secretary for the Integration of People with Disabilities (BSEIPH)
- ▶ Association of Haitian Industries (ADIH)
- ▶ Private Sector Economic Forum (PSEF)
- ▶ All Trade unions active in the garment sector (12), listed below:
 - ◆ Centrale Autonome des Travailleurs Haïtiens (CATH)
 - ◆ Comité Inter-Syndicale des Femmes (CISF)
 - ◆ Confédération des Forces Ouvrières Haïtiennes (CFOH)
 - ◆ Confédération des Travailleurs et Travailleuses des Secteurs Public et Privé (CTSP)
 - ◆ Confédération des Travailleurs Haïtiens (CTH)
 - ◆ Coordination Nationale des Ouvrières et Ouvriers Haïtiens (CNOHA)
 - ◆ Coordination Syndicale Haïtienne (CSH)
 - ◆ Entè Sendikal Premye Me - Batay Ouvriye (ESPM-BO)
 - ◆ Groupement des Syndicats des Travailleurs Textiles pour l'Exportation et l'Assemblage (GOSTRA)
 - ◆ Syndicat des Ouvriers de HANSAE Haïti S.A (SOHSA)
 - ◆ Syndicat des Ouvriers Haïtiens pour la Rénovation du Secteur Textile (SOHARST)
 - ◆ Union des Travailleurs Libres (UTL)



Section III: Highlights of the reporting period January 2023-June 2023

Country Context

CONTEXT ANALYSIS

Despite the Haitian government's efforts to achieve macroeconomic stability and sustainable private sector-led economic growth, the investment climate in Haiti is characterized by several challenges. These include an unstable national currency, the Haitian gourde (HTG), persistent inflation, high unemployment, political instability, and insecurity.

At the time of writing, Haiti's economic situation has significantly deteriorated. Economic indicators such as high inflation and continuous depreciation of the Gourde against the US dollar have worsened. This depreciation, combined with limited foreign exchange reserves allocated primarily for fuel payments, has led to high and rising food prices. Consequently, the cost of living is rapidly increasing due to fluctuating prices of essential goods. The resulting economic crisis has led to a surge in unemployment as many businesses and services have closed their doors.

Approximately 4.9 million Haitians are now experiencing food insecurity and urgently require humanitarian assistance¹. This is attributed to rising prices, volatile currency exchange rates, a scarcity of US dollars, decreased private transfers and increased violence from armed gangs disrupting economic activities.

The economic challenges have eroded the purchasing power of households, pushing poverty levels to around 60%². The overall economic situation is closely tied to the country's security conditions.

1 <https://fews.net/latin-america-and-caribbean/haiti/food-security-outlook/february-2023>

2 <https://www.worldbank.org/en/results/2020/01/08/haiti-providing-opportunities-for-all-haitians>

Condemning the escalating violence, criminal activities, and human rights violations in Haiti, the United Nations Security Council unanimously adopted Resolution 2692 (2023) to extend the mandate of the United Nations Integrated Office in Haiti (BINUH) until July 15, 2024. The resolution emphasizes the urgent need to improve security conditions in Haiti.

These challenges have consequences for private sector activities. Displaced people may continue to migrate to more welcoming towns and communities, while others may join the exodus to other countries.

Garment Industry Challenges

The Haitian garment sector has been facing some significant challenges that started during the COVID-19 pandemic in 2020. Although the sector had bounced back after the pandemic and recovered thousands of lost jobs, the downturn in the global economy, coupled with internal socio-political strikes and natural disasters have seriously impacted the sector. Several factories have closed their doors and others have significantly reduced their workforce. In the Northeast alone, one factory reduced its workforce from a high of approximately 11,000 workers to around 6,500. Throughout this reporting period, Better Work Haiti managed a portfolio of 33 factories, which represents a reduction from the 38 factories included in the previous reporting period. The lack of security in the country has compelled certain factories to shut down due to gang-related activities in their vicinity, while others have been impacted by challenges related to receiving raw materials and shipping finished goods.

In December 2022, two factories situated in the western region closed temporarily with plans to resume operations in January 2023. Unfortunately, these factories remained closed, primarily due to the proliferation of gang activities that significantly disrupted their daily production. Notably, one of these factories experienced multiple staff members falling victim to kidnappings in 2022. Additionally, a significant reduction in their production orders played a pivotal role in the decision to close these factories. Collectively, these two factories accounted for an estimated loss of 2,000 jobs. Subsequently, in 2023, two factories, one in Port-au-Prince and the other in CODEVI, also ceased their operations, resulting in an additional loss of 2,000 jobs within the sector.

BWH supplier hosted the 2023 AAPN's regional tour.

Twenty-four attendees from the Americas Apparel Producer's Network (AAPN) and six speakers, along with local hosts, participated in the 2023 AAPN CODEVI Haiti/Dominican Republic Regional & Tour, which was hosted by Grupo M from March 21 to 24. The program featured guided tours of the CODEVI industrial park, situated in Ouanaminthe, Haiti, just across the border from Dajabon, Dominican Republic. This industrial park houses over 15 global tenants and US brands. Mr. Anibal Capellan, a member of the AAPN's Board of Directors, and Mr. Joseph Blumberg, Managing Director of Grupo M/CODEVI, played instrumental roles in hosting the event. The agenda was carefully curated to showcase the vibrancy and potential of this industrial zone, which spans both the Dominican Republic and Haiti.

Andrew Dreher of GC Moore expressed optimism, stating, "*The Central American/Caribbean region as a whole has great potential.*" Claudine François, Program Manager of Better Work Haiti, seized the opportunity to highlight advancements in labor conditions and recent initiatives within Haiti's textile sector. These efforts aim to bolster the sector's growth through increased investment, constructive partnerships, and improved business performance.

The AAPN has long advocated the concept that "Closer is Clearer," promoting networking among nearly 200 organizations operating within the apparel supply chain worldwide. This network encompasses suppliers, buyers, and various stakeholders seeking to establish a more stable and flexible sourcing model, ultimately simplifying, and enhancing business operations in the USA and the broader Americas.

In May 2023, Better Work Haiti received an invitation to participate in a delegation to South Korea, aimed at studying the Eco-Industrial Parks (EIPs) established in the country. The delegation, comprised of representatives from SONAPI (Société Nationale des Parks Industriels), the Ministry of Finance (MEF), the Centre de Facilitation des Investissements (CFI), and the Free Zone (DZF), sought to gain insights from Korea's experience in implementing a national ECO Industrial Park program. This included studying relevant laws, institutions, technologies, financing mechanisms, and operational expertise. The on-site visits provided practical exposure to benchmark EIP cases in Korea and facilitated knowledge exchange among the delegations on topics such as EIP

development, EIP transformation, and the digital and green transformation of industries and industrial parks.

The overarching objective of this initiative is to explore the feasibility of establishing eco-parks in Haiti. Such parks are envisioned to enhance economic performance, preserve finite natural resources, and improve quality of life, thereby boosting the competitiveness of industrial parks in Haiti. Strategies will be devised to promote industrial resilience and decarbonisation. The World Bank Group has commissioned a consulting firm to undertake the following tasks:

1. Analyze the current landscape of industrial parks in Haiti, providing an overview of potential EIP investments related to solar PV installations, waste and wastewater solutions, green buildings, and resilient buildings within Haiti's industrial parks.
2. Conduct a preliminary feasibility analysis of Eco Industrial Parks (EIP) in two industrial parks in Haiti. This analysis encompasses pre-feasibility assessments of industrial symbiosis (IS) networks, green building feasibility, and renewable energy solutions with mini/micro-grids, wastewater treatment facilities, infrastructure resilience, social infrastructure possibilities, and associated CAPEX/OPEX considerations.
3. Explore financial mechanisms to support the transition to EIPs, including mapping funding needs for various EIP interventions and identifying potential financing mechanisms.
4. Recommend measures for future development based on market conditions and international experience to chart a commercially viable and sustainable growth trajectory for EIPs in Haiti.

Tragic incident at CODEVI Industrial Park

On June 15, 2023, a tragic incident unfolded within the CODEVI industrial zone, resulting in the loss of two lives, both male workers, and leaving several others with physical injuries. This unfortunate event stemmed from a rapidly escalating conflict between certain workers and a security guard, culminating in a deeply regrettable outbreak of violence. In response to this distressing incident, stakeholders have

made appeals for calm, allowing the authorities to conduct thorough investigations and determine responsibilities.

The management of CODEVI has proactively convened multiple meetings and consultations with various branches of the Haitian government, and they have taken on the responsibility of providing support to the families of the deceased workers. Better Work Haiti has initiated high-level discussions involving all relevant parties to explore strategies and necessary training for a comprehensive re-induction process aimed at fostering mature industrial relations within the facility.

Additionally, a government report is expected to be released, focusing on preventive actions to avoid the recurrence of such a tragic incident in the future.

Decree suspending the 3x8 Law

On June 13, 2023, the Government of Haiti issued a decree announcing the immediate suspension of the 3*8 Law, officially known as the Law on the Organization and Regulation of the Twenty-Four (24) Hour Workday Divided into Three (3) Eight-Hour Shifts. The 3*8 law stipulated that the lunch break is considered an integral part of the eight-hour workday and should be compensated accordingly. However, the publication of the new decree suspends all provisions of the 3*8 law. Consequently, Better Work is no longer finding noncompliance for non-payment of the lunch break.

The decree also reinstates several articles in the Labour Code, which were abrogated under the 3*8 Law. To allow factories time to effectively implement these reinstated provisions, Better Work Haiti is not finding noncompliance for the requirements in the reinstated articles during the current cycle and will apply them starting in January 2024.

Better Work Haiti enterprise advisors are distributing copies of the decree to factories within their portfolio and providing advisory services that address this topic.

Section IV: Compliance situation in the Haitian garment industry

The overall trend of non-compliances in the Haitian garment industry

This section provides an overview of the findings related to non-compliance in 31 participating factories, all of which underwent assessments at least once between July 2022 and June 2023. It's important to note that the data presented reflects the status of these factories based on their most recent assessment results. The overall non-compliance rate is calculated by considering the total number of factories that exhibit non-compliance in at least one compliance point, for at least one question³.

During this reporting period, Better Work Haiti conducted a total of 2 fully virtual assessments, in addition to 5 hybrid and 17 in-person assessments, with the support of inspectors from the Ministry of Social affairs and labor. Verification of the factories' improvement plans took place either in person during on-site visits or virtually through the request for documentation during advisory services, along with discussions involving bipartite committee members, including both workers and management.

The charts presented below depict the non-compliance findings for the 31 assessed factories, displaying non-compliance rates within parentheses. It is important to keep in mind that these reports are issued biannually, despite assessments occurring annually, resulting in issues being reported across two consecutive synthesis reports.

³ For instance, within the Occupational Safety and Health (OSH) cluster, there are eight distinct compliance points, each containing several compliance questions. Therefore, if a factory is non-compliant for even just one question within a compliance point, it is deemed non-compliant for that entire compliance point, and this is reflected in the broader cluster's non-compliance rate. Consequently, while the total number of factories classified as non-compliant in the cluster might be high, it does not necessarily imply that each of these factories is non-compliant for all the questions within a specific compliance point.

The industry's highest non-compliance rates continue to be observed within the Occupational Safety and Health (OSH) cluster, indicating that nearly every factory was found in non-compliance on at least one question within the respective compliance point. Since the total non-compliance rate within the cluster is derived from a compilation of questions, it is essential to delve into the specific questions responsible for the non-compliance rate.

Under this cluster, the compliance point with the highest non-compliance rate is Chemicals and Hazardous Substances, which comprises seven compliance questions. Specifically, there are three issues causing the persistently high non-compliance rate.

- ▶ Eighty-four percent of factories were found in non-compliance for failing to properly label chemical products. This typically involves chemical products that were not labelled or that had a label that was missing information such as a pictogram.
- ▶ Chemical safety data sheets for the products used in the workplace were not available in 84% of assessed factories. The chemical safety data sheets give relevant information for the handling of the product, including specific instructions in case of an accident for this question.
- ▶ Maintaining an inventory of chemical and hazardous in the workplace also has a high non-compliance rate of 84%. This is an area where factories often need Better Work support to improve. Factories sometimes fail to include all the chemical products they have in the workplace in the inventory list. Products that they do not use regularly may not be reported on the inventory, or management think that some products such machine oil are not chemical products, and do not include them in the inventory. In this reporting period, the number of factories that are non-compliant regarding training provided to workers to handle chemical and hazardous products continues to decrease. Data as of June 2023 indicates that 13% of the 31 factories are non-compliant.
- ▶ The chart below outlines the questions in the **Chemical and Hazardous Substances** compliance point and the rate of non-compliance for each question.

- ▶ The other persistent non-compliance point in the OSH cluster is **emergency preparedness**, which contains ten compliance questions. The question on the emergency exits and escape routes has the highest non-compliance rate. However, Better Work Haiti has seen a significant decrease in non-compliance in this reporting period. Fifty-four percent, or 17 out of 31 factories are non-compliant.
- ▶ The other high area of non-compliance relates to **firefighting equipment**. In general, factories may have sufficient firefighting equipment, but they may not keep proper maintenance documents to certify that the equipment is regularly checked. In contrast, the non-compliance rate for accessible emergency exits is lower at 64.5%.
- ▶ The non-compliance rates in the other seven questions in the compliance point are below 50%. **The compensation** cluster still shows a high rate of non-compliance in the aggregate. However, anecdotal evidence suggests that improvements have taken place in the period after the Better Work Haiti assessment and that non-compliance will likely reduce in the next reporting period because of the publication of the new decree, which removes the obligation to pay the lunch break.
- ▶ In the compliance point related to **paid leave**, Better Work Haiti has found that 71% of factories pay the annual leave incorrectly, and that 77.4% of factories are in non-compliance for the correct payment of maternity leave. 100% of factories provided extra daily breaks to pregnant or breastfeeding women.
- ▶ In the compliance point related to **social security benefits**, the payment of the lunch break will no longer be included in the calculation of the average daily earnings. Thus, factories that were in noncompliance because of the non-payment of the lunch break will no longer be non-compliant, if there are no other elements negatively impacting the calculation of the average salary. However, for this period, 87% of factories (27 out of 31) did not submit the accurate amount to OFATMA for work related accident insurance. Several factories made partial payments (Employers contribution 3%) per agreement with OFATMA but failed to provide assessors with an agreement letter from OFATMA during the assessment. Nineteen out of 31 factories (62.2%) were non-

compliant for failing to pay workers correctly for the annual salary supplement or bonus.

It is important to note that despite the persistent non-compliance in some questions within the compensation cluster, no violations were found related to payment methods, minimum wage payments, overtime payments, or unauthorized deductions from workers' wages.

The highest rates of non-compliances in the Haitian garment industry

65%

Factories do not have adequate fire-fighting equipment

Emergency preparedness non-compliance continues to be a top priority for Better Work Haiti. Within this cluster, it's noteworthy that 64% of factories lack adequate fire-fighting equipment, and 64% were also non-compliant regarding the accessibility, obstruction-free status, and unlocked state of emergency exits during working hours. These concerns will remain a focus for ongoing attention and remediation efforts by Better Work Haiti.

65%

Factories have issues internal work rules

The most prominent non-compliance issue within the Employment Contracts cluster, standing at 64%, pertains to questions regarding internal work rules. Although many factories possess a document delineating their internal work rules, in some cases, this document lacks approval from the Ministry of Labor, as mandated by law.

61.2%

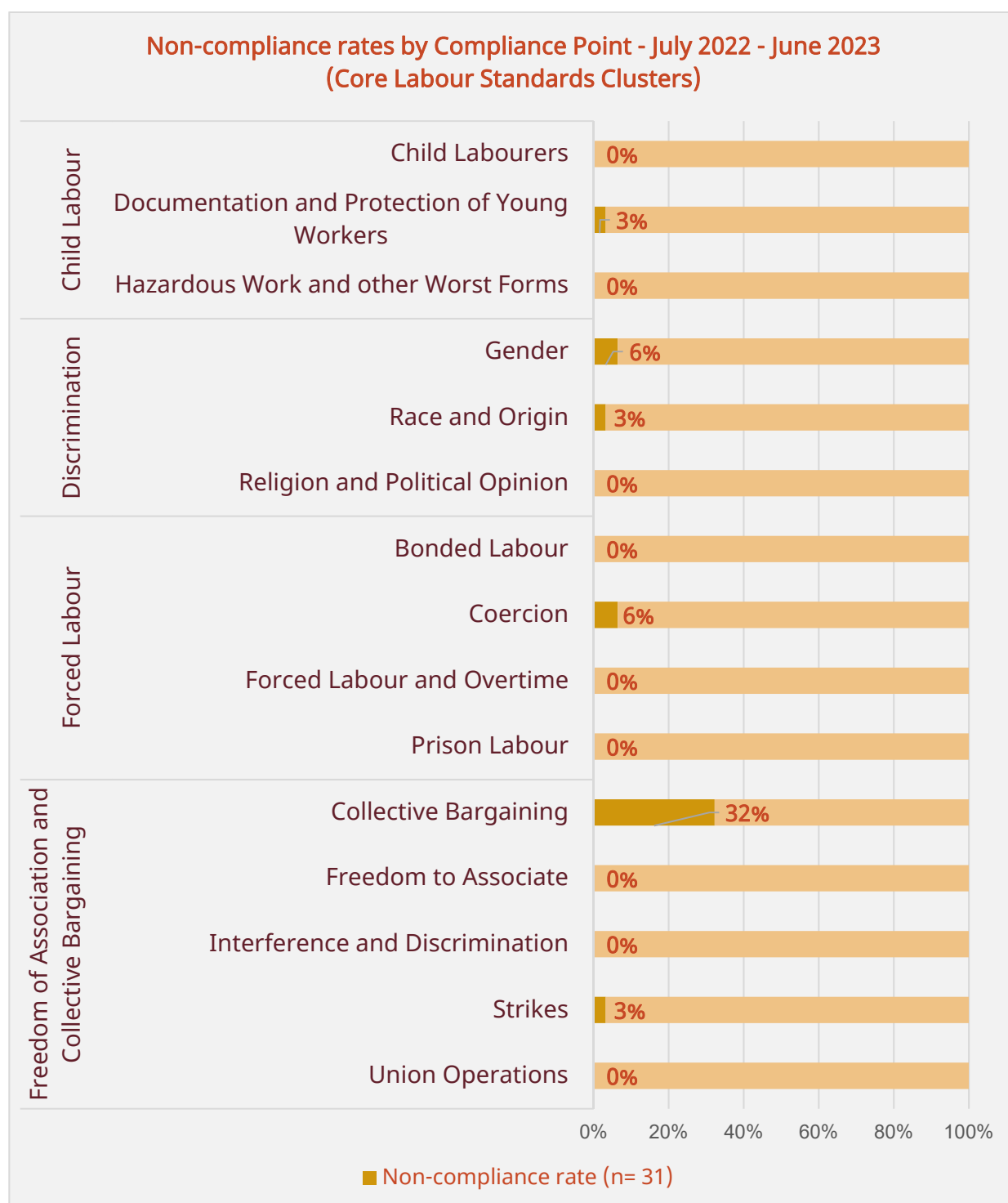
Factories have issues with annual salary supplement or bonus

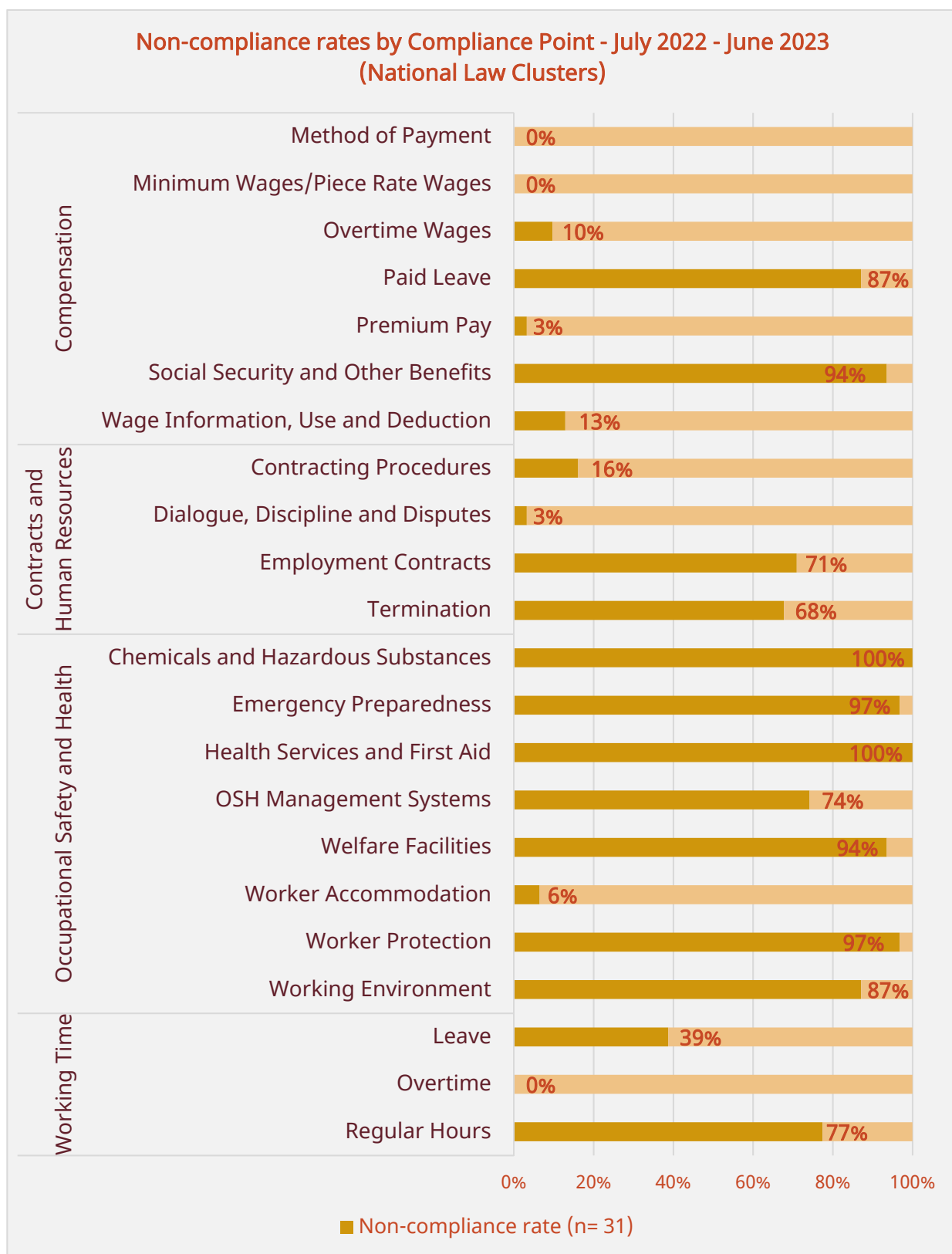
Non-compliance regarding social security and other benefits remains elevated at 94%. Nonetheless, it is anticipated that non-compliance in this area will decrease, given that the lunch break payment, which had been contributing to non-compliance in this cluster, is no longer mandatory.

84%

Factories have issues with properly labelling, keeping accurate inventory and material safety data sheets of their chemical products

Non-compliance concerning the management of chemical and hazardous substances continues to be significant, standing at 100%. However, non-compliance related to the proper storage of chemicals is relatively low at 19% (8 out of 31), whereas 84% of factories were found to be non-compliant when it comes to proper labelling, keeping accurate inventory and material safety data sheets of their chemical products.





Details of the root causes of the non-compliances findings

Non compliance issues by clusters and compliance Points	Number of factories out of 31
Child Labour	
Documentation and Protection of Young Workers	
Did not have a reliable system to verify the age of workers prior to hiring	1
Compensation	
Overtime Wages	
Failed to pay 50% above the normal wage for all ordinary overtime hours worked	2
Failed to pay 50% above the normal wage for overtime hours worked on legally mandated holidays	1
Failed to pay 50% above the normal wage for overtime hours worked on weekly rest days	2
Paid Leave	
Failed to pay workers correctly for annual leave	22
Failed to pay workers correctly during the daily break	22
Failed to pay eligible workers correctly for sick leave	24
Failed to pay eligible workers correctly for maternity leave	24
Premium Pay	
Failed to pay 50% above the normal wage when workers work regular hours on legally mandated holidays	1
Failed to pay 50% above the normal wage when workers work regular hours on weekly rest days	1
Social Security and Other Benefits	
Failed to pay workers their annual salary supplement or bonus	19
Failed to pay the 3% of workers' salary to OFATMA for work-related accident insurance	27
Failed to collect and forward correctly the required workers' and employers' contributions to OFTAMA for maternity and health insurance	28

Failed to collect and forward correctly the required and employers' contributions to ONA	28
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Failed to send the last workers' pay slip to OFATMA for sick leave or maternity leave payment	22
---	----

Wage Information, Use and Deduction

Did not keep only one accurate payroll record	4
---	---

Contracts and Human Resources

Contracting Procedures

Did not comply with limits on the trial period for apprentices	1
--	---

Did not comply to at least one of the legal requirements for compensation, contracts, OSH and/or working time pertaining to non-production workers and/or sub-contracted workers	4
--	---

Dialogue, Discipline and Disputes

Had any workers that has been bullied, harassed, or subjected to humiliating treatment	1
--	---

Employment Contracts

Had contracts that do not fully comply with the labour code, collective agreement and internal work rules	6
---	---

Had internal work rules that do not fully comply with legal requirements	20
--	----

Had written employment contracts that do not specify the terms and conditions of employment	5
---	---

Termination

Did not provide workers proper notice of termination when required, or pay workers during the notice period	17
---	----

Terminated workers for reasons that are invalid under national law	2
--	---

Failed to compensate workers correctly for unused paid annual leave when they resign or are terminated	21
--	----

Did not pay workers correctly their annual salary supplement or bonus upon termination	19
--	----

Discrimination

Gender

Had workers subject to sexual harassment	1
--	---

Dismissed workers or force them to resign if they are pregnant, on maternity leave or nursing	1
---	---

Race and Origin

Have race, colour or origin a factor in decisions regarding conditions of work	1
--	---

Forced Labour

Coercion

Did not allow workers to freely terminate their employment with reasonable notice, and to leave their jobs when their contracts expire	1
--	---

Punished workers for participating in a strike	1
--	---

Freedom of Association and Collective Bargaining

Collective Bargaining

Failed to implement any of the provisions of the collective agreement(s) in force	10
---	----

Strikes

Punished any workers for participating in a strike	1
--	---

Occupational Safety and Health

Chemicals and Hazardous Substances

Did not properly label chemicals and hazardous substances	26
---	----

Did not properly store chemicals and hazardous substances	8
---	---

Did not have chemical safety data sheets for all the hazardous chemicals used in the workplace	26
--	----

Did not keep an inventory of chemicals and hazardous substances used in the workplace	26
---	----

Did not provide adequate washing facilities and cleansing materials in the event of exposure to hazardous chemicals	13
---	----

Failed to effectively train workers who work with chemicals and hazardous substances	4
--	---

Did not take action to assess, monitor, prevent and limit workers' exposure to chemicals and hazardous substances	14
---	----

Emergency Preparedness

Did not keep emergency exits and escape routes clearly marked and posted in the workplace	17
Did not safely store flammable materials	3
Did not appropriately safeguard possible sources of ignition	5
Did not keep emergency exits accessible, unobstructed and unlocked during working hours, including overtime	20
Did not have enough emergency exits	1
Did not conduct periodic emergency drills	14
Did not have fire detection and alarm system at the workplace	14
Did not have adequate fire-fighting equipment at workplace	20
Did not train an appropriate number of workers to use the fire-fighting equipment	9
Failed to inform and prepare workers for possible emergencies in the workplace	2

Health Services and First Aid

Failed to provide annual medical checks to workers	15
Failed to provide free health checks to workers exposed to work-related hazards receive	18
Did not have the required onsite medical facilities and staff at the workplace	25
Failed to ensure there are a sufficient number of readily accessible first aid boxes/supplies in the workplace	20
Failed to provide first-aid training for workers	14
Did not provide the health cards within the first 3 months of hiring to workers	17

OSH Management Systems

Failed to record work-related accidents and diseases and submit the record to OFATMA on a monthly	8
Did not develop mechanisms to ensure cooperation between workers and management on OSH matters	4
Did not perform an assessment of general occupational safety and health issues in the factory	7
Did not have legally required structural safety certificates	16

Welfare Facilities

Failed to provide workers enough free safe drinking water	12
Did not have adequate accessible toilets in the workplace	20
Did not have adequate hand washing facilities and adequate soap in the workplace	8
Did not have an adequate eating area in the workplace	7
Worker Accommodation	
Failed to prepare adequately for emergencies in the accommodation	2
Failed to have accommodation to protect against fire	2
Worker Protection	
Did not post appropriate safety warnings in the workplace	4
Did not properly install or failed to maintain the electrical wires, cables, switches, plugs and equipment (e.g. transformer, generator, electrical panel, circuit breakers), grounded (for equipment)	19
Failed to install proper guards and maintain on all dangerous parts of machines and equipment	12
Did not effectively train workers and encourage them to properly use personal protective equipment and machines	5
Failed to comply with ergonomic requirements	11
Did not provide workers with all necessary personal protective clothing and equipment	25
Working Environment	
Failed to keep noise levels acceptable	4
Failed to keep the temperature and ventilation in the workplace acceptable	21
Failed to keep the workplace adequately lit	20
Failed to keep the workplace clean and tidy	9
Working Time	
Leave	
Did not provide at least 15 days of annual leave to workers with 1 year of service	4
Did not provide at least 12 weeks of maternity leave	10
Regular Hours	

Failed to keep regular daily or weekly working hours to the legal limit	20
Failed to keep working time records that reflect the hours actually worked	9
Did not post the factory's working hours (for all shifts, and including break times)	3
Did not provide the required breaks for pregnant women	7

Section V: Core labour standards non-compliance findings of the reporting period (January 2023 – June 2023)

During the assessments conducted over the past six months, Better Work Haiti assessors identified several factories that were not in compliance with one or more of the Core Labor Standards. These issues encompassed a range of concerns, including discrimination, freedom of association, and forced labor. These allegations were promptly investigated, and upon the conclusion of these investigations, recommendations were provided to the factories. Some factories took immediate corrective action.

Regarding discrimination violations, there was a case of sexual harassment, two cases related to gender discrimination, and one case related to race and origin discrimination.

On forced labor, two cases fell under the coercion compliance point. In the Freedom of Association cluster, several factories were cited for violations of their collective bargaining agreements, and one factory was cited for actions taken in response to a strike. The case cited under child labor pertained to a failure to maintain proper documentation.

Freedom of Association: Violations of Collective Bargaining agreement

During this reporting period, Better Work Haiti assessors identified non-compliance with one or more articles of the collective bargaining agreement in all the factories within an industrial park located in the Northeast. These violations were discussed with the individual factories during the assessments, and recommendations were provided.

For instance, Article 4.1.7 of the agreement mandates that all factories register their employees with OFATMA for maternity and health insurance. Since none of the factories had completed this registration, they were found to be non-compliant with this article of the collective bargaining agreement. Some

factories were cited for failing to provide ergonomic chairs to their workers, while others were cited for not maintaining the appropriate temperature in the workplace. Additionally, certain factories were cited for not taking adequate measures to reduce noise levels. These violations are linked to specific articles within the collective bargaining agreement that had been mutually agreed between the parties.

Freedom of Association: Strikes

FACTORY 1

During the assessment visit, Better Work Assessors received information indicating that the factory's management had carried out a reduction in its workforce shortly after a work stoppage that occurred on April 17, 2023. The majority of the workers who were let go belonged to the finishing section, and they were subsequently replaced by new workers. It is worth noting that on April 10, 2023, the factory's management had submitted a notification to the Ministry of Social Affairs, stating that production at the factory would be temporarily halted for two production lines from April 12, 2023, to May 12, 2023, due to a shortage of raw materials. However, this notification did not include details such as the names or the number of affected workers, and the suspension was never actually implemented.

During the assessment visit, the assessors inquired with the factory's administration about the notification sent to the Ministry of Social Affairs for the mass workforce reduction, the criteria used for selecting affected employees, and any evidence that the client (the buyer) had indeed reduced its orders. Unfortunately, no documents pertaining to these matters were available at the factory. Instead, the General Manager mentioned during the concluding meeting that the client's letter would be sent to the assessors by mail and that all new recruitment had been conducted in accordance with the factory's needs. However, the factory did not provide any letter from the buyer to the Better Work Assessors.

Prior to the assessment of the factory, Better Work Haiti had received complaints from union members alleging unfair dismissals and asserting that the factory had not respected the rights of workers during this mass reduction of the workforce, which was attributed to a lack of orders.

Discrimination: Race and Origin

FACTORY 1

This incident took place at the same factory mentioned earlier (Factory 1) and was identified during the same assessment. While conducting the assessment, Better Work discovered that foreign supervisors frequently communicated with workers in a disrespectful manner and made derogatory comments. On April 17, 2023, a work stoppage was initiated as a result of a comment made by a manager in the finishing area. The manager had remarked that he preferred working with Dominican workers over Haitian workers. Better Work advised the factory to provide training in workplace communication to the staff. However, during the writing of the report, the factory's management informed us that the foreign managers involved in the case are no longer working at the factory.

Discrimination: Sexual Harassment

FACTORY 2

Better Work Haiti assessors investigated a case of sexual harassment at a factory. The general supervisor, who had purchased a mobile phone from an administrative assistant, reported an issue with the phone and returned it to the assistant. The assistant attempted to repair the phone but failed, retaining it and refunding the money. The supervisor expressed his desire to keep the phone due to its private data including photos of sexual nature, but the assistant assured him he would erase it.

The phone contained pictures of the general supervisor with his spouse and other private images featuring him and a male foreign manager. The supervisor alleges that the management assistant shared these pictures and engaged in explicit conversations with other workers, leading to derogatory name-calling and defamatory comments, causing significant emotional distress.

The week following the assessment, the individual accused of harassment met with the assessors, acknowledged receiving the cell phone with the personal photos on it but denied the responsibility for sharing the pictures because the phone was stolen a couple of days after receiving it from the supervisor.

Discrimination/Gender

FACTORY 3

A total of 19 female workers were terminated from their employment during pregnancy, maternity leave, and breastfeeding periods. According to the factory's management, these dismissals were carried out as part of a planned workforce reduction. The factory initially communicated this action via email to the Ministry on February 15th, 2023, and hand-delivered the dismissal letters in person on February 16th, 2023. However, despite these actions, the workers were officially terminated on February 17th, 2023, without having obtained the necessary authorization from the Ministry of Labor, Administrative, and Social Affairs (MAST).

During interviews, the factory admitted that they did not receive a formal letter of authorization from MAST for these dismissals. The letter sent to MAST had stated, "The factory is inviting MAST to conduct an investigation based on Article 330, Section B of the Labor Code," and further mentioned that the dismissals would occur on February 16th, 2023. Copies of these letters, obtained by Better Work assessors, indicated that MAST received them on February 16th, 2023. However, up to the time of the assessment, MAST had not initiated any investigation into this matter.

Better Work determined the factory to be in non-compliance due to their failure to wait for or receive proper authorization from MAST before terminating the pregnant, nursing, and breastfeeding workers.

Freedom of Association/Strikes

FACTORY 3

This case of forced labor also pertains to Factory 3, as mentioned earlier during the same assessment.

On February 15th, 2023, Factory 3 sent a letter to MAST, along with a subsequent email to various stakeholders, including representatives from ADIH, Better Work, and Industrial Parks, to formally announce their decision to reduce their workforce, effective February 17th, 2023. The letter specified that the workers would be terminated based on Article 37 of the Labor Code. It

further mentioned that these workers would receive their salary, bonuses, annual leave balances, and corresponding severance pay, as outlined in Articles 43, 44, and 45 of the Labor Code. Attached to the letter sent to MAST was a list containing the names of 288 workers who would be affected by this reduction. Among the workers dismissed, 12 held executive positions within three different union groups. Better Work Haiti did not find the factory to be in non-compliance regarding this initial wave of dismissals since the evidence did not substantiate that the workers were targeted due to their union activities.

However, on February 23rd, 2023, the remaining members of the unions, who were not dismissed during the reduction, initiated a strike that lasted for two and a half days, concluding on February 27th, 2023. The strike was prompted by the factory's dismissal of several executive committee members during the workforce reduction. The remaining executive committee members demanded that the factory reinstate the dismissed workers. In response, the factory called upon a Justice of the Peace and MAST inspectors to oversee the situation.

Shortly after the strike, the factory's management sent a letter to MAST, notifying them of their decision to terminate 43 workers (with a list of names provided) based on Article 42, Sections A and G of the Labor Code. These terminations were attributed to the workers' participation in the strike on February 23rd and 24th, 2023, which disrupted factory operations due to the disturbance caused to other workers and alleged vandalism against the factory's physical assets. However, the video evidence submitted to Better Work assessors did not demonstrate any instances of violence or vandalism during the strike.

Better Work Haiti identified non-compliance in this case because the factory failed to provide sufficient evidence indicating that the workers had engaged in violence during the strike. Additionally, the application of Article 42, Paragraphs A and G, as cited for the dismissals, does not align with the circumstances surrounding a strike. Consequently, Better Work recommended the reinstatement of all 43 workers who were terminated following the strike.

Forced Labor/Coercion

FACTORY 4

Better Work found that foreign workers were not free to terminate their employment by providing reasonable notice due to provisions in their employment contracts. Under the contracts, if they terminate their employment within 180 days (about 6 months) of starting work, they are obligated to reimburse the company for the airfare expenses covered by the company for their journey to Haiti. Additionally, they are responsible for covering the travel expenses incurred for their return journey to their home country. The factory has since made the appropriate corrections to the contracts for foreign workers.

Section VI: Better Work key activities during the reporting period

In this section, we will provide an update on the activities carried out by Better Work Haiti from January 2023 to June 2023. Better Work Haiti continues to operate in a hybrid mode, utilizing both virtual and in-person approaches to deliver its services, in accordance with its mandate under the Hope II law. To conduct assessments and advisory services, Better Work Haiti continued to collaborate with labor inspectors from MAST. Due to security concerns in the metropolitan area of Port-au-Prince, some assessments were conducted virtually. Factory compliance officers, union committee members, or bipartite committee members supported these virtual assessments by facilitating Occupational Safety and Health (OSH) tours. Over time, Better Work Haiti's staff has increased its physical presence in the northeast region and conducted more in-person activities within the industrial parks.

In early February 2023, Better Work Haiti organized a series of meetings with various program stakeholders, holding separate discussions with each group. These meetings aimed to address the concerns and primary priorities of each stakeholder in relation to the significant challenges facing the apparel industry. Discussions encompassed key themes and activities outlined in Better Work Haiti's strategic plan for 2022-2027, as well as the adoption of an updated memorandum of understanding for the PAC (Program Advisory Committee). Through these conversations, stakeholders expressed shared concerns regarding critical issues in the sector, including:

- ▶ Job losses due to factory closures caused by insecurity and declining orders.
- ▶ Challenges faced by factories in implementing the 3x8 law.
- ▶ Establishment of a working group to address non-compliance issues identified in Better Work Haiti's factory Improvement plan dashboard.
- ▶ Development of a business continuity plan (recovery/emergency plan) for the sector.

The stakeholder meetings concluded with the signing of a memorandum of understanding by PAC representatives, delineating the roles of each stakeholder and joint actions to find practical and sustainable solutions to address industry challenges and leverage its existing potential.

Better Work Haiti remains committed to fulfilling its mandate through a hybrid approach, delivering core services to participating factories, and engaging with key stakeholders, including MAST labor inspectors, representatives of the Ombudsperson's office, workers' associations, and employer associations. The following activities were conducted between January and June 2023:

- ▶ Delivery of several in-person training sessions for bipartite committees.
- ▶ Provision of training in negotiation skills, Gender-Based Violence and Harassment, and Supervisory Skills.
- ▶ Collaboration with an Occupational Safety and Health (OSH) specialist from Better Work Nicaragua to conduct a workshop on OSH, with a focus on addressing persistent non-compliance (PNC) issues identified during assessments.
- ▶ Individualized training on Chemical Management Systems for participating factories in the Northeast region.

Training

SUPERVISORY SKILLS TRAINING

Participants were offered supervisory skills training aimed at equipping them with the knowledge and strategies required to excel as effective supervisors. This training placed a strong emphasis on developing essential skills such as communication, leadership, coaching, delegation, motivation, and team building. A total of three factories actively participated in this training, involving 32 participants, including six women.

RESPECTFUL WORKPLACE AND COOPERATION

During this reporting period, Better Work Haiti conducted training sessions on Respectful Workplace and Cooperation, benefiting a total of 138 participants, including 43 women, across eight participating factories. These participants included 38 bipartite committee members, 14 OSH committee members, and 6 workers' representatives. The goal of these training sessions, attended by both the Office of the Ombudsperson for the Textile Sector (BMST) and representatives from the eight factories, was to enhance the mutual understanding between factory management and workers and promote dialogue-based problem-solving.

The training equipped participants with valuable strategies for effective communication within their factory, along with the knowledge and skills required to prevent, resolve, and manage workplace disputes and grievances efficiently. The course covered essential topics such as the significance of effective communication, various forms of workplace communication, dispute resolution procedures, grievance handling processes, and provided a basic introduction to Collective Bargaining Agreements (CBAs).

GENDER

Better Work Haiti remains committed to addressing gender-related issues at the enterprise level by providing training and advisory services. During this reporting period, Better Work Haiti conducted an introductory module on Gender-Based Violence and Harassment (GBVH) and GBVH Grievance Mechanism training in six participating factories, with a total of fifty-eight participants, including eleven women.

These training sessions aimed to expand participants' understanding of GBVH, encompassing various forms of gender-based violence, beyond the more familiar sexual harassment prevention training. Participants also learned how to conduct a gap analysis of their factory's existing grievance mechanism to become familiar with the essential elements that should be part of a related policy. Additionally, participants received an overview of the concept of Psychosocial First Aid to better handle complaints when initially received.

PURCHASING PRACTICES

In the area of purchasing practices, Better Work Haiti provided introductory training on Purchasing Practices tools to two factories in the Northeast, with a total of eight participants, including four women. This training assisted factory managers in identifying aspects of their purchasing practices that might contribute to non-compliance. The factory-level tool collects data on the connections between buying practices and factory non-compliance, based on the factory's most recent assessment. The data is then used to generate a summary report, beneficial for both factories and Better Work, highlighting where buyers' practices negatively impact factory compliance. Additionally, if desired and agreed upon by the factory, it can produce a report with specific examples for individual buyers. These insights help factories and Better Work advocate for improved purchasing practices.

Collaboration with the government

With the assistance of Better Work Haiti, the Office of the Labor Ombudsperson for the textile sector (BMST) has introduced a digital Complaint Management Solution aimed at enhancing the quality and efficiency of handling industrial conflicts in the garment sector. The Office of the Labor Ombudsperson typically receives around a dozen in-person complaints each month, covering various issues such as contract disputes, working hours, social security payments, and maternity leave.

Stakeholders can now utilize a web-based application to report their complaints to the Labor Ombudsperson's office and monitor the status of their cases once they receive confirmation of receipt. The website can be accessed at www.caseprocenter.com and is user-friendly, available in five languages. This new system is expected to streamline conflict resolution operations, especially for remote reporting and tracking by involved parties. It promotes

transparency and facilitates collaborative work between BMST, the Ministry of Labor and Social Affairs (MAST), Better Work Haiti, and other relevant parties. The development of a mobile app for the complaint management system, also supported by Better Work Haiti, is set to become operational in the fourth quarter of 2023.

SOCIAL DIALOGUE AT THE FACTORY LEVEL

One of the key strategies employed by Better Work Haiti is to enhance worker involvement in the decision-making process through an increased emphasis on social dialogue. Since its inception, Better Work has been actively promoting the establishment and effective operation of factory level bipartite committees. This approach aims to foster greater social dialogue and address compliance-related issues, leading to improved productivity and enhanced working conditions.

During reporting period, Better Work Haiti placed particular focus on delivering Advanced Bipartite Committee training to factories that already have functioning bipartite committees in place. This training module is designed to equip both management and worker representatives with the essential skills needed to sustain the bipartite committee's activities throughout the improvement process. It also assists in managing the ongoing process of social dialogue independently. Moreover, the module supports worker and management representatives in developing a shared vision of what effective cooperation between management and workers should entail within their specific factory context.

In this reporting period, three factories, involving a total of 33 participants (including 11 women), participated in this training. Additionally, during this period, Better Work Haiti successfully trained and established one new bipartite committee at a factory in the Northeast, comprising 20 members, including 2 women.

TRAINING ON WORKERS RIGHTS AND RESPONSIBILITIES

Better Work Haiti firmly believes that enhancing workers' knowledge of their rights and responsibilities is instrumental in promoting increased social dialogue at the factory level. Following consultations with the factory advisor to identify the specific training needs of the factory, Better Work Haiti conducted a training session on workers' rights and responsibilities for one factory. This

training involved the participation of 17 workers, including 4 women. The primary objective of this training was to empower participants with an understanding of universal labor standards applied worldwide. Furthermore, the training aimed to familiarize participants with the concept of fundamental principles and rights at work, as outlined in the 1998 declaration by the International Labor Organization (ILO). It addressed the concerns of participants regarding their rights and responsibilities within the workplace and provided them with a comprehensive list of resources they can turn to for further clarification or assistance in the future.

By engaging in this training, workers were provided with a broad overview of their rights and responsibilities as employees. This newfound knowledge equips them with the tools to explore additional resources for ongoing self-education on these critical matters.

SOCIAL DIALOGUE AT THE STRATEGIC LEVEL (PROJECT ADVISORY COMMITTEE)

Better Work Haiti continues to actively engage with tripartite partners, fostering an environment of social dialogue among the stakeholders in Haiti's textile sector. These engagements take place either through bilateral discussions or within the established Project Advisory Committee (PAC).

Following the issuance of the new decree, which suspended the implementation of the 3*8 law, the leadership of Better Work Haiti collaborated with the Office of the Ombudsperson for the Textile Sector to convene a meeting with representative members of the Project Advisory Committee (PAC). The primary objective of this meeting was to deliberate on the implications of the new decree for the sector and its potential effects on factory operations.

Within this gathering, the Ombudsperson took the opportunity to present the outcomes of the work carried out by the subcommittee tasked with formulating recommendations for the government to address the challenges facing the textile sector. The recommendations, duly validated by PAC members, encompass the following points:

- ▶ Strengthening the social protection framework to enhance the resilience of workers.

- ▶ Implementing measures to restore investor confidence.
- ▶ Initiating steps to renew the personnel of the Special Labor Court and Peace Tribunals in the regions.
- ▶ Supporting a series of training programs for various stakeholders.
- ▶ Ensuring a continuous presence of labor inspection teams in the Caracol Industrial Park and CODEVI.
- ▶ Establishing a physical presence of the Office of the Ombudsperson (BMST) in the northeast region.

Additionally, representatives from ONA and OFATMA in the PAC delivered brief presentations, outlining the activities of their respective entities and the supportive measures available to their constituents.



81

Virtual advisory
sessions to 33
participating
factories

Covering a wide range of topics and focusing on the non-compliance point and remediation efforts are needed to correct the issue found at the factory. Advisory services are conducted with the bipartite committee members' participation, including representatives of workers and management. During the advisory services, workers' representatives are encouraged to speak freely and discuss relevant issues. Better Work Haiti also ensures that women are represented in the bipartite committees.



26

Training sessions
to 20 factories (28%
women)

Better Work Haiti delivered 26 training sessions on 11 topics to 20 factories in Port-au-Prince and the Northeast. A total of 485 workers and management staff, 135 women, and 350 were trained on sexual harassment prevention, chemical management system, worker's right and responsibility, workplace communication and cooperation, understanding gender as well as supervisory skills.

Factories in Detail

List of Factories

Below is the list of factories that Better Work Haiti has assessed over the past two cycles. All factories that have been assessed by Better Work twice or more by the reporting period are included in the data analysis and included in the factory tables of this report. Please note that a factory's compliance data is no longer included in this section if it is closed.

Table 3: List of factories in the Haitian apparel sector, which have been assessed between July 2022 and June 2023)

	Factory Name
1.	BrandM Apparel Haiti - AM1, AM2, AM3
2.	Caribbean Island Apparel
3.	Centri Group SA
4.	Class International Holdings LTD
5.	Cleveland Manufacturing S.A.
6.	Dignerou Manufacturing SA
7.	Everbright Headwear
8.	Everest Apparel Haiti S.A.
9.	Fairway Apparel S.A.
10.	H4H S.A
11.	Haiti Best Sewing S.A.(formerly Quality Sewing Manufacturing S.A.)
12.	Haiti Premier Apparel S.A.
13.	HANSAE HAITI S.A
14.	LIFE S.A.

15.	MAS AKANSYEL S.A
16.	MBI HAITI S.A
17.	MD Industries
18.	MGA Haiti S.A.
19.	PACIFIC SPORTS HAITI S.A.
20.	Palm Apparel S.A.
21.	Premium Apparel
22.	S&H Global 1-6
23.	S&H Global Washing 7
24.	Sewing International S.A.
25.	Superior Sourcing
26.	The Willbes Haitian S.A (HT - Print Shop)
27.	The Willbes Haitian S.A (HT-2B)
28.	The Willbes Haitian S.A. (HT-2/2A)
29.	The Willbes Haitian S.A. (HT-3)
30.	Top Choice Apparel Corp
31.	Uniwell Apparel, LLC.

Findings from the Factories

This section provides a comprehensive account of the factories' compliance performance, as stipulated by the HOPE II legislation. HOPE II mandates the organization overseeing the TAICNAR program (the ILO) to produce a semi-annual report containing specific details about factories' compliance performance. This report should encompass the preceding six months, furnishing in-depth compliance data for each producer (please refer to Annex 1 for precise HOPE II legislative requirements). This includes particulars regarding identified non-compliance points, producer efforts to rectify these

non-compliance points, and the duration since these deficiencies were first identified. This data is presented in the factory tables in the ensuing section.

The complete Compliance Assessment Tool (CAT) employed by Better Work Haiti is accessible online. When a compliance point is not listed for a factory, it signifies that the factory has maintained compliance on this point during its last two assessments by Better Work. The reference point is consistently the comprehensive list of compliance points and issues outlined in Better Work's compliance assessment methodology section. A factory must have undergone a minimum of two assessments before its information is featured in the factory tables of this report. The columns in the tables correspond to specific reporting requirements laid out in the HOPE legislation and offer additional information as follows:

- ▶ Details on non-compliance identified by EAs: This information encompasses issues where evidence of non-compliance was discovered in one of the last two assessments conducted by Better Work at each factory (the dates of the last two assessments are equally indicated for each factory at the top of its table).
- ▶ Improvement priorities identified by the factory.
- ▶ Efforts made by the factory to address compliance needs, as verified in the most recent assessment or advisory visit.
- ▶ For non-compliance areas that have not been rectified, the amount of time that has elapsed since the non-compliance was initially identified at this factory.

Further information pertaining to HOPE II reporting requirements is provided in the section preceding each table, such as advisory and training services offered by Better Work.

It's noteworthy that one company received a non-compliance mark in the child labor cluster during this period. Despite not identifying any child laborers in the factory, Better Work Haiti found that the factory failed to implement the proper management system for verifying workers' ages. The company also lacked appropriate documentation, such as picture IDs or birth certificates for its employees.

Additionally, during this reporting period, Better Work Haiti reports two companies for violating Freedom of Association labor standards. These companies terminated several union committee members for their involvement in strikes or alleged incitement of violence. However, the factories were unable to substantiate the involvement of these specific accused workers in the incidents. Following a thorough investigation, which included group and individual interviews with workers, discussions with factory managers, and consultations with labor inspectors, Better Work advisors concluded and recommended that some of the terminated workers be reinstated to their positions without any penalties.





Annex 1: The TAICNAR Project and Reporting Requirements under the HOPE II Legislation

In 2006, the United States Congress enacted the Haiti Hemispheric Opportunity through Partnership Encouragement Act of 2006 (HOPE), expanding preferences for Haitian apparel established under the Caribbean Basin Economic Recovery Act, thus enabling the Haitian apparel industry to benefit from new duty-free preferences. In 2008, these preferences were further expanded through HOPE II legislation, which also established new standards and programs strengthening and monitoring working conditions in the apparel sector. On May 24, 2010, the Haiti Economic Lift Program of 2010 (HELP Act) was signed into law to expand existing preferences to contribute to Haiti's economic growth and development in both the textile and apparel sectors. Among its provisions, the HELP Act extended almost all the trade preferences established under HOPE and HOPE II. In 2015, the US Government extended the Haiti HELP/HOPE provisions until 2025.

To benefit from HOPE/HOPE II/HELP, Haiti was required to establish an independent Labor Ombudsman appointed by the President of the Republic in consultation with the private sector and the trade unions. Haiti was also required to work with the ILO to develop a technical assistance program to (i) assess and promote compliance with core labor standards and national labor law in the factories that are eligible for tariff advantages under HOPE II and (ii) provide assistance to the Government of Haiti in order to strengthen its capacity in the process of inspection of facilities.

Finally, Haiti needed to develop a mechanism for ensuring that all producers benefiting from the HOPE II trade preferences participated in the TAICNAR program. This was referred to in the legislation as the Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) program. The TAICNAR program consists of two components:

TAICNAR Program Component 1: Compliance Assessments and Remediation Support

The HOPE law states that the first component of the TAICNAR program is “to assess compliance by producers listed in the registry described in paragraph (2) (B) (i) with the conditions set forth in subparagraph (B) and to assist such producers in meeting such conditions.”

Better Work has been covering this part of the TAICNAR program since its launch in 2009. It must be noted that Better Work offers several services that go beyond the requirements of the HOPE legislation, in particular the collaboration with international brands through sharing of factory assessment reports, joint support for factories regarding the improvement plan used during advisory services (corrective action plan), specific training and specific projects and events such as the annual buyers and multi-stakeholder’s forum. With the introduction of fees to be paid by factories for participation in the Better Work Haiti program since 2016, it has been decided that non-paying factories will receive all Better Work core services (advisory, training, and one annual assessment) in line with the requirements of the HOPE legislation. Factories that pay their subscription fee will have access to the full offer of Better Work services beyond core services only.

TAICNAR Program Component 2: Technical assistance to strengthen the legal and administrative structures for improving compliance in the industry

The HOPE law states that the second component of the TAICNAR program is “to provide assistance to improve the capacity of the Government of Haiti – (I) to inspect facilities of producers listed in the registry described in paragraph (2)(B)(i); and (II) to enforce labor laws and resolve labor disputes, including through measures described in subparagraph E.”

The ILO has been conducting different activities under this component, mainly in the context of the USDOL-funded ILO/MAST Capacity Building project, which aimed to strengthen the Ministry's capacities to improve apparel factories' compliance with international standards and national labor laws. The project ran from 2014 to 2017 and was closely linked to the Better Work program.

As of 2018 and with Better Work's new 5-year strategy in Haiti, the program will continue to build on the efforts of this MAST capacity-building program. The revised project strategy emphasizes the capacity building of all tripartite constituents – Government, employer, and worker organizations – as part of the sustainability efforts of the Better Work program.

The HOPE II law specifies which information needs to be included in the biannual reports published by the TAICNAR program regarding the reporting requirements. See the text box below for the original text of the law.

SEC. 15403. LABOR OMBUDSMAN AND TECHNICAL ASSISTANCE
IMPROVEMENT AND COMPLIANCE NEEDS ASSESSMENT AND REMEDIATION
PROGRAM.

[...] (D) BIENNIAL REPORT. —The biennial reports referred to in subparagraph (C)(i) are a report, by the entity operating the TAICNAR Program, that is published (and available to the public in a readily accessible manner) on a biennial basis, beginning 6 months after Haiti implements the TAICNAR Program under this paragraph, covering the preceding 6-month period, and that includes the following:

(i) The name of each producer listed in the registry described in paragraph (2)(B)(i) that has been identified as having met the conditions under subparagraph (B).

(ii) The name of each producer listed in the registry described in paragraph (2)(B)(i) that has been identified as having deficiencies with respect to the conditions under subparagraph (B), and has failed to remedy such deficiencies.

(iii) For each producer listed under clause (ii) —

(I) a description of the deficiencies found to exist and the specific suggestions for remediating such deficiencies made by the entity operating the TAICNAR Program;

(II) a description of the efforts by the producer to remediate the deficiencies, including a description of assistance provided by any entity to assist in such remediation; and

(III) with respect to deficiencies that have not been remediated, the amount of time that has elapsed since the deficiencies were first identified in a report under this subparagraph.

(iv) For each producer identified as having deficiencies with respect to the conditions described under subparagraph (B) in a prior report under this subparagraph, a description of the progress made in remediating such deficiencies since the submission of the prior report, and an assessment of whether any aspect of such deficiencies persists. [...]

Annex 2. Better Work's Service Delivery Model

The key principles of Better Work's revised service model are ownership, accountability, dialogue, and partnership. The core services offered to factories are advisory services, an annual assessment, and training services.

Better Work's service delivery model stresses the importance of advisory services with a stronger focus on assistance on management systems, root cause analysis, and continuous learning. Better Work acknowledges the fact that auditing alone cannot contribute to sustainable remediation of non-compliances. Assessments provide a snapshot of the compliance issues, yet they do not add significant value to improvements of factories' compliance performance. Therefore, the focus in the services that Better Work delivers to factories is on continuous learning and improvements working with factories on root causes underlying repeated non-compliance issues.

Since 2015, a factory cycle no longer starts with an assessment on which advisory services afterward were built in the initial approach. Instead, under the revised Better Work service delivery model, the cycle now starts with approximately 100 days of advisory services. With its bipartite Committee, the factory can conduct a self-diagnosis with the support of its Better Work Enterprise Advisor and can work on immediate improvements where possible. The unannounced Better Work assessment is then conducted after the initial period of advisory and training services.

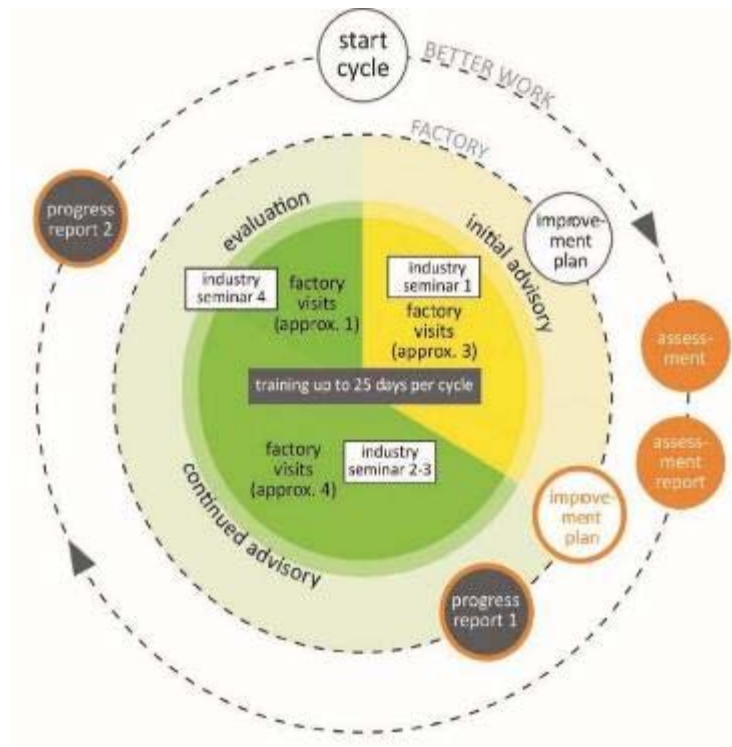
Following the assessment, the advisory process continues, focusing on enabling the bipartite Committee to address issues listed in the improvement plan. The improvement plan includes issues that the factory has self-diagnosed and identified during the Better Work assessment. In addition, factories will be supported through tailored factory visits, issue-specific seminars (on topics relevant to the country/industry) with peers from other factories, and training appropriate to the factory's specific needs.

Better Work reporting has two elements – reports completed and verified by the Better Work program and completed and released directly by factories. The Better Work factory reports consist of the assessment report released roughly 30 days after the unannounced assessment visit. Then later in the cycle, in the

11th month of the cycle, Better Work then publishes a progress report detailing improvements on compliance issues and in-factory dialogue, continuous learning, and effective management systems. Better Work also provides additional recommendations in this report to further strengthen the improvement process. Factories report through the Better Work portal. This portal is the platform that is also used by Better Work to share factory data with authorized international brands that subscribed to a specific factory in either of the Better Work country programs. The enhanced portal with the revised self-reporting function also offers the opportunity for factories to update their improvement plan themselves. The improvement plan lists a factory's non-compliance points from the last Better Work independent assessment together with any other issues that the factory itself identified as areas for improvement. Once the factory updates its improvement plan online, the information is immediately available to buyers and Better Work. However, this feature has some limitations with regards to the factories' editing rights as only Better Work can update the status of a non-compliance issue from "delayed," "pending," or "in progress" to "completed" after verification of evidence of remediation.

Factory reporting then continues with the first progress report, which is published approximately five months after the start of the cycle. This report includes progress made to date on all self-diagnosed issues and those identified by Better Work during the assessment. This report has a pre-set structure from Better Work, and it is made available to authorized buyers and indicates initial progress and planned steps for the remainder of the cycle. The Better Work role for this first progress report will be limited to coaching factories on how to engage in effective self-reporting and ensure continued progress on closing areas of non-compliance. The Better Work Enterprise Advisors then write their progress reports towards the end of an annual cycle of each factory.

An overview of the sequence of the different components of the Better Work service model under this revised approach can be found in the illustration below:



Sequence and components of annual Cycle under Better Work's revised service delivery model.

In 2017, Better Work started to differentiate factories depending on their performance. Factories that are scoring high enough in terms of compliance performance and the areas of dialogue and learning encompass the criteria that need to be satisfied before a factory can be qualified for "stage two." Better Work will classify factories as being in "stage two" if they consistently demonstrate high levels of compliance, a mature level of social dialogue, effective management systems, and a commitment to learning. Those criteria will be evaluated based on information collected during two consecutive assessments. Factories that have not yet met this benchmark will be classified as "stage one." For factories that have been with Better Work for several years, service differentiation will respond to requests for greater autonomy in the day-to-day advisory service, fewer assessments, and tailored service that responds to their more advanced needs, for example relating to systems development, purchasing practices, productivity and quality, and mature industrial relations.

Annex 3. The Better Work Compliance Assessment Methodology

Better Work Compliance Assessment Framework

The Better Work program assesses factory compliance with core international labor standards and national labor law. Following assessments, a detailed report is prepared. Findings are shared with the factory presenting findings on eight clusters, or categories, of labor standards, half of which are based on international standards and half on national legislation.

CORE LABOR STANDARDS: The ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998, calls upon the Member States to respect and promote these principles and rights in four areas, whether they have ratified the relevant conventions. These categories, or clusters, are freedom of association and collective bargaining, the elimination of forced or compulsory labor, the abolition of child labor, and the elimination of discrimination in employment and occupation. The conventions on which the 1998 Declaration is based are Nos. 29, 87, 98, 105, 100, 111, 138, 182, and they form the reference base in assessing factory compliance with fundamental rights for all the Better Work programs in various countries. For some issues, such as minimum legal working age, provisions in national law specify requirements for the application of international conventions. If national law is not consistent with international standards pertaining to core labor standards, the international standards are applied. Haiti has ratified all eight core Conventions listed above. According to the Haitian Constitution, ratified conventions become self-executing and, therefore, part of Haitian law.

WORKING CONDITIONS: The four other clusters assess conditions at work, including compensation, contracts and human resources, occupational safety and health, and working time. The compliance points covered in these clusters are broadly consistent across countries; however, each compliance point contains specific questions that may vary from country to country due to differences in national legislation. National legislation is used as a reference point even if it is not in accordance with the international conventions that the country has ratified. In countries where national law either fails to address or

lacks clarity around a relevant issue regarding conditions at work, Better Work establishes a benchmark based on international standards and good practices.

Table 2: Better Work compliance assessment framework

Compliance Cluster	Compliance Point	Compliance Issue
Child Labor	Child Labourers	Workers under the age 15
	Documentation and Protection of Young Workers	Age verification system
		A medical certificate and/or an employment certificate or permit delivered by the Director of Labor provided by workers under age 18.
		Register of workers under age 18.
	Hazardous Work and other Worst Forms	Workers under age 18 working at night.
		Workers under age 18 working overtime.
		Workers under age 18 doing work that is hazardous by nature.
Discrimination ⁴	Gender	Changing the employment status, position, wages, benefits, or seniority of workers during maternity leave.
		Conditions of work (gender and/or marital status).

⁴ In Better Work country-specific questionnaires, a compliance point “Other Grounds” may be included under the Discrimination cluster. This category aims to assess specific discrimination issues that are covered by national labor law, and are considered aligned with the objectives of the relevant ILO conventions (100 and 111), but which are not explicitly mentioned in the conventions, e.g., age, HIV/AIDS status, disability, etc. The questionnaire for Haiti does not include the “Other Grounds” compliance point because the Haitian labor law does not identify grounds for discrimination beyond those cited in Conventions 100 and 111.

		Excluding maternity leave from workers' period of continuous service
		Hiring (gender and/or marital status).
		Job announcements (gender and/or marital status).
		Pay (gender and/or marital status).
		Pregnancy tests or use of contraceptives as a condition of employment
		Promotion or access to training (gender and/or marital status).
		Sexual harassment
		Terminating workers or forcing them to resign if they are pregnant, on maternity leave or nursing.
		Termination or retirement (gender and/or marital status).
	Race and Origin	Conditions of work (race, color, origin)
		Harassment (race, color, origin)
		Hiring (race, color, origin)
		Pay (race, color, origin)
		Promotion or access to training (race, color, origin)
		Recruitment materials (race, color, origin)
		Termination or retirement (race, color, origin)
		Conditions of work (religion or political opinion)

	Religion and Political Opinion	Harassment (religion or political opinion)
		Hiring (religion or political opinion)
		Pay (religion or political opinion)
		Promotion or access to training (religion or political opinion)
		Recruitment materials (religion or political opinion)
		Termination or retirement (religion or political opinion)
Forced Labor	Bonded Labor	Debts for recruitment fees owed to the employer and/or a third party
	Coercion	Coercive tactics.
		Delaying or withholding wage payments.
		Forced labor to discipline workers or punish them for participation in a strike
		Free exit from the workplace at all times, including during overtime.
		Freedom of movement (dormitories or industrial parks).
		Freedom to terminate employment with reasonable notice and/or to leave their jobs when their contracts expire
		Threats such as deportation, cancellation of visas, or reporting to the authorities
		Violence or the threat of violence.
		Workers' access to their personal documents (such as birth certificates, passports, work permits, and ID cards)

	Forced Labor and Overtime	Forced overtime under threat of penalty
	Prison Labor	Prison laborers
Freedom of Association and Collective Bargaining	Collective Bargaining	Access to collective bargaining agreement.
		Collective agreement is less favorable for workers than what is required by national law.
		Collective bargaining/bargaining in good faith.
		Implementation of a collective agreement.
	Freedom to Associate	Freedom to form and/or join a union
		Requiring workers to join a union.
	Interference and discrimination	Attempt(s) to interfere with, manipulate, or control the union(s).
		Freedom to meet without management present.
		Incentives to refrain from joining a union or engaging in union activities.
		Punishment of unionists
		Termination or non-renewal of worker's employment contract due to union membership or activities
		Threats, intimidation, or harassment of unionists.
		Unequal treatment of multiple unions.
		Union membership or union activities factoring into hiring decisions

	Strikes	The hiring of replacement workers during a strike.
		Preventing workers from participating in a strike.
		Punishing workers for participating in a strike.
		Security guards, the police, or armed forces are called on to break up a peaceful strike or arrest striking workers.
	Union Operations	Deduction of union dues upon workers' request.
		Union representatives' access to workers in the workplace.
Compensation	Method of Payment	In-kind wage payments.
		Regular and timely payment of wages.
		Wage payment directly to workers at the workplace on working days
		Wage payment in legal currency.
	Minimum Wage	Correct payment of piece-rate workers when their piece-rate earnings exceed minimum wage.
		Payment of minimum wage for apprentices.
		Payment of minimum wage for temporary workers.
	Overtime Wages	Payment for ordinary overtime.
		Payment for overtime hours worked on holidays.
		Payment for overtime worked at night.

		Payment for overtime worked on weekly rest days.
	Paid Leave	Payment for annual leave.
		Payment for breastfeeding breaks.
		Payment for legally mandated holidays.
		Payment for maternity leave.
		Payment for sick leave.
		Payment for weekly rest days.
	Premium Pay	Payment for regular hours worked at night.
		Payment for regular hours worked on holidays
		Payment for regular working hours worked on weekly rest days
	Social Security and Other Benefits	Collecting and forwarding workers' social insurance contributions funds to ONA.
		Employer contribution to OFATMA for maternity and health insurance.
		Employer contribution to OFATMA for work-related accident insurance.
		Employer contribution to ONA.
		Forwarding of workers' contributions to OFATMA.
		Payment of annual salary supplement or bonus.
		Deductions from workers' wages.

Contracts and Human Resources	Wage Information, Use, and Deduction	Informing workers about wage payments and deductions.
		Payroll records.
	Contracting Procedures	Limits on the trial period for apprentices.
		Bullying, harassment, or humiliating treatment of workers.
		Disciplinary measures
	Dialogue, Discipline and Disputes	Resolution of grievances or disputes.
		Contracts for all persons performing work for the factory.
		Employment contracts' compliance with the labor code, collective agreement, and/or internal work rules.
	Employment Contracts	Internal work rules.
		Specifying terms and conditions of employment in written employment contracts.
		Workers' understanding of the terms and conditions of employment.
	Termination	Annual salary supplement or bonus upon termination.
		Notice of termination.
		Orders to reinstate or compensate unjustly terminated workers.
		Payment for unused paid annual leave upon resignation or termination.
		Reasons for termination.

		Reductions in workforce size or suspensions due to changes in operations
Occupational Safety and health	Chemicals and Hazardous Substances	Assessing, monitoring, preventing, and/or limiting workers' exposure to hazardous substances.
		Chemical safety data sheets for all chemicals and hazardous substances in the workplace.
		Inventory of chemicals and hazardous substances used in the workplace.
		Labelling of chemicals and hazardous substances.
		Storage of chemicals and hazardous substances.
		Train workers who work with chemicals and hazardous substances.
		Washing facilities or cleansing materials in the event of chemical exposure.
	Emergency Preparedness	Accessible, unobstructed, and/or unlocked emergency exits during working hours, including overtime.
		Fire detection and alarm system.
		Fire-fighting equipment.
		Marking or posting of emergency exits and/or escape routes in the workplace.
		The number of emergency exits.
		Periodic emergency drills.
		Safeguarding possible sources of ignition

		Storage of flammable materials
		Training workers to use the fire-fighting equipment
	Health Services and First Aid	Annual medical checks for workers.
		First-aid training for workers.
		Health checks for workers who are exposed to work-related hazards.
		Medical checks for workers upon hiring.
		Onsite medical facilities and staff.
		The employer did not ensure a sufficient number of readily accessible first aid boxes/supplies in the workplace.
		Safety and health risks to pregnant or nursing workers
	OSH Management Systems	Assessment of general, occupational safety, and health issues in the factory.
		Legally required construction/building permits
		Mechanisms to ensure cooperation between workers and management on OSH matters.
		Recording work-related accidents and diseases and/or submitting the record to OFATMA.
		Written OSH policy.
	Welfare Facilities	Certain required facilities.
		Eating area.
		Providing drinking water.

		Toilets.
		Washing facilities and/or soap.
	Worker Accommodation	Accommodation separate from the workplace
		Cooking or storage facilities in the accommodation.
		Lighting in the accommodation.
		Minimum space requirements in the accommodation.
		Preparation for emergencies in the accommodation.
		Privacy in the accommodation.
		Protection against disease-carrying animals and/or insects in the accommodation.
		Protection against fire in the accommodation.
		Protection against heat, cold and/or dampness in the accommodation.
		Protection against noise in the accommodation.
		Toilets, showers, sewage, and/or garbage disposal systems in the accommodation.
		Ventilation in the accommodation.
		Water in the accommodation.
		Ergonomic requirements

	Worker Protection	Installing guards on all dangerous moving parts of machines and equipment.
		Installing, grounding, and/or maintaining electrical wires, switches, and/or plugs.
		Posting safety warnings in the workplace
		Providing workers with personal protective clothing and equipment.
		Punishment of workers who removed themselves from work situations they believed presented an imminent and severe danger to life or health.
		Training and encouragement of workers to use PPE, machines, and/or equipment safely
	Working Environment	Workplace cleanliness
		Workplace lighting.
		Workplace noise levels.
		Workplace temperature and/or ventilation.
Working Time	Leave	payment in place of annual leave
		Time off for annual leave.
		Time off for breastfeeding breaks.
		Time off for maternity leave.
		Time off for sick leave.
	Overtime	Authorization from the Department of Labor for overtime.

		Authorization from the Department of Labor for work on Sundays.
		Limits on overtime hours worked.
		Voluntary overtime.
	Regular Hours	Daily break periods.
		Regular daily and/or weekly working hours.
		Weekly rest period.
		Working time records.
		Authorization from the Department of Labor before working at night.

CALCULATING NON-COMPLIANCE & PUBLIC REPORTING

In public synthesis reports, Better Work reports aggregated non-compliance in the participating industry, as shown in Chart 1. Non-compliance is reported for each subcategory (compliance point, or “CP”) of the eight labor standards clusters. A factory is reported as non-compliant in a subcategory if it is found to be out of compliance on any issue addressed within the subcategory. With respect to the figures presented in synthesis reports, for example, a non-compliance rate of 100% means that all participating factories were found to have at least one violation in that area.

The Better Work program supports fair and transparent public reporting. In all Better Work country programs, synthesis reports containing aggregated information on the industry are prepared based on the individual factory assessment reports and published twice a year. Better, work is currently expanding its reporting in the other Better Work countries to include individual factory-level compliance information, as is already the case for Haiti. Evidence shows that public reporting of this kind helps encourage continuous improvement and reduces the probability of reversing compliance gains. In

addition, gathering and reporting these data over time enables factories to demonstrate their efforts to improve working conditions.

LIMITATIONS IN THE ASSESSMENT PROCESS

The factory-level assessments carried out by Better Work Haiti follow a thorough checklist of about 230 questions covering the above-mentioned labor standards and gathering general information about the factory.⁵ Information is gathered through various sources and techniques, including document review, observations on the factory floor, and interviews with managers, workers union representatives, bipartite committee members, or other relevant witnesses. Finally, the information collected is compiled and analyzed to produce a detailed assessment report. Before the reports become official, factories are given seven calendar days to provide feedback.

Worker interviews conducted during the assessment process are held onsite, either in a private room within the factory building or outside the building (yard, eating area), and either in small groups or individually. Interviews are conducted in Creole, the primary language of the workers. Workers may be suspicious and feel uneasy about sharing information in their workplaces with people who are not well known. In addition, coaching of workers by factory management is a possible issue in the industry in general. Nevertheless, after fourteen assessment cycles conducted over more than seven years, Better Work Haiti Enterprise Advisors have become more experienced at collecting information and interviewing workers. Together with other activities led by Better Work, Haiti has created an environment where workers are more comfortable discussing working conditions. Interviews with workers cover many aspects of life at work and last approximately 20 minutes. On average, 40 workers representing different sections of the factories and union representatives are interviewed.

Violations in core labor standards such as sexual harassment or freedom of association are sensitive and are more difficult to detect during factory assessments. The assessment of violation of freedom of association issues in the workplace is sometimes difficult to assess in a two-day assessment. There

⁵ Better Work Haiti Compliance Assessment Tool (CAT) including their legal references can be accessed here: http://betterwork.org/haiti/?page_id=1731

are several reasons for that. One challenge is that some labor unions are organized at the sectoral level rather than at the factory level, where small union cells predominate. Another challenge is that, for example, the termination of unionists usually happens after a series of events. Key witnesses might have been terminated before the assessment days. Also, supporting documents might not have the level of details required to determine non-compliance. Better Work is basing its assessment findings on triangulation of facts, which requires sufficient evidence to find a factory in non-compliance on a particular compliance point. Some issues are, therefore, not always easy to confirm. As more unions are present in the factories today, workers are more aware of their rights regarding freedom of association. Workers, therefore, are also demonstrating an increased level of openness to discuss this subject during interviews. In addition, Better Work collects information about specific cases as unions, or other stakeholders share them at any given time of the year. During the assessment at a particular factory, specific questions can be asked about any case previously raised, and information may therefore enter the assessment report.

The assessment usually visits lasts two days, and because it is a picture of the moment, some situations that might lead to non-compliance points in the future are not reported. It is also important to keep in mind that non-compliance issues might be identified during the advisory cycle through the self-diagnosis process. Better Work supports factories to self-diagnose their own compliance and to develop an improvement plan that includes points beyond the Better Work assessment. For all the issues included in the improvement plan, additional information is stated, such as the action to be taken and the person responsible for it within the company. All this information in return and the remediation efforts are then documented in the progress reports.

As Better Work is moving into a differentiated approach where services for advanced factories will be less intensive from those factories that still require more assistance, the evaluation of the performance of a factory will not only be limited to the assessment data. Still, it will also include information gathered in those progress reports.

Another issue that may be challenging to detect is sexual harassment which is included in Better Work Haiti's compliance assessment tool. Like other

countries, it is one of the most sensitive and most difficult issues to detect during factory assessments. As a result, the assessment of sexual harassment in the workplace by Better Work Haiti is likely to underreport the extent of its occurrence. However, sexual harassment remains an issue of concern in the industry. As mentioned, Better Work is basing its assessment findings on triangulation of facts, which requires sufficient evidence to find a factory in non-compliance on a particular compliance point, and some issues are not always easy to detect. Although concerns regarding sexual harassment persist, Better Work Haiti has seen positive developments on the topic, with factories acknowledging the issue as a potential problem and demonstrating an increased openness to address it. Several factories are therefore working on the prevention of sexual harassment in the workplace. Better Work's supervisory skills training has contributed to raising awareness of this issue among supervisors in more than half of the factories in Haiti.

Simple auditing of factory compliance has been widely acknowledged as limited in rectifying compliance issues. Furthermore, factories wishing not to disclose certain information can do so without focusing on the long-term business benefits of improving their working conditions. Therefore, Better Work's approach at the factory level is much broader in its scope, focusing on continuous improvements through advisory and training services, emphasizing the importance of effective systems and the involvement of workers.



Annex 4: Factories findings

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: Bon Kalite International, S.A
Location: Ouanaminthe
Number of workers: 977
Date of registration: May-21
Date of last two Better Work assessments: May-22 Jun-23

Advisory and Training Services

22-May-23	Advisory meeting	Factory tour on chemical handling, Documentation review: Compensation, working time and Management systems. Meeting with the bipartite committee on improvement made in the workplace.
13-Apr-23	Training	Chemical Management System
13-Apr-23	Advisory meeting	Factory tour on emergency preparedness, chemical, electrical safety. Conduct an OSH management systems gap analysis.
11-Apr-23	Training	PNCs & Management System
6-Feb-23	Advisory meeting	Factory Tour on emergency preparedness, Bipartite meeting to identify the training needs. Meeting with Union leaders about general concerns and improvement plan and Short training on OSH emergency preparedness.
11-Nov-22	Advisory meeting	Bipartite meeting to present the last assessment. Conduct session on BW portal and session on first progress report. Then review of HR documents: internal work rules, contracts, trainings.
31-Aug-22	Training	Supervisory Skills (SST)
30-Aug-22	Training	Supervisory Skills (SST)
29-Aug-22	Training	Supervisory Skills (SST)
25-Aug-22	Training	BWH-TNG HIV/AIDS
17-Jul-22	Training	Bipartite Committee training
16-Jul-22	Training	Bipartite Committee training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment June 2023						
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate and did not include the name of all chemicals used in the workplace	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		18
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors found several containers without proper labelling, indicating the classification hazards and safety precautions.	Define who control the chemical container on receipt from supplier and control the label.		18

Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS is not available for all chemicals in the workplace.	Specify who is in charge of receiving MSDS from supplier / Verify the MSDS has the needed elements.		18
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper conditions to prevent unnecessary exposure of workers.	Improve isolation from the chemical (e.g. separate room for spot cleaning).		18
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The eye wash stations in several areas, are used are not functioning properly.	Install eye wash where chemicals are used.		18
Jun-23	Freedom of Association and Collective Bargaining	Collective Bargaining	The employer failed to implement the CBA provisions.	Implement the CBA as agreed with workers 'representatives.		1
Jun-23	Occupational Safety and Health	Emergency Preparedness	The fire extinguishers are not properly maintained.	Mark on the floor area that should not be obstructed. Then specify who conduct daily weekly checks (and include this in the system of daily-weekly checks).		18
Jun-23	Occupational Safety and Health	Emergency Preparedness	Several areas of the factory are obstructed by boxes or pallets of raw materials and finished goods.	Discuss with the General Manager and rearrange the sewing floor.		18
Jun-23	Occupational Safety and Health	Emergency Preparedness	Fire drill are not conducted twice a year as recommended.	Conduct at least one emergency drill every 6 months including full evacuation of the workforce		18
Jun-23	Occupational Safety and Health	Emergency Preparedness	The workers are not aware of the risks. The last fire drill was conducted in September of 2022.	Ensure that the evacuation routes are not obstructed during working hours. Conduct fires drills every six months.		18
Jun-23	Occupational Safety and Health	Emergency Preparedness	The training records provided revealed that less than 10 percent of workers were trained in fire-fighting equipment.	Provide additional training on fire fighting equipment Have a system in place to monitor trained workers		18
Jun-23	Contract and Human Resources	Employment Contracts	The contract does not comply with the labor code. The employment contract for Dominican workers is not signed by both parties. In addition the hours of work is different from the regular hours of the factory.	Ensure that foreign workers contract are signed by both parties and it complies with the Haitian labor code		18

Jun-23	Contract and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Translate the internal work rules in local language and submit it to the ministry of labor for proper authorization	18
Jun-23	Contract and Human Resources	Employment Contracts	The factory does not have an HR policy as part of its internal policy.	Develop an HR policies.	18
Jun-23	Contract and Human Resources	Employment Contracts	The factory does not communicate HR procedures and policies adequately.	Post the internal regulations and trained staff on how to carry out policies and procedures.	18
Jun-23	Contract and Human Resources	Employment Contracts	There is no evidence that the employer takes action to investigate violations of HR policies and procedures.	Develop HR performance indicator.	18
Jun-23	Contract and Human Resources	Employment Contracts	The termination procedure does not include all the necessary elements.	Include the time frame between warnings and payments, the right to defend oneself prior to termination and to representation during the disciplinary process.	18
Jun-23	Contract and Human Resources	Employment Contracts	The grievance procedure does not ensure anonymity and non-retaliation, include all the necessary elements.	Include in the procedure fair review, communication of changes made or resolution and an appeal process, ensuring anonymity and non-retaliation.	18
Jun-23	Occupational Safety and Health	Health Services and First Aid	Worker did not receive the health cards within the first 3 months of hiring.	Pay the health cards and request OFATMA to conduct the health checks.	18
Jun-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Conduct the health checks twice a year.	18
Jun-23	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Pay the health cards and request OFATMA to conduct the health checks.	18
Jun-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Set up a clinic approved by the Authorities or Hire the required medical staff.	18
Jun-23	Occupational Safety and Health	Health Services and First Aid	First aid box was. In addition, the inventory list is not accurate.	Equip first aid box and define responsibility for refilling.	18

Jun-23	Occupational Safety and Health	Health Services and First Aid	Less than 10% of workers trained in first aid.	Provide additional training on first aid to workers.		18
Jun-23	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth, as required by the labor code.	Develop a procedure for maternity leave and send pregnant workers on leave 6 weeks before giving birth.		18
Jun-23	Occupational Safety and Health	OSH Management Systems	The factory did not conduct a general OSH assessment monthly.	Create a daily, weekly or a monthly checklist. Assign someone to conduct the monthly inspection.		18
Jun-23	Occupational Safety and Health	OSH Management Systems	Management has not ensured effective functioning of the OSH committee.	Ensured effective functioning of the OSH committee.		18
Jun-23	Occupational Safety and Health	OSH Management Systems	The employer has not : Trained all joint OSH committee members and posted the names of OSH committee members.	Train and post the names of OSH committee members.		18
Jun-23	Occupational Safety and Health	OSH Management Systems	Management does not regularly review the effectiveness of management system.	Hold a meeting with top management to develop OSH measurable objectives and targets.		18
Jun-23	Occupational Safety and Health	OSH Management Systems	The employer does not have an adequate accident investigation procedure.	Develop an accident investigation procedure that includes: root cause analysis, focus on sustainable solutions and implementation of changes in order to avoid reoccurrence..		18
Jun-23	Occupational Safety and Health	OSH Management Systems	The risk procedure does not include all the necessary elements.	include a risk register that drives the implementation of controls.		18
Jun-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	Register workers to OFATMA maternity and health insurance.		18
Jun-23	Working Time	Regular Hours	Worker's interview revealed that some workers with apparent pregnancy are not allowed additional breaks.	Develop a procedure regarding additional breaks for pregnant workers and inform the workers of their rights.	The factory has informed all pregnant women of their right and also provide the additional breaks.	18
Jun-23	Compensation	Social Security and Other Benefits	The factory has paid OFATMA for Work Related Accident Insurance late and did not provide any proof of agreement with OFATMA.	Pay OFATMA work related accident on time.		18

Jun-23	Compensation	Social Security and Other Benefits	The employer collects and forward the workers' contribution to ONA late. Furthermore the calculation is made on the minimum salary.	Calculate ONA deduction on Workers' basic salary Forward worker's contribution to ONA within the first 10 business days of the next month for the previous month		18
Jun-23		Social Security and Other Benefits	The factory is not registered with OFATMA for Maternity and Health Insurance. The employer does not pay 3% of workers' basic salary to OFATMA for Maternity and Health Insurance.	Register with OFATMA for maternity and health insurance.		
Jun-23	Compensation	Social Security and Other Benefits	The employer pays the employer's contribution to ONA late. Furthermore the calculation is made on the minimum salary.	Calculate ONA deduction on Workers' basic salary Forward employers' contribution to ONA within the first 10 business days of the next month for the previous month		18
Jun-23	Compensation	Social Security and Other Benefits	The factory does not collect and forward worker's contribution to OFATMA for Maternity and Health Insurance. The factory is not registered with OFATMA	Collect and forward worker's and employers' contribution to OFATMA within the first 10 business days of the next month for the previous month		
Jun-23	Compensation	Social Security and Other Benefits	Management interview revealed that workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave. The factory makes the payments	Register with OFATMA and send workers' pay slip for sick leave and maternity leave.		
Jun-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Increase the number of toilets according to the law.		18
Jun-23	Occupational Safety and Health	Welfare Facilities	The water test is not conducted on a monthly basis by a certified laboratory.	Conduct the water test monthly.	The water test is conducted monthly.	18
Jun-23	Occupational Safety and Health	Welfare Facilities	The eating areas do not have the capacity to accommodate all workers.	Provide an eating Area that can accommodate all the workers		
Jun-23	Occupational Safety and Health	Worker Protection	The employer did not provide all required PPEs.	Provide PPE in accordance with the company regulation. Develop a monitoring plan.		18

Jun-23	Occupational Safety and Health	Worker Protection	No evidence of training was available during the assessment.	Develop an OSH training plan. Train workers on occupational safety and health and keep records of the training.		
Jun-23	Occupational Safety and Health	Worker Protection	100% of single needle and double needle machine are missing finger guards,	Install the machine guards in accordance with the company regulation.		
Jun-23	Occupational Safety and Health	Worker Protection	During the factory tour assessors observe several chairs missing back rest.	Provide chairs with backrest to workers.		
Jun-23	Occupational Safety and Health	Working Environment	The temperature exceed the recommended limit of 30 c in Pressing and cutting section.	Increase the ventilation with additional fans.		18
Jun-23	Occupational Safety and Health	Working Environment	Lux level is insufficient.	Increase the lux level with additional light in Pressing , sewing and packing section.		18
Jun-23	Occupational Safety and Health	Working Environment	The workplace is not clean. Residue of raw material was found scattered in several area of the workspace.	Hire additional cleaners and clean more regularly the workplace.		18
Assessment May 2022						
May-22	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure.	Develop a hazard/risk management and control procedure that includes:- A systematic approach to identifying hazards.		18
May-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate emergency preparedness procedure.	Develop an emergency preparedness procedure that includes: Reporting fires and other emergencies Alerting all employees to evacuate.		18
May-22	Occupational Safety and Health	OSH Management Systems	The employer does not have an accident investigation procedure.	Develop an accident investigation procedure that include Root cause analysis and focus on sustainable solutions.		18
May-22	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of Regular management review of effectiveness of management system including performance on measurable objectives and targets.	Keep records of Regular management review including performance on measurable objectives and targets.		18

May-22	Occupational Safety and Health	OSH Management Systems	The employer has not trained all joint OSH committee members. Posted the names of OSH committee members.	Provide training to all joint OSH committee members, post policies and work instructions around the workplace and the names of OSH committee members.		18
May-22	Occupational Safety and Health	OSH Management Systems	Management has not define authority for OSH officer and top management to perform OSH responsibilities.	Define authority for OSH officer and top management to perform OSH responsibilities- Appoint an OSH officer with sufficient expertise		18
May-22	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedure does not ensure anonymity and retaliation, fair review, communication of changes made or resolution and an appeal process.	Include the following: Ensuring anonymity and non-retaliation, fair review, communication of changes made or resolution and an appeal process.		18
May-22	Contracts and Human Resources	Employment Contracts	The termination procedure does not include the time frame between warnings and payments, the right to defend oneself prior to termination and to representation during the disciplinary process.	Include the time frame between warnings and payments in the procedure.		18
May-22	Contracts and Human Resources	Employment Contracts	The employer did not take action to investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence.	Identify HR KPI, defined the goals related to each KPI and have in place a monitoring systems and action plan.		18
May-22	Contracts and Human Resources	Employment Contracts	The factory has not posted internal regulations neither policies. Then trained staff on how to carry out policies and procedures.	- Post internal regulations and policies. - Trained staff on how to carry out policies and procedures.	The policies will be published.	18
May-22	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy as part of its internal policy.	Develop an HR policy that include minimum age, Non-utilization of child labor- Equal treatment and non-discrimination- Prevention of sexual harassment		18
May-22	Working Time	Leave	The factory provides 12 weeks of maternity leave to pregnant workers. However, they did not comply with the Labor Code because pregnant workers do not go on leave 6 weeks before giving birth.	Ensure that pregnant workers go on leave 6 weeks before giving birth.		18

May-22	Working Time	Regular Hours	Worker's interview revealed that some workers with apparent pregnancy are not allowed additional breaks.	Provide additional breaks to pregnant women. Inform workers of their rights.		18
May-22	Working Time	Regular Hours	The regular working hours are from 6:30 AM to 4:30 PM including a 1 hour daily break, 5 days a week, which is equivalent to 10 hours per day and 50 hours per week.	Revise the internal regulations and make sure that the regular hours do not exceed 48 hours per week.		18
May-22	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of workers were trained in fire-fighting equipment.	Provide additional training on fire fighting equipment Have a system in place to monitor trained workers		18
May-22	Occupational Safety and Health	Emergency Preparedness	Workers are not aware of the risk and even though the factory conducted fire drill, the workers explained that in case of emergency it is practically impossible to leave the workspace because the floor is obstructed.	Inform workers about workplace hazards.	The layout of the floor was changed and more main corridors were placed	18
May-22	Occupational Safety and Health	Emergency Preparedness	The assessors observed rechargeable light bulbs wrap with fabric in packing section which represents a fire hazards.	Provide training to workers on electrical Hazards. Display poster on Fire hazards.	A warning is being given to the employees who are placing this type of object	18
May-22	Occupational Safety and Health	Emergency Preparedness	The last fire drill was conducted in December 2021, and the one before that in June 2020. Better Work recommends an emergency drill every 6 months.	Conduct at least one emergency drill every 6 months including full evacuation of the workforce and keep records of the drill.	The last fire Drill has been conducted in March 2023. The one before that was conducted in September 2022.	18
May-22	Occupational Safety and Health	Emergency Preparedness	Assessors observed that 90 percent of aisles are obstructed by boxes and sewing machines.	Discuss with the General Manager and rearrange the sewing floor.		18
May-22	Occupational Safety and Health	Emergency Preparedness	The evacuation plan did not reflect the actual layout of the floor. Management said they will make some changes on the floor and update the evacuation plan.	Review and update the evacuation plan.	The update of the evacuation map was carried out immediately and posted on the floor.	18
May-22	Occupational Safety and Health	Emergency Preparedness	The assessors observed that 1 fire extinguisher in receiving and cutting area was not accessible. In addition, several fire extinguishers were not identified in sewing section.	Mark on the floor area that should not be obstructed and remind supervisors about their responsibility to enforce OSH in their area.		18

May-22	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less 10 percent of the workforce as recommended by Better Work.	Provide additional training on first aid Have a system in place to monitor trained workers		18
May-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire the medical staff according to the current workforce as required by law.	The factory does not have medical facilities but the codevi park does because all the plants report to the codevi administration	18
May-22	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files. Worker interviews across the factory also confirmed such medical checks were not performed.	Provide health checks once a year at not cost.		18
May-22	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Provide health checks twice a year at not cost for the workers.		18
May-22	Occupational Safety and Health	Health Services and First Aid	Worker interviews across the factory confirmed they did not receive the health cards within the first 3 months of hiring.	Pay OFATMA work related accident and request the health cards from OFATMA within the first 3 months of hiring.	Payments are made by instalments to OFATMA for work related accidents.	18
May-22	Occupational Safety and Health	Welfare Facilities	The employer does not have its own eating area, instead workers use the communal eating areas shared with other factories within CODEVI (industrial park).	Provide an eating Area that can accommodate all the workers.		18
May-22	Occupational Safety and Health	Welfare Facilities	Employer provide free water to the workers. However, the water test is not conducted on a monthly basis by a certified laboratory.	Conduct the water test monthly.	The water test is conducted monthly by a certified laboratory.	18
May-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets according to the law.		18
May-22	Occupational Safety and Health	Working Environment	Lux level is insufficient in the workplace.	Increase the lux level with additional light. Specify who is in charge of regular maintenance of the lights and conduct regular measurement of temperature & compare with threshold value.	Additional lighting has been added.	18

May-22	Occupational Safety and Health	Working Environment	Temperature level exceed 30 C in the workplace.	Increase the ventilation with additional fans. Specify who is in charge of regular maintenance of the fans and conduct regular measurement of temperature & compare with threshold value.	additional fans have been added.	18
May-22	Occupational Safety and Health	Worker Protection	The assessors observed several chairs without backrest in fusing section and sewing floor.	Provide chairs with backrest to workers.		18
May-22	Occupational Safety and Health	Worker Protection	During the assessment visit, the assessors noticed that the factory did not check the body temperature of all workers as well as visitors'.	Check the body temperature of all workers as well as visitors'.	This procedure is not followed at the factory.	18
May-22	Occupational Safety and Health	Worker Protection	During the assessment visit, assessors noticed more than 75 percent of sewing machines were missing finger guards, eye guards, belt guards and pulley guards.	Install the guards in accordance with the company regulation.	A daily checklist has been created.	18
May-22	Occupational Safety and Health	Worker Protection	Management did not provide evidence of OSH training conducted for workers.	Train workers on occupational safety and health and keep records of the training.		18
May-22	Occupational Safety and Health	Worker Protection	The employer did not provide all necessary PPE.	Provide PPE in accordance with the company regulation and develop a monitoring plan.	Safety belt has been provided and a checklist has been implemented for the monitoring.	18
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station was not available in inspection and training section where chemicals are used.	Provide eye washing station or eye wash bottles. Specify who will conduct regular checks of the functioning of the eyewash (and include this in the system of daily-weekly checks).		18
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Workers were not trained in using chemical and hazardous substances.	Provide training to workers on chemical management.		18
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer did not take any action to limit the exposure of employees to chemical vapors.	Improve isolation from the chemical (e.g. separate room for spot cleaning). Limit access of other workers to the chemical workplace.		18

May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS were not available for all chemicals used in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace. Specify who is in charge of receiving MSDS from supplier / Verify the MSDS has the needed elements.	A chemical MSDS folder has been created.	18
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors found unlabeled containers of thinner in inspection and training section.	Define who control the chemical container on receipt from supplier and control the label. Define who is entitled to pour chemicals in other recipients and label them.		18
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was incomplete.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.	Assignment of responsibilities are made.	18
May-22	Occupational Safety and Health	OSH Management Systems	The factory did not conduct a general OSH assessment monthly.	Create a daily, weekly or a monthly checklist. Assign someone to conduct the monthly inspection.		18
May-22	Contracts and Human Resources	Termination	The employers pays workers their annual salary supplement upon termination. However, the calculation of the average daily salary does not include the lunch break payment.	Discuss legal requirements with the General Manager and Pay the lunch break.		18
May-22	Contracts and Human Resources	Termination	The employer compensates workers for unused paid annual leave upon termination. However, the calculation of the average daily salary does not include the lunch break payment.	Discuss legal requirements with the General Manager and Pay the lunch break.		18
May-22	Contracts and Human Resources	Termination	The employer provides the payment for the applicable notice period. However, the calculation of the average earning does not include the lunch break payment.	Discuss legal requirements with the General Manager and Pay the lunch break. Include the lunch brake payment in the calculation of average earning for the applicable notice period.		18
May-22	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Translate the internal work rules in local language and submit it to the ministry of labor for proper authorization.	The work regulations were sent to the Haitian government to be validated.	18

May-22	Contracts and Human Resources	Employment Contracts	The contract does not comply with the labor code. The employment contract for Dominican workers is not signed by both parties. In addition the hours of work is different from the regular hours of the factory.	Ensure that foreign workers contract are signed by both parties and it complies with the Haitian labor code.		18
May-22	Compensation	Social Security and Other Benefits	The factory is registered with OFATMA for maternity and health insurance. However, the factory does not collect and forward workers' contribution to OFATMA..	Discuss legal requirements with the General Manager and Pay the lunch break. Collect and forward the employee's and employers contribution to OFATMA on time, within the first 10 working days of each month for the previous month.		18
May-22	Compensation	Social Security and Other Benefits	The employer collects but does not forward workers' and employers' contribution to ONA on time. In addition, workers' and employer's contribution to ONA is calculated on the minimum wage and does not include the lunch break payment.	Discuss legal requirements with the General Manager and Pay the lunch break. Submit ONA payments on time, within the first 10 working days of each month for the previous month.		18
May-22	Compensation	Social Security and Other Benefits	Management interview revealed that workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave. The factory makes the payments.	Send workers' pay slips to OFATMA on a monthly basis for sick leave and maternity leave payment.		18
May-22	Compensation	Social Security and Other Benefits	Documentation as well as workers and management interviews revealed that workers are entitled to full payment of annual salary supplement. However, the calculation for the bonus payment does not include the lunch break payment.	Discuss legal requirements with the General Manager and Pay the lunch break. it is in process the codevi park has not approved it		18
May-22	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work related accident and the factory has paid the fiscal year 2020-2021. However, the salary statement sent to OFATMA does not include the lunch break payment, bonus, extra, and liquidation.	Discuss legal requirements with the General Manager and Pay the lunch break. Include the lunch break payment, bonus, extra and liquidation in the salary statement sent to OFATMA. Pay OFATMA work related accident for the fiscal year 2021-2022		18

May-22	Compensation	Paid Leave	Payment for annual leave.	Discuss legal requirements with the General Manager and Pay the lunch break.		18
May-22	Compensation	Paid Leave	Documentation reviews and workers' interviews revealed that workers are entitled to 1 hour lunch break. However, the lunch breaks is not compensated in the payroll.	Discuss legal requirements with the General Manager and Pay the lunch break.		18
May-22	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment when the factory is registered with OFATMA for maternity and health insurance, according to the labor code. In addition, the calculation does not include the lunch break payment.	Discuss legal requirements with the General Manager and Pay the lunch break.		18
May-22	Compensation	Paid Leave	Sick leave payments are based on average daily earnings. However, the calculation does not include the lunch break payment.	Discuss legal requirements with the General Manager and Pay the lunch break.		18
May-22	Compensation	Paid Leave	Documentation review revealed that payment for annual leave, Sick leave, maternity leave and the daily break are not accurate.	Discuss legal requirements with the General Manager and Pay the lunch break.		18

BETTER WORK HAITI – 26TH SYNTHESIS REPORT



Factory: BrandM Apparel Haiti – AI³¹⁰²
Location: Ouanaminthe
Number of workers: 1,353
Date of registration: May-19
Date of last two Better Work assessments: Apr-22 May-23

Advisory and Training Services

14-Jun-23	Training	Advance Bipartite training
2-Jun-23	Advisory meeting	Advisory summary session:- To review the exit meeting from the last assessment with the bipartite committee and follow-up on the improvement the factory has already done.- Conducted a factory tour with the factory compliance officer, the HR manager, and the
21-Apr-23	Bipartite Committee Meeting	Advisory summary session: - OSH assessment tour with the factory compliance officer to approve non-compliance fixed by the factory and to advise on the ones found during the tour - A training session on chemical management system was conducted - Reviewed several documents to identify the improvement made by the factory Meeting Bipartite committee: - To monitor the Implementation of OFATMA€™s maternity and Health insurance. - To discuss about the factory retrenchment process - To discuss about ONA loan and the letter the Prime Minister send to Better Work about the 3*8 law.
21-Apr-23	Training	Respectful Workplace Program
21-Apr-23	Training	Chemical Management System
21-Apr-23	Advisory meeting	Advisory summary session: - OSH assessment tour with the factory compliance officer to approve non-compliance fixed by the factory and to advise on the ones found during the tour - A training session on chemical management system was conducted - Reviewed several documents to identify the improvement made by the factory Meeting Bipartite committee: - To monitor the Implementation of OFATMA€™s maternity and Health insurance. - To discuss about the factory retrenchment process - To discuss about ONA loan and the letter the Prime Minister send to Better Work about the 3*8 law.
11-Apr-23	Training	PNCs & Management System
9-Feb-23	Training	Workplace Cooperation &
2-Feb-23	Bipartite Committee Meeting	Advisory summary session: - OSH assessment tour with the factory compliance officer - Reviewed several documents to identify the improvement made by the factory - I completed the purchasing practices survey with the factory management. - I Conducted two of training sessions during the visit, Meeting Bipartite committee: - To monitor the Implementation of OFATMA€™s maternity and Health insurance. - To get an update on the factory situation.
2-Feb-23	Training	Basic Rights and

2-Feb-23	Advisory meeting	Advisory summary session: - OSH assessment tour with the factory compliance officer - Reviewed several documents to identify the improvement made by the factory - I completed the purchasing practices survey with the factory management. - I Conducted one of training sessions during the visit, Meeting Bipartite committee: - To monitor the Implementation of OFATMA€™s maternity and Health insurance. - To get an update on the factory situation.
15-Nov-22	Training	Impact of Purchasing Practices on Enterprise Compliance Performance.
14-Nov-22	Advisory meeting	Advisory session with the bipartite committee to Follow-up on: - The last meeting and the improvement that the factory made. - The implementation of OFATMA maternity and Health insurance. - Factory renovation and the division in two factories. - A plant to identify the committee members. Finally, Meeting with the compliance team to work on the Better Work portal mainly on the management system.
31-Aug-22	Training	Supervisory Skills (SST)
24-Aug-22	Training	HIV/AIDS Prevention
17-Aug-22	Advisory meeting	Advisory session with the bipartite committee to discuss: - The progress on the improvement plan of the factory. - Implementation of OFATMA maternity and Health insurance about when. - Factory tour to see the new layout process that the factory has started. Meeting with the compliance team to work on the Better work portal mainly on the management system.
8-Jul-22	Advisory meeting	Advisory session with the bipartite committee to discuss: - The new improvement plan of the factory - Root cause and remediation action needed - Factory tour to validate all improvements made by the factory. Meeting with the compliance team to update the Better work portal.
5-Jul-22	Training	Bipartite Committee training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2023						
May-23	Occupational Safety and Health	OSH Management Systems	The OSH policy signed by senior management does not meet all the requirements.	Update and adjust the OSH policy and procedures.	The factory fix the issue with the OSH policy.	15
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		15

May-23	Occupational Safety and Health	OSH Management Systems	The factory's accident investigation procedure does not have all the necessary steps.	Update and adjust the accident investigation procedure.		7
May-23	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OSH issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		15
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	Ensure that training are provided to all relevant staff.		15
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR manager.	Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		15
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have a grievance handling and dispute resolution procedure that meets all the requirements.	Update and adjust the grievance policies and procedures.		15
May-23	Contracts and Human Resources	Employment Contracts	The factory currently applies Codie's disciplinary and termination procedures, which does not include all the steps.	Update and adjust disciplinary and termination procedures.	The factory update the HR Procedure and add disciplinary and termination procedures in it.	15
May-23	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR review.		15
May-23	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place in the factory.		15
May-23	Contracts and Human Resources	Employment Contracts	The factory's HR policy does not include all the necessary elements.	Make sure the HR policy is sign by the top management of the factory.	The HR policy is signed by top management.	7
May-23	Working Time	Leave	Pregnant workers do not go home 6 weeks before giving birth.	Ensure that pregnant workers are going home 6 weeks before giving birth.		7
May-23	Occupational Safety and Health	Emergency Preparedness	Improper control of electrical issues.	1. Make sure the source of ignition problem is fix.	The factory fix the source of ignition problem.	7

May-23	Occupational Safety and Health	Emergency Preparedness	Unmarked escape routes, on the factory floor.	Ensure that the escape routes in the component area are clearly marked		46
May-23	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers are not properly maintained	Provide adequate firefighting equipment and Ensure regular maintenance is done	The factory replaced the fire extinguishers with low pressure.	46
May-23	Occupational Safety and Health	Emergency Preparedness	Alarm has not been installed in the component area.	The factory needs to install fire detection system in all areas of the workplace.	The factory install a fire alarm system in the component area	46
May-23	Occupational Safety and Health	Health Services and First Aid	One first aid box is not identified and one contain expired products.	The factory needs to designate a person to monitor all first aid boxes.	The factory identified the first aid box, removed the expired product and replace by a new one.	27
May-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by labor code.	Ensure that the free zone or the factory has adequate medical facilities		46
May-23	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Provide health checks to workers exposed to work-related hazards at least twice a year.	The factory has completed the payment for the CDS which entitled the workers to received health checks from OFATMA.	46
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		43
May-23	Occupational Safety and Health	Working Environment	The sewing floor was not clean and tidy,;	Ensure that the workplace is always clean and tidy.	The factory clean all the workplace.	19
May-23	Occupational Safety and Health	Working Environment	light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		27
May-23	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		46
May-23	Occupational Safety and Health	Worker Protection	Several chair without backrests in the sewing areas and standing mats were not available to all workers.	Provide chairs with backrest to workers.	The factory replaced the chairs without backrest	46
May-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all circuit breakers are labelled.	The factory labelled all circuit breakers	27
May-23	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		46

May-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper PPE to all workers using chemical products.		46
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available in the mechanic workshop,	The factory needs to install eyewash station in all areas where chemical products are used.	The factory added the Eye wash where chemicals are used in the mechanic workshop	46
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not have appropriate spot cleaning area.	The factory needs to have an isolated area for the spot cleaning and ensure that the machine are working properly. They also need to provide PPE for all workers in the section.		46
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.	The factory added all the missing MSDS	46
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.	The factory remove the 2 unlabeled containers	46
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.	Chemical inventory is updated all chemical are mentioned on it with all necessities information.	27
May-23	Occupational Safety and Health	OSH Management Systems	Workers are not informed and they do not participate the OSH self-assessment.	Perform the general occupational safety and health self-assessment with the OSH committee in place in the factory.	The compliance manager is doing the OSH self-assessment in collaboration with OSH bipartite committee	7
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Send the factory internal work rules to MAST for approval.	The factory has an internal work rules approved by MAST on August 16, 2023.	46
May-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		7
May-23	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers contribution to OFATMA	Collect and forward workers contribution to OFATMA maternity and health insurance on the basic salary.		46

May-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The factory pay employer's contribution to ONA on time.	46
May-23	Compensation	Social Security and Other Benefits	The Factory does not forward employers contribution to OFATMA.	Forward employer's contribution to OFATMA maternity and health insurance on the basic salary.		46
May-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The factory pay worker's contribution to ONA on time.	46
May-23	Compensation	Social Security and Other Benefits	Inaccurate payments for OFATMA accident insurance.	Keep records of the salary statement sent to OFATMA		46
May-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required	46
May-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings.		46
May-23	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings.		46
May-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Review the CBA and implement all articles as stated in the document.		7
Assessment April 2022						
Apr-22	Occupational Safety and Health	OSH Management Systems	The OSH policy signed by senior management does not meet all the requirements.	Update and adjust OSH policy and procedures.		8
Apr-22	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		8
Apr-22	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OSH issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		8

Apr-22	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	Ensure that training are provided to all relevant staff		8
Apr-22	Occupational Safety and Health	OSH Management Systems	The structural safety certificate was not available.	Assess the buildings to ensure they meet the safety requirements for an industrial structure.	The factory provided a structural safety certificate, certifying that the buildings' structure meets the safety requirements for an industrial structure.	8
Apr-22	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work-related accidents to OFATMA on a monthly basis.	Record and submit work related accidents to OFATMA on a monthly basis.		39
Apr-22	Occupational Safety and Health	OSH Management Systems	The factory provided only evidence of 6 OSH assessment reports for the last 12 months.	Conduct and keep records of the assessment result on a monthly basis.		12
Apr-22	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR Director	Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		8
Apr-22	Contracts and Human Resources	Employment Contracts	The factory does not have a grievance handling and dispute resolution procedure that meets all the requirements.	Update and adjust the grievance policies and procedures.		8
Apr-22	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Develop and internal work rules and send it to MAST for approval.		39
Apr-22	Contracts and Human Resources	Employment Contracts	Apprentice contracts were not approved as legally mandated.	Request approval from MAST for the apprentice contracts.		39
Apr-22	Contracts and Human Resources	Employment Contracts	The factory currently applies CODEVI's disciplinary and termination procedures, which does not include all the steps.	Update and adjust disciplinary and termination procedures.		8
Apr-22	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR review.		8

Apr-22	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place in the factory.		8
Apr-22	Working Time	Regular Hours	Regular working hours did not meet legal requirements.	Modify the internal work rules and ensure the regular working hours do not exceed 48 hours per week.		8
Apr-22	Working Time	Regular Hours	Factory did not give two break of 30 minutes to pregnant workers.	Provide additional breaks to pregnant women.		39
Apr-22	Working Time	Leave	Inaccurate maternity leave given to pregnant workers.	The factory needs to complete the registration for OFATMA maternity and health insurance and ensure that workers are given 12 weeks of paid maternity leave.		20
Apr-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several sections of the workspace.	Keep routes unobstructed during working hours.		20
Apr-22	Occupational Safety and Health	Emergency Preparedness	Fire fighting training was not provided by a certified company or trainer.	The factory needs a certified company or trainer to provide fire fighting training to at least 10 percent of the staff.	The factory has trained 30 additional workers in the use of fire fighting by a certified company.	39
Apr-22	Occupational Safety and Health	Emergency Preparedness	Unmarked escape routes, missing and outdated evacuation plan.	All escape routes should be clearly marked. The evacuation maps should be redone and posted on the work floor and meeting point should be accessible.		39
Apr-22	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers were not properly maintained and some areas were missing fire extinguishers.	Provide adequate firefighting equipment and Ensure regular maintenance is done.	Factory inspected and added the missing tag on the forklift fire extinguisher and fixed the issue with the one found on the floor of the AM 2	39
Apr-22	Occupational Safety and Health	Emergency Preparedness	Smoke detectors and alarm have not been installed in the trim warehouse.	The factory should install fire detection system in all areas of the workplace.		39
Apr-22	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by labor code.	Ensure that the free zone or the factory has adequate medical facilities		39

Apr-22	Occupational Safety and Health	Health Services and First Aid	First aid training was not provided by a certified company or trainer.	The factory needs a certified company or trainer to provide first aid training to at least 10 percent of the staff.	The factory has trained 30 additional workers in first aid by a certified company.	39
Apr-22	Occupational Safety and Health	Health Services and First Aid	Keys were not available on the floor for several boxes and one box missing a supply.	The factory must designate a person to monitor the keys and the inventory of the first aid boxes.		20
Apr-22	Occupational Safety and Health	Health Services and First Aid	Free annual medical checks was not provided to workers.	Arrange free annual medical checks for all workers.		39
Apr-22	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Provide health checks to workers exposed to work-related hazards at least twice a year.		39
Apr-22	Occupational Safety and Health	Health Services and First Aid	Health checks was not provided to workers within the first three months of hiring.	Provide health checks to workers within the first three months of hiring.		39
Apr-22	Occupational Safety and Health	Welfare Facilities	Eating area is not adequate to accommodate the entire workforce.	The factory needs to find an additional eating area to accommodate workers.		39
Apr-22	Occupational Safety and Health	Welfare Facilities	Soap was not available in all toilets including at the entrance of the premises.	Ensure that soap is available in all toilets and at the entrance of the premises.		12
Apr-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		36
Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.		39
Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.		39
Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.	The factory started implementing a system of inventory for chemicals and hazardous substances used in the workplace.	20

Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eyewash stations are missing in two areas of the workplace and another one is not working.	Install eyewash stations in all areas where chemical products are used.		39
Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not provide training for supervisors using chemicals in the spot cleaning area.	Provide chemical safety training to all workers that are using chemical products.		39
Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not have appropriate spot cleaning area.	The factory needs to have an isolated area for the spot cleaning and ensure that the machine are working properly. They also need to provide PPE for all workers in the section.		39
Apr-22	Occupational Safety and Health	Working Environment	The workplace is not clean and tidy.	keep the factory floors clean and tidy. Remove the water that is making it slippery and keep it dry.	The factory repaired the cooling system in AM 2	12
Apr-22	Occupational Safety and Health	Working Environment	light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		20
Apr-22	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		39
Apr-22	Occupational Safety and Health	Worker Protection	The factory does not systematically check body temperature upon entry.	Systematically check all body temperature upon entry and keep a registry for all persons who present a temperature of 38C and above.		12
Apr-22	Occupational Safety and Health	Worker Protection	Several chair without backrests in the sewing areas and standing mats were not available to all workers.	Provide chairs with backrest to all workers, tables with footrest or shock absorbing mats to standing workers.		39
Apr-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all electrical panel are properly maintained.		20
Apr-22	Occupational Safety and Health	Worker Protection	Sewing machines were missing pulley guards.	Install the proper safety guards on all machines.		39

Apr-22	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper PPE to all workers using chemical products.	The factory provide PPE to some workers in the workplace.	39
Apr-22	Compensation	Social Security and Other Benefits	The factory did not collect workers' contributions for OFATMA Maternity and Health insurance. The calculation is inaccurate and payments are made late consistently.	Collect workers' contributions for OFATMA Maternity and Health insurance on the average salary, include the lunch break payment and forward it on time.	The factory will organize an awareness day with OFATMA to explain to the workers the process of starting with the contribution of the payment of maternity and health	39
Apr-22	Compensation	Social Security and Other Benefits	The calculation for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the average salary, include the lunch break payment and forward it on time.		39
Apr-22	Compensation	Social Security and Other Benefits	Inaccurate annual salary supplement or bonus payments.	Calculate annual salary supplement or bonus payment based on worker's average daily earnings.		20
Apr-22	Compensation	Social Security and Other Benefits	Inaccurate payments for OFATMA accident insurance.	Keep records of the salary statement sent to OFATMA Pay OFATMA work related accident on time.	The factory pays OFATMA the remaining balance for the fiscal year 2021-2022.	39
Apr-22	Compensation	Paid Leave	The factory pays workers incorrectly for all types of paid time leave.	The factory needs to pay all types of leave based on worker's average daily earnings by including the		20
Apr-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the daily lunch break accurately to all workers.		39
Apr-22	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings by including the lunch break payment.		39
Apr-22	Compensation	Paid Leave	Inaccurate sick leave payment.	Calculate sick leave on worker's average daily earnings by including the lunch break payment.		39

Apr-22	Compensation	Paid Leave	Inaccurate annual leave payments.	Calculate annual leave on worker's daily average earnings by including the lunch break payment.		20
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BETTER WORK HAITIA1 - 26TH SYNTHESIS REPORT



Factory: Centri Group S.A.
Location: Arrondissement de Port-au-Prince
Number of workers: 877
Date of registration: Oct-18
Date of last two Better Work assessments: Mar-22 Mar-23

Advisory and Training Services

20-Jun-23	Advisory meeting	To identify the root causes of the last assessment findings, review and validate the improvements made and met the OSH committee members to present the last assessment findings and remediations made by the factory
3-Mar-23	Advisory meeting	To review improvement made by the factory and follow up on OSH and HR indicator. Document review such as social security payment. Provide guidance and checklist for the relocation of the factory in other buildings.
28-Oct-22	Virtual advisory meeting	Virtual meeting to Follow up on the first progress report, meeting with the compliance team to explain HR performance indicator, review the grievance mechanism and present tools on OSH monitoring systems and training records. Meeting with the OSH committee to follow on pending issues on the improvement plan and discuss about the checklist for the new buildings.
2-Aug-22	Virtual advisory meeting	Virtual meeting with the OSH committee about the progress made by the factory since the last assessment visit. Session with the compliance team to explain the supplier portal, risk assessment, training on monitoring systems and Key OSH responsibility.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment March 2023						
Mar-23	Compensation	Social Security and Other Benefits	The factory did not provide any proof of payment made to OFATMA for work-related accident insurance for the fiscal year 2022-2023.	Assigned responsibility to send the salary statement on time. Paid OFATMA work related accidents.	The factory has paid OFATMA for the fiscal year 2022-2023	29
Mar-23	Contract and HR	Employment Contracts	The internal work rules is not posted in the workplace.	Ensure that the internal work rules is posted on the factory floor.	The internal work rules is posted in the workplace.	3
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory did not share any structural safety certificate, certifying the structure of the building meets the safety requirements for an industrial structure.	Ensure the factory has a structural safety certificate report from a certified company.	The factory received the structural safety certificate from SONAPI and it is available.	16
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical inventory is not accurate.	Assign someone to update the chemical inventory.	A new inventory of chemicals is prepared by including the names of all chemicals and hazardous substances used in the workplace and the location where they are stored in the buildings.	16
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical containers are not properly labelled	Define who control the chemical container on receipt from supplier and control the label.	The factory prepared other labels indicating the classification, hazards, and safety precautions.	48

Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that all MSDS are posted where chemicals are used.	The safety data sheets of the chemicals which weren't available are posted where the chemicals are used.	48
Mar-23	Occupational Safety and Health	Worker Protection	Management has not provided all necessary PPEs to workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.	PPE have been provided and training on PPE were conducted.	29
Mar-23	Occupational Safety and Health	Worker Protection	All standing workers were not provided with footrests or shock-absorbing mats.	Provide anti fatigue mats for standing workers.	Standing mats have been provided to all standing workers.	3
Mar-23	Occupational Safety and Health	Working Environment	Workplace temperature level exceed 30 C in all buildings..	Increase the ventilation with additional fans.		3
Mar-23	Occupational Safety and Health	Working Environment	Noise level exceeds a maximum of 90 dB for an 8-hour workday.	Ensure that noise level is below 90 dB	The noise level in each section is less than 90 db.	3
Mar-23	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Increase the light level to reach 300 lux in Pressing section, 500 lux in Sewing, cutting, packing. 750 lux in trimming, Inspection section.		16
Mar-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilet to have at least one toilet for every 25 men and one toilet for every 15 women.		48
Mar-23	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that medical checks were provided to workers within their first three months of hiring.	Discuss the legal requirements with the General Manager. Pay the health cards.	The factory paid the fiscal year 2022 2023, the health card(CDS) is included as required by law for medical checks.	48
Mar-23	Occupational Safety and Health	Health Services and First Aid	Management shared evidence that medical checks were provided once a year to workers exposed to work related hazards.	Discuss the legal requirements with the General Manager. Ensure that workers exposed to work related hazards receive a medical check at least twice a year.	The factory paid the fiscal year 2022 2023, the health card(CDS) is included as required by law for medical checks.	48
Mar-23	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that annual medical checks were provided to the workers.	Discuss the legal requirements with the General Manager Pay the health cards.	The factory paid the fiscal year 2022 2023, the health card(CDS) is included as required by law for medical checks.	48

Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Increase the number of nurses as required by law.	An appropriate space has been already built for the medical clinic in order to offer privacy.	48
Mar-23	Occupational Safety and Health	Health Services and First Aid	First aids boxes did not have an inventory sheet and they are missing the identification sign.	The factory needs to assign responsibility and identified all the first aid boxes.	Inventory lists are available in all the first aid boxes. All the first aid boxes are properly identified.	48
Mar-23	Occupational Safety and Health	Emergency Preparedness	The alarm system is not functioning.	Install a functioning alarm systems.	The alarm system has been repaired.	16
Mar-23	Occupational Safety and Health	Emergency Preparedness	Obstructed and improper maintenance of fire extinguishers.	Ensure regular maintenance and specify who conducts regular checks to make sure that the equipment is in place and functioning.	People are designated to ensure that regular maintenance are conducted.	29
Mar-23	Occupational Safety and Health	Emergency Preparedness	Escape routes are not clearly marked. Buildings are missing the evacuation maps.	Mark the evacuation routes and post the evacuation plan for both buildings.	The escape routes in both building have been marked. The evacuation maps are posted in both building.	29
Mar-23	Occupational Safety and Health	Emergency Preparedness	During the factory tour, assessors observed that more than 90 percent aisles were obstructed.	Specify who conduct daily weekly checks and include this in the system of daily weekly checks.	Aisles are marked and an audio has been developed to raise awareness.	48
Mar-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted every six months, as recommended.	Conduct an emergency drill every 6 months.	The last fire drill was conducted in April, 2023.. The one before that was in October 2022.	29
Mar-23	Working Time	Regular Hours	Inaccurate payroll.	Ensure that the factory maintain a proper attendance records. Develop a procedure in case of systems failure.	The attendance system has been adjusted. A verification is done before each payroll.	3
Assessment March 2022						
Mar-22	Compensation	Minimum Wages/Piece Rate Wages	Workers are not compensated properly when they are sent home early for not achieving the required quota.	Review and update the internal regulations. Pay the minimum wage to workers.		9
Mar-22	Compensation	Social Security and Other Benefits	The factory did not send the salary statement to OFATMA for work related accident for the fiscal year 2021-2022.	Keep records of the invoice received from OFATMA. Pay OFATMA work related accident on time.	The factory has paid OFATMA for the fiscal year 2021-2022	22
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory did not share any evidence of assessments performed on general occupational safety and health.	Keep records of the assessment result	The internal assessment is done on a monthly basis and records are shared with the advisor.	9

Mar-22	Occupational Safety and Health	OSH Management Systems	The factory did provide any structural safety certificate to assessors.	Request a building safety certificate from the city.	A structural safety certificate has been provided by SONAPI.	9
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical product inventory was not accurate.	Review and update the chemical management procedure. Update the chemical inventory on a regular basis.	The procedure has been reviewed and the factory management kept a daily inventory for each products in the workplace.	9
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of Diesel in the workplace.	Provide additional training for workers and supervisors Review and update the internal audit procedure.	Additional training are provided to workers and the daily checklist has been reviewed.	41
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS are not available for all chemical and hazardous substances used in the workplace.	Prepare and post MSDS where chemicals are used and stored.	The MSDS have been translated and posted.	41
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper conditions to prevent unnecessary exposure of workers to chemicals.	Provide (better) exhaust ventilation and relocate the spot cleaning area.		9
Mar-22	Occupational Safety and Health	Worker Protection	Management has not provided all necessary PPEs to workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.	Someone is in charge of providing and renewing the PPEs. All necessary protective clothing and equipment are provided to workers.	22
Mar-22	Occupational Safety and Health	Worker Protection	Electrical installation was not properly maintained.	Insulate the exposed electrical wires, train supervisors and workers about electrical hazards & the need to report hazards for reparation.	Training on electrical hazard has been conducted. Responsibility has been assigned to the electrician. A maintenance plan has been developed and the weekly checks has been update.	22
Mar-22	Occupational Safety and Health	Worker Protection	The factory did not provide any training records an/or awareness activities for the prevention of Covid-19.	Develop a training plan, then provide training to workers on COVID-19	Training has been conducted for workers and posters are displayed.	9
Mar-22	Occupational Safety and Health	Worker Protection	The factory does not systematically check all workers' and visitors' body temperature upon entry.	Check all workers' and visitors' body temperature upon entry and keep a registry for all persons who present a temperature of 38C and above.	The factory verify Workers and visitor body temperature and records are kept.	26
Mar-22	Occupational Safety and Health	Working Environment	The light level is insufficient in the workplace.	Increase the light level to reach 300 lux in Pressing section, 500 lux in Sewing, cutting, packing. 750 lux in trimming, Inspection section	The light level is increased in all section, the verification is done weekly.	9

Mar-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilet to have at least one toilet for every 25 men and one toilet for every 15 women.		41
Mar-22	Occupational Safety and Health	Welfare Facilities	Soap was not available in the toilets.	Provide soap dispensers for the toilets.	Additional soap dispenser has been installed. Responsibility has been assigned and the weekly checklist has been update.	9
Mar-22	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that medical checks were provided to workers within their first three months of hiring.	Discuss the legal requirements with the General Manager. Pay the health cards.		41
Mar-22	Occupational Safety and Health	Health Services and First Aid	Management shared evidence that medical checks were provided once a year to workers exposed to work related hazards.	Discuss the legal requirements with the General Manager. Ensure that workers exposed to work related hazards receive a medical check at least twice a year.		41
Mar-22	Occupational Safety and Health	Health Services and First Aid	Management shared evidence that annual medical checks were provided to 5 percent of the workers.	Discuss the legal requirements with the General Manager Pay the health cards.		41
Mar-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff to have at least 3 nurses for the current workforce.		41
Mar-22	Occupational Safety and Health	Health Services and First Aid	All first aid boxes were empty.	Equip the first aid boxes and define responsibility for refilling them.	The First aid boxes are properly equipped. Also, the factory made assignment to refill and check the first aid boxes weekly.	22
Mar-22	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less 10 percent of the workforce as recommended by Better Work.	Include First Aid training in the OSH training plan. Ensure that at least 10 percent of the workforce is trained in first aid.	17.5 per cent of workers are trained.	22
Mar-22	Occupational Safety and Health	Emergency Preparedness	The factory does not have a functioning alarm system.	Specify who is in charge of regularly checking the alarm system and include this in the system of daily-weekly checks.	A checklist has been developed and the alarm is working properly.	9
Mar-22	Occupational Safety and Health	Emergency Preparedness	Four fire extinguishers were missing including the one on the forklift.	Review and update the internal audit procedure.	Responsibility has been assigned. The factory installed new fire extinguishers. In addition the factory received a valid annual report produced by a certified company on the maintenance of fire-fighting	22

Mar-22	Occupational Safety and Health	Emergency Preparedness	The escape routes are not clearly marked. The evacuation map needs to be updated.	Update the evacuation map to reflect the layout of the building. Then Paint evacuation arrows and signs on the factory floor. The meeting point need to be relocated.		22
Mar-22	Occupational Safety and Health	Emergency Preparedness	During the factory tour, assessors observed that several aisles were obstructed.	Provide more trainings to worker and provide additional space for storage.		41
Mar-22	Occupational Safety and Health	Emergency Preparedness	The last fire drill was conducted in March 2022, and the one before that, in June 2021.	Conduct at least 2 emergency drill per calendar year. Insert the drills in the OSH annual training plan.	Three fire drill has been conducted and included in the OSH annual training plan. Records of drills are kept.	22
Mar-22	Occupational Safety and Health	Emergency Preparedness	The total number of workers trained in fire-fighting is less 10 percent of the workforce as recommended by Better Work.	Include fire fighting training in the OSH training plan. Ensure that at least 10 percent of the workforce is trained in first aid.	Fire fighting training is included in the OSH training plan. More than 10 percent of workers are trained.	22

BETTER WORK HAITI – 26TH SYNTHESIS REPORT



Factory: Caribbean Island Apparel
Location: Port-au-Prince
Number of workers: 2437
Date of registration: Aug-13
Date of last two Better Work assessments: Nov-21
Notes: Nov-22

Advisory and Training Services

25-Apr-23	Advisory meeting	Review of improvement plan. Meeting with Bipartite committee member on current issues; temperature was one of the main concern
23-Mar-23	Advisory meeting	Meeting to review Improvement plan. Discussions with Staff committee on the payment of annual leave of the calculation method.
25-Oct-22	Advisory meeting	Virtual meeting with management on Factor status. Management informed about the suspension of several production lines and the decrease in lack of raw materials. Management about requires about information regarding cholera outbreak. Advisory will follow up to find relevant information.
04-Aug-22	Advisory meeting	Virtual meeting with management on the improvement plan. Review of the last PICC meeting and follow ups.
31-May-22	Training	Virtual Financial Literacy
25-Oct-21	Advisory meeting	Discussion with management on ONA and OFATMA payment status. Discussion was also on the impact of fuel shortage on factory

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment November 2022						
Nov-22	Occupational Safety and Health	OSH Management Systems	Management has not properly defined authority for the OSH officer and the top management.	Assign clear responsibilities to OSH officer and top management through regular job description updates.		7
Nov-22	Occupational Safety and Health	OSH Management Systems	The factory does not have adequate emergency preparedness procedures.	Include the missing criteria to have adequate emergency preparedness procedures.		7
Nov-22	Occupational Safety and Health	OSH Management Systems	The hazard/risk management and control procedures are not adequate.	Include the missing criteria to have adequate hazard/risk management and control procedures.		7
Nov-22	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and procedures.	Submit and record actions and procedures to investigate, monitor and measure violations of HR policies.		7

Nov-22	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures are not adequate.	Include the missing criteria in the disciplinary and termination procedures.		7
Nov-22	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures do not have all the necessary elements.	Include the missing criteria in the grievance handling and dispute resolution procedures. Specify the grievance review and appeal processes and communication of changes made and/or resolution as appropriate.		7
Nov-22	Working Time	Regular Hours	The regular working hours exceed the legal limit.	Ensure that the regular hour do not exceed the limit of 8 hours per day.	Since June 13th, the lunch break hour is no longer considered as part of the regular working hours. Therefore, the factory is within the legal limit of 8 hours a day.	7
Nov-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles were observed.	Ensure that aisles remained unobstructed during the working hours.		21
Nov-22	Occupational Safety and Health	Emergency Preparedness	Unmarked escape route were observed.	Mark all evacuation routes.	Factory marked all evacuation routes accordingly.	46
Nov-22	Occupational Safety and Health	OSH Management Systems	Management didn't provide any structural safety certificate.	Submit the structural safety certificate for verification purpose.		7
Nov-22	Occupational Safety and Health	Health Services and First Aid	Insufficient doctor's visit.	Have a permanent onsite medical service, with at least 3 doctor's visits per week.		21
Nov-22	Occupational Safety and Health	Welfare Facilities	Insufficient toilets for women and men.	Provide adequate number of toilets for men and women.		53
Nov-22	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is not adequate in several sections.	Ensure adequate light levels in all production areas.	Factory changed several light bulbs.	53
Nov-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area is not isolated from the sewing area.	Ensure that areas where chemical products are used are isolated and maintain in proper conditions to limit the exposure to chemicals.		7
Nov-22	Occupational Safety and Health	Chemicals and Hazardous Substances	One unlabeled container (machine Gun) in the spot cleaning.	Label all containers used in the workplace.	The issue was fixed during the assessment visit.	7

Nov-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous product was not accurate.	Update the chemical inventory accordingly and include the name of all chemical and hazardous products used in the workplace.		21
Nov-22	Contracts and Human Resources	Employment Contracts	Payroll date and time, are not mentioned in the internal work rules.	Edit the internal work rules and add payroll date and time.		21
Nov-22	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break.	the June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	21
Nov-22	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	Send the last 3 months to OFATMA for sick leave and maternity leave payment.		21
Nov-22	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA is based on the minimum salary and does not include the lunch break payment and the payment is made late.	Pay OFATMA on time and payment should be based on basic salary including the lunch break payment.	Last payment was made in September 2022 for the month of August 2022.	21
Nov-22	Compensation	Social Security and Other Benefits	The factory did not share the salary declaration document that will enable assessors to verify if the fiscal year 2021-2022 is correctly paid.	Pay 3 percent of workers' salary to OFATMA for accident insurance.		21
Nov-22	Compensation	Social Security and Other Benefits	The contribution to ONA is based on the minimum salary and does not include the lunch break payment. The payment is also made late.	Pay the ONA on time and accurately.	The last payment was made in September 2022 for the month August 2022.	21
Nov-22	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave and maternity leave correctly because the payment of the lunch break is not included in the calculation.	Pay the lunch break and include it in the calculation of all leaves.	the June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	21
Nov-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	the June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	21

Nov-22	Compensation	Paid Leave	Maternity leave payments are based on an average earnings which does not include the lunch break payment.	Pay the lunch break and include it in the calculation of maternity leaves.	the June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	21
Nov-22	Compensation	Paid Leave	Sick leave payment does not include the lunch break payment.	Pay the lunch break and include it in the calculation of sick leaves.	the June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	21
Nov-22	Compensation	Paid Leave	The annual leave payment does not include the lunch break payment.	Pay the lunch break and include it in the calculation of annual leave.	the June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	21
Assessment November 2021						
Nov-21	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in building 14 of the factory.	Keep aisles free of any obstruction.		
Nov-21	Occupational Safety and Health	Emergency Preparedness	Unmarked escape routes.	Mark all evacuation routes.		
Nov-21	Occupational Safety and Health	Health Services and First Aid	No first aid boxes available in building where workers are present.	Install at least one first aid box in each Building.		
Nov-21	Occupational Safety and Health	Health Services and First Aid	Insufficient doctor's visit.	Have a permanent onsite medical service, with at least 3 doctor's visits per week.		
Nov-21	Occupational Safety and Health	Welfare Facilities	Insufficient toilets for women and men.	Provide adequate number of toilets for men and women.		
Nov-21	Occupational Safety and Health	Working Environment	Insufficient level of lighting.	Ensure adequate light levels in all production areas.		
Nov-21	Occupational Safety and Health	Working Environment	Inadequate temperature levels.	Keep temperature at an acceptable level in all production areas.	Factory installed new fans.	
Nov-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Spot cleaning section where chemical products are used, is too close to the sewing section.	Isolate the use of chemicals in the workplace.		

Nov-21	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate and did not include all chemicals used in the workplace.	Update the chemical inventory accordingly.		
Nov-21	Contracts and Human Resources	Employment Contracts	The factory's internal work rules does not include the payroll date and time.	Update the internal work rules and add payroll date and time.		
Nov-21	Contracts and Human Resources	Employment Contracts	Payment notice upon termination does not include lunch break payment.	Pay the lunch break and include it in the calculation of all payments.		
Nov-21	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break and include it in the calculation of all payments.		
Nov-21	Compensation	Social Security and Other Benefits	Employer contribution to OFATMA is based on the minimum salary and does not include the lunch break payment.	Pay OFATMA on time and payment should be based on basic salary including the lunch break payment.		
Nov-21	Compensation	Social Security and Other Benefits	Workers' contribution to OFATMA is based on the minimum salary and does not include the lunch break payment.	Pay OFATMA on time and payment should be based on basic salary including the lunch break payment.		
Nov-21	Compensation	Social Security and Other Benefits	The employer pays OFATMA 2 percent of the estimated salary for the fiscal year instead of 3 percent as prescribed by law.	Pay 3 percent of workers' salary to OFATMA for accident insurance.		
Nov-21	Compensation	Social Security and Other Benefits	Late and inaccurate payment for worker's contributions to ONA.	Pay ONA on time and payment should be based on basic salary including the lunch break payment.		
Nov-21	Compensation	Social Security and Other Benefits	Late and inaccurate payment for employer's contributions to ONA.	Pay ONA on time and payment should be based on basic salary including the lunch break payment.		
Nov-21	Compensation	Paid Leave	Incorrect payment for annual leave, Sick leave and maternity leave.	Pay the lunch break and include it in the calculation for all payments.		

Nov-21	Compensation	Paid Leave	Lunch break is not compensated.	Pay the lunch break and include it in the calculation for all payments.		
Nov-21	Compensation	Paid Leave	Maternity leave payment does not include the lunch break payment.	Pay the lunch break and include it in the calculation for all payments.		
Nov-21	Compensation	Paid Leave	Sick leave payment does not include the lunch break payment.	Pay the lunch break and include it in the calculation for all payments.		
Nov-21	Compensation	Paid Leave	Annual leave payment does not include the lunch break payment.	Pay the lunch break and include it in the calculation for all payments.		

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: Class International Holdings LTD
Location: Ouanaminthe
Number of workers: 359
Date of registration: Jan-20
Date of last two Better Work assessments: May-22 Apr-23

Advisory and Training Services

17-Apr-23	Advisory meeting	Advisory Visit to conduct an OSH tour of the factory and to conduct training on chemical management for members of the OSH
17-Apr-23	Training	Chemical Management
11-Apr-23	Training	PNCs & Management System
14-Mar-23	PICC Meeting	Advisory visit to: Discuss PR1 Meet with the bipartite committee to discuss training plan Review Improvement plan
14-Mar-23	Advisory meeting	Advisory visit to: Discuss PR1 Meet with the bipartite committee to discuss training plan Review Improvement plan
2-Feb-23	Advisory meeting	Advisory visit with Management only to: Conduct OSH tour of 2 buildings Review improvement plan with management Discuss registration of the new building
16-Nov-22	Advisory meeting	Meeting with HR/ Compliance officer to review Improvement plan: Apprentice contract Policies and procedures: (HR, grievances, maternity...) Ofatma and ONA payments
25-Oct-22	Bipartite Committee Meeting	Meeting to discuss about the new improvement plan. Chemical products inventory, evacuation plan to finalize. Follow up pending OSH documents
25-Aug-22	Training	BWH-TNG HIV/AIDS
17-Aug-22	Training	Bipartite Committee

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment April 2023						
Apr-23	Occupational Safety and Health	OSH Management Systems	Accident reports are not reported to OFATMA monthly.	The factory need to review its OSH policy to include the necessary procedure to report accident to the OSH officer who will subsequently provide the information to the HR staff to submit to OFATMA on a monthly basis. The information should be recorded on an excel format and kept in a safe place.		34

Apr-23	Occupational Safety and Health	OSH Management Systems	The OSH policy has not been developed in consultation with workers and their representatives.	Factory should hold a meeting with the bipartite committee, including workers representatives to discuss the policy and include comments from workers, as necessary and keep minutes of the meeting and signed attendance records. Share minutes with participants.		34
Apr-23	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigates monitors and measures OSH issues.	Management needs to perform regular review of effectiveness of management system including performance on measurable objectives and targets follow-up on accident investigations that leads to a change in procedures/practices where required.		34
Apr-23	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	The employer needs to train all joint OSH committee members, informed visitors contractors/service providers about relevant OSH policies and procedures, post, update evacuation map and post policies and work instructions around the		34
Apr-23	Occupational Safety and Health	OSH Management Systems	Management did not assigns accountability at the level of management and OSH committee for carrying out Health and Safety responsibilities.	Management needs to hire an OSH Officer and have a clear job description for the officer, defining his authority and responsibilities. They also need t train OSH committee members, assign them regular task and hold regular meeting. They should establish a system to track that the tasks are being executed as planed	The following actions have been taken: -Posted policies and work instructions around the workplace. - Posted the names of OSH committee members.	34
Apr-23	Contracts and Human Resources	Employment Contracts	No. The factory does not have a grievance handling and dispute resolution that includes all the necessary steps.	Review the Grievance policy to include a clear options for submitting grievances and disputes that ensure anonymity and non-retaliation, fair review, communication of changes made or resolution and an appeal process.	the factory is reviewing the grievance handling and dispute resolution that include: Clear options for submitting grievances and disputes that ensure anonymity and non-retaliation, fair review, communication of changes made or resolution and an appeal process.	34

Apr-23	Contracts and Human Resources	Employment Contracts	No. The factory has a termination procedures that does not include, all the necessary elements.	The factory needs to review the procedure to include the time frame between warnings and payments, the right to defend oneself prior to termination and to representation during the disciplinary process, a step-by-step warning system, and procedures related to legal notice periods and termination payments.		34
Apr-23	Contracts and Human Resources	Employment Contracts	The employer does not take action to investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence.	Management needs to develop a procedure to investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence. Procedure should indicate when such investigation will take place and under which circumstances.		34
Apr-23	Contracts and Human Resources	Employment Contracts	The factory has not posted internal regulations nor policy.	The factory needs to post internal regulations and policies and to train staff on how to carry out policies and procedures.		34
Apr-23	Contracts and Human Resources	Employment Contracts	The HR policy as part of its internal policy and includes is not signed by top management.	The policy should be signed by top management and posted on the floor.	The policies are signed now by top management and have been shared	34
	Contracts and Human Resources	Employment Contracts	The factory's internal work rules is not approved by the Ministry of Labor.	They need to follow up to make sure that the document is approved	The factory has submitted their internal work rules to MAST.	34
Apr-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Several articles outlined in the CBA are not being implemented.	The management of the factory should sit with the unions and the administration of CODEVI to discuss the application of the provision outlined in the CBA		2
Apr-23	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	The factory should give pregnant workers 6 weeks of leave prior to giving birth and 6 weeks after, as mandated by the labor code. Make sure this requirement is included in their policy and post it on the factory floor.		34
Apr-23	Working Time	Leave	Workers were only given 10 out of 15 days off after one year of service, as required by law.	The factory needs to provide 15 consecutive days of annual leave to all workers after 1 year of service.		34

Apr-23	Working Time	Regular Hours	Workers did not punch in and out, the manual attendance did by the factory was not sign by workers.	The factory needs to install a proper functioning punch system to record the attendance for all workers.		9
Apr-23	Working Time	Regular Hours	Pregnant women revealed that they did not have an additional break.	The factory needs to have a clear policy for pregnant women, in accordance with the labor code, inform all workers about the policy, post the policy on the factory and ensure that it is applied across the board.	Pregnant workers are given 4 breaks of 15 minutes according to an agreement they signed with the factory's management.	34
Apr-23	Working Time	Regular Hours	Regular hours exceed the legal limit.	The factory should arrange its working hours to comply with the labor laws.	According to the June 13th decree, the lunch break is no longer an integral part of the work day. The factory has a CBA which allow them to work one extra hour per day.	34
Apr-23	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of workers were trained in fire-fighting equipment.	The factory needs to provide fire-fighting training to at least 10% of the staff. Schedule training and keep records.		34
Apr-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted every six month as recommended.	The factory should include in their policy that a fire drill should be conducted every 6 months. Conduct fire drills and document them.		34
Apr-23	Occupational Safety and Health	Emergency Preparedness	Several obstructed fire extinguishers were observed in the workspace.	Factory needs to designate a person to perform regular checks of the fire extinguishers and ensure that they remain unobstructed at all times.	A tour of the factory was conducted during the advisory. All fire extinguishers were unobstructed.	2
Apr-23	Occupational Safety and Health	Emergency Preparedness	The factory does not have any alarm system and smoke detector install in both building.	The factory needs to install smoke detectors and alarms in all the buildings.		34
Apr-23	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less 10 percent of the workforce as recommended by Better Work.	The factory needs to include mandatory first aid training in their policy and provide training to at least 10% of the workers.	First aid training was provided by CODEVI LEKOL. A list of 33 participants was submitted as proof.	34
Apr-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	The factory should establish an onsite medical clinic in accordance with the labor code.	Management explained that workers have access to use the medical facilities of the industrial park.	34

Apr-23	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Factory needs to OFAMA for work related accident insurance on time, including the CDS. Include in their policy a schedule and timeframe to call OFATMA to provide medical checks annually for all workers.		34
Apr-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Factory needs to provide medical checks twice a year for workers using chemicals and hazardous substances. Establish a policy to make sure that workers receive the medical exams twice a year. Define who is responsible to follow up and ensure that workers receive their medical checks. Keep proper documentation.	Factory submitted proof a medical check that was provided in March of 2023 to worker's using chemical and hazardous substances.	34
Apr-23	Occupational Safety and Health	Health Services and First Aid	Worker did not receive the health cards within the first 3 months of hiring.	Factory needs to pay OFAMA for work related accident insurance on time, including the CDS. Include in their policy a schedule and timeframe to call OFATMA to provide medical checks for new workers.		34
Apr-23	Occupational Safety and Health	Working Environment	Insufficient light level	Check light levels on a regular basis to ensure that lighting levels are appropriate for the tasks being perform. Change light bulbs as needed.	Factory has improving light as asked and follow with an evaluation to determine that light levels were ok. Evidence was shared.	2
Apr-23	Occupational Safety and Health	Working Environment	Temperature exceed the recommended limit.	The factory needs to install the appropriate cooling system to ensure that temperature are acceptable.		2
Apr-23	Occupational Safety and Health	Worker Protection	Proper PPE are not provided to all workers.	The factory need to establish a policy to acquire and supply proper PPE to all workers who needs them. Ensure that workers are trained on the proper use of PPE provided. Establish a guideline to make sure that workers use PPE when they are working.		2
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper installation to prevent exposure. Workers are exposed to cardboard residue.	Spot cleaning should be isolated. Factory can install exhaust system to ensure that chemical fumes are not spread to surrounding areas. Provide proper installation and exhaust system for workers cutting cardboard tubes. Make sure that installation is isolated form general worker population.		34

Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Workers are not trained in using chemical and hazardous substances.	Provide training to all workers who are using chemical and hazardous substances		34
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS was not available in the local language for several products found in the workspace. .	The policy need to include who controls the inventory and who is responsible to obtain MSDS for the products upon arrival at the factory. Translate MSDS in local language and post them where the products are being used.		34
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several unlabeled containers of chemical and hazardous products found in the workspace.	The policy need to include who controls the inventory and who is assigned to make sure that all chemical containers are properly labelled with name of product and pictogram indicating the dangers.		34
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Incomplete inventory of chemical and hazardous products.	The policy need to include who controls the inventory. Establish a procedure to perform an inventory control on a regular basis. An automated system can be establish to ensure that inventory movements are recorded daily.	Factory has completed the inventory. Evidence has been shared.	34
Apr-23	Contracts and Human Resources	Termination	The calculation of the average daily salary for the payment of annual salary supplement upon termination does not include the lunch break payment.	Pay the lunch break.	This new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	34
Apr-23	Contracts and Human Resources	Termination	The calculation of the average daily salary for the payment of unused paid annual leave upon termination is not based on average daily earnings and does not include the lunch break payment.	Unused annual paid leave upon termination must be calculated based on average daily earnings.	This new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	34
Apr-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment for the applicable notice period does not include the lunch break payment.	Pay the lunch break	This new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	34

Apr-23	Compensation	Social Security and Other Benefits	the factory does pay 3 % of workers' basic salary to OFATMA.	The factory need to collect and forward worker's contributions to OFATMA for maternity and health insurance within 10 working days of the current month for the previous month. Contributions should be collected on the average daily salary. The lunch break payment no longer needs to be included in the calculation of the average salary.		34
Apr-23	Compensation	Social Security and Other Benefits	The factory does not collect and forward the worker's contribution to OFATMA for maternity and health insurance.	The factory need to collect and forward worker's contributions to OFATMA for maternity and health insurance within 10 working days of the current month for the previous month. Contributions should be collected on the average daily salary. The lunch break payment no longer needs to be included in the calculation of the average salary.		34
Apr-23	Compensation	Social Security and Other Benefits	Workers' contributions to ONA is calculated on the minimum wage and does not include the lunch break payment. Furthermore it is submitted late.	The factory should send worker's contributions to ONA within 10 working days of the current month for the previous month. Contributions should be collected on the average daily salary. The lunch break payment no longer needs to be included in the calculation of the average salary.		34
Apr-23	Compensation	Social Security and Other Benefits	Workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	The factory needs to submit both worker's and employer's contributions to OFATMA on time, within the first 10 working days of the current month, for the previous month's payment. The employer can then submit worker's pay slip to OFATMA for maternity leave and sick leave payments.		34
Apr-23	Compensation	Social Security and Other Benefits	The calculation for the annual salary supplement or bonus payment does not include the lunch break payment.	Pay the lunch break.	The new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	34

Apr-23	Compensation	Social Security and Other Benefits	Employer's contributions for ONA is based on the minimum salary and it is not made on time. It does not include the lunch break payment.	The factory should send employer's contributions to ONA within 10 working days of the current month for the previous month. Contributions should be collected on the average daily salary. The lunch break payment no longer needs to be included in the calculation of the average salary.		34
Apr-23	Compensation	Social Security and Other Benefits	No proof of payment to OFATMA for work related accident was available and shared with the assessors for the fiscal year 2022/2023.	Factory needs to submit the declaration to OFATMA with the list of workers, make the full payment as required by law.		34
Apr-23	Compensation	Paid Leave	the lunch break is not compensated in the payroll.	Pay the lunch break.	The new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	34
Apr-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	The factory should pay OFATMA on a regular basis, submit workers, pay slip to OFATMA so they can pay for 12 weeks. The lunch break payment does have to be included in the calculations.		34
Apr-23	Compensation	Paid Leave	Sick leave payments are not calculated on average daily earnings. In addition, the calculation does not include the lunch break payment.	Sick leave payment must be calculated on the basic salary which includes all earnings except for overtime. The lunch break does not have to be included anymore.		34
Apr-23	Compensation	Paid Leave	Although the annual leave payment is calculated on worker's average daily earnings, it does not include the lunch break payment.	Pay the lunch break.	The new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	34

Assessment May 2022

May-22	Working Time	Regular Hours	Workers did not punch in and out.	Ensure that workers are directly accountable for effectively recording their own working time. Keep working time records that reflect the actual hours work by workers including overtime. Keep working time records for at least 12 months. Inform supervisors that the work to finish the quota must be recorded as working time; Workers should not punch out & continue working.	Factory is using the punch system.	7
May-22	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Ensure that pregnant workers go on leave 6 weeks before childbirth as specified in the Labor Code.	Factory will make sure that workers go on maternity leave 6 weeks before giving birth.	21
May-22	Working Time	Leave	Workers did not receive 15 days of annual leave after one year of service, as required by law.	The factory needs to provide workers with 15 days vacation after one year of service, as mandated by the labor laws.	Factory will implement the policy as of this year.	21
May-22	Working Time	Regular Hours	The factory's regular hours exceed the legal limit.	Review the legal requirements to make sure that regular hours conform the legal limit of 48 hours per week.		21
May-22	Occupational Safety and Health	Emergency Preparedness	The total number of workers trained in fire-fighting is less 10 percent of the workforce as recommended by Better Work.	Provide training on the use of fire-fighting equipment for at least 10% of the worker population.	Factory will implement a training plan to train at least 10 percent of the workers.	21
May-22	Occupational Safety and Health	Emergency Preparedness	The factory does not conduct fire drills every 6 months as recommended.	Conduct an evacuation drill every 6 months.	Factory will schedule 2 fire drill for the balance of this year.	21
May-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in the sewing area and stock area.	Ensure that routes are not obstructed. Work with OSH committee members, supervisors to perform routine tours of the factory. Provide adequate storage space to receive and store materials. Specify who conduct daily weekly checks.	Products were removed from the aisles and there was a meeting with all of the material leaders to assure they don't do it again.	21
May-22	Occupational Safety and Health	Emergency Preparedness	workers are not aware of the risk and thus are not prepared for workplace emergencies.	Prepare workers for workplace emergencies by providing proper training and informing workers about risks and dangers in the workplace.	Signs have been posted on all exit doors.	7

May-22	Occupational Safety and Health	Emergency Preparedness	The evacuation plan f did not reflect the actual layout of the floor.	Redesign the evacuation map to reflect the layout of the floor. Post evacuation maps where needed.	Evacuation routes were redesign and posted in all areas	21
May-22	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Install adequate firefighting equipment in both building. Ensure regular maintenance. Work with OSH committees to randomly monitor and make sure that the equipment is in place & functioning.	Factory plans to install new fire extinguishers in the new building.	21
May-22	Occupational Safety and Health	Emergency Preparedness	The factory does not have any alarm system and smoke detector install in both building.	Make sure that both buildings have functioning alarm system and a smoke detector. Specify who is in charge of regularly checking its functioning. Include this in the monthly OSH self-assessment.	Factory will install a fire detection system in the buildings.	21
May-22	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less 10 percent of the workforce, as recommended by Better Work.	Provide additional training on first aid to cover the 10 percent of the workforce. Have a system in place to track trained workers.	Factory will prepare a training plan to complete the 10% and talk to CODEVI to implement the plan.	21
May-22	Occupational Safety and Health	Health Services and First Aid	First aid boxes have not been installed in the new building. First aids boxes in the old building are missing products.	Define responsibility for filling first aid boxes and checking expired products. Install first aid boxes in new building. Make sure all first aid boxes are inspected regularly.	First aid boxes were installed.	21
May-22	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Factory should discussed with CODEVI administration to have an adequate medical facility capable of attending to its needs, as required by the labor code.	The free zone has the medical services.	21
May-22	Occupational Safety and Health	Health Services and First Aid	The factory did not provide free annual medical checks to all workers.	Provide annual health checks at not cost for the workers. Make the results available to the worker. Record when the health checks are conducted and when the next health check will take place. Specify who is in charge of monitoring health checks for the workers.	The factory will work with CODEVI'S clinic to provide the medical checks.	21

May-22	Occupational Safety and Health	Health Services and First Aid	Medical checks was not provided to workers exposed to work-related hazards.	Provide health checks twice a year at not cost for the workers exposed to work-related hazards. Make the results available to the worker. Record when the health check was conducted and when the next health check will take place. Specify who is in charge of monitoring health checks for the workers.	The factory will work with CODEVI'S clinic to provide the medical checks.	21
May-22	Occupational Safety and Health	Health Services and First Aid	Workers did not receive a medical checks within the first 3 months of hiring.	Provide health checks within their first 3 months of hiring at not cost for the workers. Make the results available to the worker.	The factory will work with CODEVI'S clinic to provide the medical checks.	21
May-22	Occupational Safety and Health	Welfare Facilities	The drinking water is not tested on a monthly basis.	Maintain an adequate supply of water for all workers and ensure that the water is tested on a monthly basis.	We receive the water from a certified company.	21
May-22	Occupational Safety and Health	Worker Protection	The factory did check all workers and visitors body temperature upon entry in a systematic way.	Systematically check all worker's body temperature upon entry and keep a registry for all persons who present a temperature of 38C and above.	We have the form for the high temperature report.	21
May-22	Occupational Safety and Health	Worker Protection	20 percent of the single needle machines were missing finger guards.	Install finger guards on all single needle machine.		21
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash station has been installed in the chemical storage of the factory.	The factory needs to install eyewash station in all areas where chemical products are stored and used.	The eye wash station has been installed.	21
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory did not provide training to people using chemical and hazardous substances.	The factory needs to provide chemical safety training to all workers including supervisors that are using chemical products and hazardous substances.	Appoint person and train them in the handling of chemical products	21
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS was not available for several products found in the workspace. .	Identify a person responsible for chemical product management. The MSDS for each chemical should be available and translate in local language. Clarify responsibility for posting the MSDS in the locations where chemicals are stored and used.	Complete MSDS folder of chemical products.	21

May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical storage area was not properly constructed in the factories.	Install an eye wash station in the facility. Limit access of other workers to the chemical storage. Provide (better) exhaust ventilation. Provide required PPE6. Post MSDS for all chemical in the storage areas. Assign responsibility for regular check (incl. wearing of PPEs)	Complete the construction of the chemical warehouse and install the safety precautions	21
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled chemical spray gun found in the spot cleaning area.	Define who is entitled to pour chemicals in other recipients and label them. Review the MSDS to know which pictograms are needed. Properly label chemicals and hazardous substances including name in various languages and hazard pictogram.	Label has been placed on spray gun in the washing station and chemicals containers used in the area have been labelled. Factory provided pictures.	21
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory keeps an inventory of chemicals that is not accurate.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used. Include all chemicals used in the workplace in the central inventory. Specify who is in charge of maintaining one central inventory for the company. Define who will be responsible for checking if the inventory is updated.	Create chemical reception procedure.	21
May-22	Contracts and Human Resources	Employment Contracts	The factory's internal work rules are not approved by the ministry of labor.	The internal work rules must be approved by the ministry of labor.	Factory has submitted the internal work rules to the Ministry of Labor. They are still waiting for their approval.	21
May-22	Contracts and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor, as legally required.	Apprentice contract must be submitted to the Ministry of labor for approval	Factory has submitted the apprentice contracts to the Ministry of Labor. They are still waiting for their approval.	21
May-22	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work related accidents to OFATMA on a monthly basis.	Submit work related accidents to OFATMA on a monthly basis..	Design a form to report accidents to OFATMA and create a registry folder	21
May-22	Occupational Safety and Health	OSH Management Systems	The OSH bipartite committee does not meet on a monthly basis.	Hold regular monthly meeting, record the minutes of the meeting and share them with committee members.		21

May-22	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break and include the payment in the annual salary supplement or bonus calculation.		21
May-22	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for maternity and health insurance.	Work with OFATMA to complete the registration process.	Management started the registration process.	21
May-22	Compensation	Social Security and Other Benefits	Management does not send workers' pay slips for the last 3 months to OFATMA for payment of sick and maternity leave.	Work with OFATMA to complete the registration process and send worker's pay slips to OFATMA for sick leave and maternity leave payments.	Management started the registration process. The factory makes the payments.	21
May-22	Compensation	Social Security and Other Benefits	The payment for OFATMA for accident insurance is late and the payment for the health Card is not included.	Ensure that payment for work related accident is made in a timely manner. Ensure that all documentations are available during the evaluation period.	Management has an agreement with OFATMA to pay in two instalments.	21
May-22	Compensation	Social Security and Other Benefits	ONA contributions is based on the minimum salary and it is not made on time. It does not include the lunch break payment.	The factory needs to calculate ONA contribution based on the average daily earnings. The factory need to also pay the lunch break so it can be included in the average daily earnings. Submit ONA payments on time, within the first 10 working days of each month for the previous month.	The factory management stated that all payment are manage by the administration of CODEVI they will follow up on that.	21
May-22	Compensation	Paid Leave	The factory pay workers incorrectly for annual leave, Sick leave, maternity leave and the daily break.	The factory needs to apply the 3*8 law and pay for the lunch break. Include the payment in the calculation for all types of leave.	Management will discuss the issue with CODEVI administration	21
May-22	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	Revise the payroll procedures to ensure that the daily break is accurately paid to all eligible workers. Communicate the new procedures to all relevant parties.	Management will discuss the issue with CODEVI administration	21
May-22	Compensation	Paid Leave	The factory only pay six weeks for maternity leave and the lunch break payment is not included in the calculation of the average salary.	Work with OFATMA to complete the registration process. Ensure that workers receive the correct amount of maternity leave payments as required by the labor code.	Management will discuss the issue with CODEVI administration	21

May-22	Compensation	Paid Leave	The lunch break payment is not included in the calculation of the average salary payment for sick leave.	Calculate sick leave on worker's daily average earnings as specified in Art. 148.2. Pay the lunch break and include the payment in the sick leave calculation.	Management will discuss the issue with CODEVI administration	21
May-22	Compensation	Paid Leave	The lunch break payment is not included in the calculation of the average salary payment for annual leave.	Calculate the annual leave on worker's daily average earnings as specified in Art. 148.2. Pay the lunch break and include the payment in annual leave calculation.	Management will discuss the issue with CODEVI administration	21

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: Cleveland Manufacturing S.A.
Location: Arrondissement de Port-au-Prince
Number of workers: 995
Date of registration: Jul-16
Date of last two Better Work assessments: Nov-21 Nov-22

Advisory and Training Services

24-Mar-23	Advisory meeting	Virtual OSH factory tour to validate pending issues. Meeting with the compliance team to present examples of OSH objectives and targets. Documents review such as paid leave, social security and OSH policy.
27-Jan-23	Training	Workplace Cooperation &
31-Oct-22	Virtual advisory meeting	Virtual meeting with the compliance team to review the improvement plan: Social security, worker protection. Virtual OSH tour: working environment, emergency preparedness and Interview with workers.
31-Aug-22	Virtual advisory meeting	Virtual OSH tour: electrical safety and emergency preparedness. meeting with the OSH committee on emergency exit and role of the committee. meeting with the compliance team: Session on HR management systems, OSH management systems and follow up on compensation.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment November 2022						
Nov-22	Working Time	Leave	Workers received 12 days of annual leave instead of the 15 days as prescribed by law.	Provide 15 days of annual leave to workers after one year of service.		20
Nov-22	Working Time	Regular Hours	The hours worked on Sunday are not computed nor displayed in the payroll.	Ensure that all working hours are displayed in the payroll.	Working hours on Sunday are recorded in the payroll.	20
Nov-22	Working Time	Regular Hours	The regular working hours is equivalent to 9 hours per day and 54 hours per week.	Revise the internal regulations and make sure that the regular hours do not exceed 48 hours per week.	The June 13 decree suspends the 3*8 law.	20
Nov-22	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of electrical wiring and presence of hazardous materials near electrical system.	Provide additional training to workers on electrical hazards. Display picture of electrical hazards on the floor. Develop a maintenance plan for forklift equipment	The factory has a very special space to recharge bulbs and telephones and additional training on electrical hazards has been provided to workers. Pictures on electrical hazards has been displayed on the floor. Furthermore, management keep a maintenance records for the forklift	77

Nov-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles and exit doors.	Remind supervisors about their responsibility to enforce OSH in their area. Identify additional storage area. Review and update the internal audit procedure.	Additional space have been identified and also the factory is using containers to stored finished products.	40
Nov-22	Occupational Safety and Health	Emergency Preparedness	Evacuation maps are not consistent with the layout of the factory floors.	Repaint the factory floors and updated the evacuation maps. Then post the maps.	The fabric warehouse has been marked and evacuation arrows are visible to workers. The Compliance Officer is responsible for the daily checks	8
Nov-22	Occupational Safety and Health	Emergency Preparedness	Obstructed fire extinguishers.	Set up additional workshop for workers. Marking on the floor, review and update the internal audit procedure.	Set up additional workshop for workers. Review and update the internal audit procedure.	61
Nov-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff to have at least 10 nurses for the current workforce.	The factory hired 6 additional nurses. The medical staff has 10 nurses.	34
Nov-22	Occupational Safety and Health	Health Services and First Aid	Workers had not received an annual health check performed by OFATMA as prescribed by law.	Discuss the legal requirements with the General Manager then pay the health cards.		76
Nov-22	Occupational Safety and Health	Health Services and First Aid	Newly hired workers have not received the health cards within the first 3 month of hiring.	Discuss the legal requirements with the General Manager Pay the health cards. keep record of the invoice received from OFATMA for work related accident. Ensure that workers received the health cards within the first 3 month of hiring.		34
Nov-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Discuss the legal requirements with the General Manager. Then, Increase the number of toilet.		34
Nov-22	Occupational Safety and Health	Working Environment	Working environment is not properly maintained.	Ensure that working environment is clean and tidy. Factory should periodically clean the workspace during workhours.		20

Nov-22	Occupational Safety and Health	Working Environment	Lux level is insufficient in several sections.	Increase the light level to reach 300 lux in Pressing section, 500 lux in Sewing, cutting, packing. 750 lux in trimming and Inspection section.	The factory has installed more light and transparent Skylight Sheet. Based on the monitoring system shared with the advisor, the lux level is in compliance.	20
Nov-22	Occupational Safety and Health	Working Environment	Workplace temperature exceed 30 C in all buildings.	Increase the ventilation with additional fans. Specify who is in charge of regular maintenance of the fans.		76
Nov-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical wiring.	Provide additional training for workers and supervisors on electrical safety. Display picture of electrical hazards. Include this aspects in the daily and weekly checks.	Training has been provided to workers and supervisors on electrical safety.	76
Nov-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area where chemicals are used, does not have an adequate eye washing station.	Provide additional training for workers and supervisors. Review and update the internal audit procedure. Install eye wash station where chemicals are used in stored.	Eye wash bottles have been installed where chemicals are used and stored.	20
Nov-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals and hazardous products are not stored in the proper container and identified.	Provide additional training for workers and supervisors Review and update the internal audit procedure		76
Nov-22	Contracts and Human Resources	Termination	The calculation of the average salary for bonus upon termination does not include the lunch break payment.	Discuss legal requirements with the General Manager, pay the lunch break and include the payment in the average salary.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	20
Nov-22	Contracts and Human Resources	Termination	The calculation of the average salary unused paid annual leave upon termination does not include the lunch break payment.	Discuss legal requirements with the General Manager, pay the lunch break and include the payment in the average salary.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	20
Nov-22	Contracts and Human Resources	Termination	The calculation for the applicable notice period upon termination does not include the lunch break payment.	Discuss legal requirements with the General Manager, pay the lunch break and include the payment in the calculation of the notice period.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	20

Nov-22	Contracts and Human Resources	Employment Contracts	Several workers did not receive a copy of the contract.	Provide a contract to all employees.	The company has delivered contracts to more than 90% of the employees.	40
Nov-22	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus does not include the lunch break payment.	Discuss legal requirements with the General Manager, pay the lunch break and include the payment in the annual salary supplement or bonus.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	20
Nov-22	Compensation	Social Security and Other Benefits	Workers' and employer's contribution to OFATMA for maternity and health insurance is not accurate and is forwarded late.	Discuss legal requirements with the General Manager, pay the lunch break and Forward worker's contribution to OFATMA within the first 10 business days of the next month for the previous month.	Payments are made until the month of November 2021.	76
Nov-22	Compensation	Social Security and Other Benefits	Assessors were not able to verify the payment for OFATMA work related accident insurance.	Keep records of the invoice received from OFATMA. Pay OFATMA work related accident on time.		76
Nov-22	Compensation	Social Security and Other Benefits	The employer does not forward the collected contribution to ONA on a monthly basis.	Discuss legal requirements with the General Manager, pay the lunch break and Forward worker's contribution to ONA within the first 10 business days of the next month for the previous month.		76
Nov-22	Compensation	Social Security and Other Benefits	The employer's contribution to ONA is not calculated on workers' average salary and does not include the lunch break payment.	Discuss legal requirements with the General Manager, pay the lunch break and Forward employer contribution to ONA within the first 10 business days of the next month for the previous month.		76
Nov-22	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave, maternity leave and the daily break correctly.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation of annual leave, sick leave, maternity leave.		20
Nov-22	Compensation	Paid Leave	The lunch break is not compensated.	Discuss legal requirements with the General Manager and pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	20
Nov-22	Compensation	Paid Leave	Eligible workers received 6 weeks of maternity leave instead of the 12 weeks, as prescribed by the law.	Eligible workers must be provided 12 weeks of maternity leave. 6 weeks before delivery and 6 weeks after delivery.		20

Nov-22	Compensation	Paid Leave	The calculation for sick leave payment does not include the lunch break payment.	Discuss legal requirements with the General Manager. Then, pay the lunch break and include it in the calculation of sick leave.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	20
Nov-22	Compensation	Paid Leave	The calculation of the annual leave payment does not include the lunch break payment.	Discuss legal requirements with the General Manager. Then, pay the lunch break and include it in the calculation of annual leave.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	20
Assessment November 2021						
Nov-21	Working Time	Leave	Workers received 12 days of annual leave instead of the 15 days as prescribed by law.	Provide 15 days of annual leave to workers after one year of service.		
Nov-21	Working Time	Regular Hours	The hours worked on Sunday are not computed nor displayed in the payroll.	Ensure that all working hours are displayed in the payroll.	Working hours on Sunday are recorded in the payroll.	
Nov-21	Working Time	Regular Hours	The regular working hours are from 7:00 AM to 4:00 PM (including a 1 hour daily break), (6) days per week, which is equivalent to 9 hours per day and 54 hours per week.	Revise the internal regulations and make sure that the regular hours do not exceed 48 hours per week.		
Nov-21	Occupational Safety and Health	Emergency Preparedness	Sources of ignition are not properly safeguarded.	Provide additional training to workers on electrical hazards. Display picture of electrical hazards on the floor.		
Nov-21	Occupational Safety and Health	Emergency Preparedness	Obstructed exit doors and escape routes.	Remind supervisors about their responsibility to enforce OSH in their area. Review and update the internal audit procedure.	Additional space have been identified and also the factory is using containers to stored finished products.	
Nov-21	Occupational Safety and Health	Emergency Preparedness	Escape routes are not clearly marked in one building.	Paint evacuation arrows and yellow lines on the floor to show the exit pathway. Specify who conducts additional daily/weekly checks.		
Nov-21	Occupational Safety and Health	Emergency Preparedness	Two fire extinguishers were obstructed and not readily accessible.	Set up additional workshop for workers. Review and update the internal audit procedure.		
Nov-21	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff to have at least 10 nurses for the current workforce.	The factory hired 6 additional nurses. The medical staff has 10 nurses.	

Nov-21	Occupational Safety and Health	Health Services and First Aid	Workers did not received an annual health check performed by OFATMA as prescribed by law.	Discuss the legal requirements with the General Manager. Pay for the health card. Provide free annual health checks to all workers.		
Nov-21	Occupational Safety and Health	Health Services and First Aid	Newly hired workers have not received the health card nor a free health check within the first 3 month of hiring.	Pay the health card. keep record of the invoice received from OFATMA for work related accident. Ensure that workers received the health cards within the first 3 month of hiring.		
Nov-21	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilet to have at least one toilet for every 25 men and one toilet for every 15 women.		
Nov-21	Occupational Safety and Health	Working Environment	Workplace is not kept free of dust and used material are scattered around.	Have in place a housekeeping plan.		
Nov-21	Occupational Safety and Health	Working Environment	Light level is insufficient in several sections.	Increase the light level to reach 300 lux in Pressing section, 500 lux in Sewing, cutting, packing. 750 lux in trimming, Inspection section.		
Nov-21	Occupational Safety and Health	Working Environment	Workplace temperature exceed 30 C in all buildings.	Increase the ventilation with additional fans. Conduct regular measurement of temperature & compare with threshold value.		
Nov-21	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical wiring system.	Display picture of electrical hazards. Include this aspects in the daily and weekly checks. Perform regular maintenance of electrical system.		
Nov-21	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area, where chemicals are used, does not have an adequate eye wash station.	Review and update the internal audit procedure. Install an eye wash station near the spot cleaning area.	Eye wash bottles have been installed where chemicals are used and stored.	
Nov-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous substances found in the workplace.	Provide additional training for workers and supervisors. Review and update the internal audit procedure. Label all containers.		
Nov-21	Contracts and Human Resources	Termination	The payment calculation for the annual bonus does not include the lunch break payment.	Pay the lunch break and include the payment in the average salary.		

Nov-21	Contracts and Human Resources	Termination	The payment for unused paid annual leave upon termination does not include the lunch break payment.	Pay the lunch break and include the payment in the average salary.		
Nov-21	Contracts and Human Resources	Termination	The payment for the applicable notice period does not include the lunch break payment.	Pay the lunch break and include the payment in the calculation of the notice period.		
Nov-21	Contracts and Human Resources	Employment Contracts	Several workers did not receive a copy of the contract.	Provide a contract to all employees.		
Nov-21	Compensation	Social Security and Other Benefits	The payment calculation for the annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break and include the payment in the annual salary supplement or bonus.		
Nov-21	Compensation	Social Security and Other Benefits	Workers' and employer's contribution to OFATMA for maternity and health insurance is not accurate and is forwarded late.	Pay the lunch break and forward worker's contribution to OFATMA within the first 10 business days of the next month for the previous month.		
Nov-21	Compensation	Social Security and Other Benefits	Assessors were not able to verify the payment for OFATMA work related accident insurance.	Keep records of the invoice received from OFATMA. Pay OFATMA work related accident on time.		
Nov-21	Occupational Safety and Health	Social Security and Other Benefits	The employer does not forward the collected contribution to ONA on a monthly basis.	Pay the lunch break and forward worker's contribution to ONA within the first 10 business days of the next month for the previous month.		
Nov-21	Occupational Safety and Health	Social Security and Other Benefits	The employer's contribution to ONA is not calculated on workers' average salary and does not include the lunch break payment.	Pay the lunch break and forward employer contribution to ONA within the first 10 business days of the next month for the previous month.		
Nov-21	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave, maternity leave and the daily break correctly.	Pay the lunch break and include it in the calculation of annual leave, sick leave, maternity leave.		
Nov-21	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.		
Nov-21	Compensation	Paid Leave	Workers received 6 weeks of maternity leave payments instead of the 12 weeks prescribed by the law.	Discuss legal requirements with the General Manager. Pay the lunch break and include the it in the calculation of the maternity leave payment.		

Nov-21	Compensation	Paid Leave	Sick leave payments are based on average daily earnings. However, the calculation does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation of sick leave.		
Nov-21	Compensation	Paid Leave	The daily break is not compensated and not included in the calculation of the annual leave payment.	Discuss legal requirements with the General Manager Pay the lunch break and include it in the calculation of annual leave.		

BETTER WORK HAITI – 26TH SYNTHESIS REPORT



Factory: Everbright Headwear
Location: Ouanaminthe
Number of workers: 1116
Date of registration: Jan-20
Date of last two Better Work assessments: Jun-22 May-23

Advisory and Training Services

14-Apr-23	Training	Chemical Management System
14-Apr-23	Advisory meeting	Factory tour on Emergency preparedness, chemical and electrical safety to identify area of improvement.
11-Apr-23	Training	PNCs & Management System
6-Mar-23	Bipartite Committee Meeting	Meeting with the bipartite committee to follow on the improvement plan and the payroll issues.
6-Mar-23	Advisory meeting	To validate the Improvement plan, review the Internal regulations, provide guidance on emergency preparedness and accident investigation.
3-Mar-23	Advisory meeting	To conduct a session on purchasing practices and support the factory to complete the purchasing practices questionnaires.
1-Feb-23	Bipartite Committee Meeting	Meeting with the bipartite committee to identify the training needs.
1-Feb-23	Advisory meeting	To validate pending issues on the factory portal
25-Nov-22	Virtual advisory meeting	Virtual meeting with union leaders regarding CBA violations. Session with the compliance team on Better work portal, Session on root cause analysis
17-Nov-22	Training	Virtual Introduction to Workers
11-Nov-22	Training	Virtual Introduction to Workers
12-Oct-22	Virtual advisory meeting	Virtual Meeting with the compliance team to follow up on the last assessment report, session on Progress report, then review of Social security payment.
30-Aug-22	Training	BWH-TNG HIV/AIDS
29-Aug-22	Training	Supervisory Skills (SST)
17-Aug-22	Training	Bipartite Committee
26-Jul-22	Virtual advisory meeting	Meeting with the OSH committee to validate some remediations actions, Meeting with the compliance teams to review last assessment findings and provide guidance. Discuss about the implementation of the bipartite committee. Session on the first progress report.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2023						
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is incomplete.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		27

May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals.	Define who control the chemical container on receipt from supplier and control the label.		27
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical storage areas do not have not all the safety requirements.	Ensure that chemical storage area meet all safety requirements.		27
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS are not available for all chemicals product.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		27
May-23	Occupational Safety and Health	Collective Bargaining	Collective bargaining violation.	Discuss legal requirements with the factory Manager and register all workers for maternity and Health Insurance.		12
May-23	Occupational Safety and Health	Emergency Preparedness	There was no smoke detector in the stock room between building 1 and 2.	Install a smoke detector in this area and add this aspect in the daily or weekly checks.		27
May-23	Occupational Safety and Health	Emergency Preparedness	Undercharged, obstructed and missing fire extinguishers, in several areas of the workplace.	Install firefighting equipment in the warehouse building.		27
May-23	Occupational Safety and Health	Emergency Preparedness	The floor was not clearly marked and the evacuation plan need to be updated.	Update the evacuation map and Post evacuation map in all buildings.		27
May-23	Occupational Safety and Health	Emergency Preparedness	Emergency exit was locked during the working hours and escape routes were obstructed.	Provide additional space for storing goods. Give instruction to security and staff not to close gates in case of fire.		27
May-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted twice a year as recommended.	Conduct at least one emergency drill every 6 months.		27
May-23	Occupational Safety and Health	Emergency Preparedness	The total number of workers trained in fire-fighting is less 10 percent of the workforce.	Train at least 10 percent of the workforce in fire-fighting.		27
May-23	Contract and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor (MAST), as legally required.	Send the apprentice contracts to the Ministry of Labor (MAST) for approval.		27
May-23	Contract and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor.	Review the internal work rules. Send the document to MAST for approval. Ensure that all the pages are stamped		27

May-23	Contract and Human Resources	Employment Contracts	The factory does not have an HR policy that is signed by top management.	Develop an HR policy that is signed by top		27
May-23	Contract and Human Resources	Employment Contracts	No evidence where management investigates shortcomings or issues in HR performance was provided during the assessment visit.	investigates shortcomings or issues in HR performance.		12
May-23	Contract and Human Resources	Employment Contracts	Disciplinary and termination procedures not adequate.	Include the following points in the procedure such as: - The right to defend oneself prior to termination, and to representation during disciplinary processes; - Timeframes for warnings and payments.		12
May-23	Contract and Human Resources	Employment Contracts	The grievance procedure is not adequate.	Include in the procedure communication of changes made and resolution.		12
May-23	Occupational Safety and Health	Health Services and First Aid	Worker did not receive the health cards within the first 3 months of hiring.	Pay the health cards and request OFATMA to conduct the health checks.		27
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Conduct the health checks twice a year.		27
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Pay the health cards and request OFATMA to conduct the health checks.		27
May-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Set up a clinic approved by the Authorities or Hire the required medical staff.		27
May-23	Occupational Safety and Health	Health Services and First Aid	First aids boxes are missing several items listed in the inventory list.	Equip first aid box and define responsibility for refilling.		27
May-23	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less 10 percent of the workforce as recommended by Better Work.	Train at least 10 percent of the workforce in first aid.		27

May-23	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work related accidents to OFATMA on a monthly basis.	Assign responsibilities to record work related accidents. Send a report to OFATMA and keep a copy as record		27
May-23	Occupational Safety and Health	OSH Management Systems	Management did not define accountability and/or responsibilities for OSH officer as well as top management.	Define accountability and/or responsibilities for OSH officer as well as top management.		12
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not effectively communicates and implements OSH policies.	Display OSH policies and work instructions in the workplace. Post of evacuation plans in all buildings		12
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not investigates monitors and measures OSH issues.	Investigates monitors and measures OSH issues through: Regular test, survey and inspections.		12
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an emergency preparedness procedure.	Develop an emergency preparedness procedure that includes: Reporting fires, alerting all employees to evacuate, accounting for all employees after an evacuation.		12
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure.	Develop a hazard/risk management and control procedure that includes: A systematic approach to identifying hazards.		12
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH policy that is signed by top management.	Develop the policy in consultation with workers and their representatives which include measurable objectives and improvement targets.		12
May-23	Compensation	Paid Leave	The calculation for annual leave payment does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27
May-23	Compensation	Paid Leave	Sick leave payment is not based on the average earnings.	Register the workers to OFATMA maternity and health insurance. Send workers' pay slip to OFATMA for sick leave payment. Calculate sick leave payment on the average daily salary. Lunch break payment is no longer included.		27

May-23	Compensation	Paid Leave	Maternity leave payments are not based on the average earnings.	Register the workers to OFATMA maternity and health insurance. Send workers' pay slip to OFATMA for sick leave payment. Calculate sick leave payment on the average daily salary. Lunch break payment is no longer included.		27
May-23	Compensation	Paid Leave	Lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27
May-23	Working Time	Regular Hours	The regular working hours are from 7:00 AM to 5:00 PM including a 1 hour daily break, 5 days a week, which is equivalent to 9 hours per day and 50 hours per week.	Ensure that regular hour do not exceed 48 hours per week.	The 3*8 Law stating that the lunch break is an integral part of the eight-hour day is no longer applicable.	27
May-23	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for accident insurance and payments for the fiscal year 2022-2023 have been made. However, the factory did not pay the health card (CDS).	Discuss legal requirements with the General Manager and pay the health cards.		27
May-23	Compensation	Social Security and Other Benefits	The calculation of the average salary for the payment of annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27
May-23	Compensation	Social Security and Other Benefits	The factory collects and forward workers' contribution to ONA. However, ONA deduction are based on the minimum salary.	Calculate ONA deduction on Workers' basic salary Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		27
May-23	Compensation	Social Security and Other Benefits	The factory is not registered for OFATMA maternity and health insurance.	Discuss legal requirements with the General Manager. Register with OFATMA for maternity and health insurance.		27

May-23	Compensation	Social Security and Other Benefits	The factory submits employer's contributions to ONA. However, ONA deduction are based on the minimum salary.	Calculate ONA deduction on Workers' basic salary Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		27
May-23	Compensation	Social Security and Other Benefits	The factory is not registered for OFATMA maternity and health insurance.	Register with OFATMA for maternity and Health insurance.		27
May-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		27
May-23	Compensation	Termination	The employer provides the payment for the applicable notice period.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27
May-23	Compensation	Termination	The employer compensates workers for unused paid annual leave upon termination.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27
May-23	Compensation	Termination	The employers pays workers their annual salary supplement upon termination.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27
May-23	Compensation	Wage Information, Use and Deduction	The time records between the payroll and attendance record did not match.	Have an accurate and detailed payroll system.		27
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as required by law.		27
May-23	Occupational Safety and Health	Welfare Facilities	During the factory tour assessors, observed that soap was not available in all toilets.	Provide soap dispenser and define who will check that soap is available.		2

May-23	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		27
May-23	Occupational Safety and Health	Worker Protection	The factory did not provide any training records for the use of personal protective equipment and machines.	Develop a training plan Provide training on PPE		27
May-23	Occupational Safety and Health	Worker Protection	90 percent of the single-needle machines were missing their finger guards.	Define who is in charge of installing and regularly maintaining the machine guards.		27
May-23	Occupational Safety and Health	Worker Protection	During the factory tour, assessors observed that one electrical box was obstructed on the floor.	Make sure that warning sign is posted on the door of the electrical panel.		27
May-23	Occupational Safety and Health	Working Environment	Noise level exceed 90 dB for 8 hours/day.	Noise level should not exceed 90 dB for workers exposed to noise 8 hours/day.		12
May-23	Occupational Safety and Health	Working Environment	The factory used two of the toilets in the packing section as storage. However, it is not a clean zone.	Ensure that storage area is clean. Add this aspect in the daily and weekly check.		2
Assessment June 2022						
Jun-22	Freedom of Association and Collective Bargaining	Collective Bargaining	Collective bargaining violation.	Register all employees to OFATMA for work related Accidents, maternity and health insurance. Provide chairs with back rest to all workers and allocate chair for standing workers.	Factory purchased the chairs and deliver to employees. The factory is registered for work related accident. The factory is in the process to register OFATMA maternity.	5
Jun-22	Compensation	Wage Information, Use and Deduction	The time records between the payroll and attendance record did not match.	Have an accurate and detailed payroll system.	Payroll system has an accurate detail for to know how many hours each employees worked by week.	20
Jun-22	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings.	Include the lunch break in the calculation of annual leave.	All payments to workers are made through CODEVI, they are the ones who make the calculations for everything related to wages and benefits.	20

Jun-22	Compensation	Paid Leave	Sick leave payment is not based on the average earnings and does not include the lunch break payment.	Ensure that workers are registered with OFATMA for maternity and Health insurance.	lunch break payment is still on hold.	20
Jun-22	Compensation	Paid Leave	Maternity leave payments are not based on the average earnings and does not include the lunch break payment.	Ensure that workers are registered with OFATMA for maternity and Health insurance.	Lunch time payment is on hold.	20
Jun-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Discuss legal requirements with the General Manager Pay the lunch break.	Factory is still on hold waiting for any update about this topic, from CODEVI park administration.	20
Jun-22	Compensation	Paid Leave	The factory does not pay annual leave, sick leave and maternity leave correctly.	Discuss legal requirements with the General Manager Pay the lunch break.		20
Jun-22	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break and include it in the calculation of annual salary supplement.		20
Jun-22	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	Pay the lunch break. Send workers' pay slip for the last 3 months to OFATMA for payment of sick and maternity leave.		20
Jun-22	Compensation	Social Security and Other Benefits	The factory did not provide any evidence for the payment of workers and employer's contribution to ONA.	Pay the lunch break, then forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.	ONA payments have been made until April 2022.	20
Jun-22	Compensation	Social Security and Other Benefits	The factory did not collect workers' contributions for OFATMA Maternity and Health insurance.	Pay the lunch break, forward worker's and employers' contribution to OFATMA within the first 10 business days of the next month for the previous month.		20
Jun-22	Compensation	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor (MAST), as legally required.	Send the apprentice contracts to the Ministry of Labor (MAST) for approval.		20

Jun-22	Compensation	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor.	Review the internal work rules. Send the document to MAST for approval. Ensure that all the pages are stamped.		20
Jun-22	Compensation	Termination	The calculation of the payment for the applicable notice period does not include the lunch break payment.	Pay the lunch break and include the payment in the calculation of the notice period.		20
Jun-22	Compensation	Termination	The calculation of payments for unused paid annual leave upon termination does not include the lunch break payment.	Pay the lunch break and include the payment in the calculation of annual leave upon termination.		20
Jun-22	Compensation	Termination	The calculation of annual salary supplement upon termination does not include the lunch break payment.	Pay the lunch break and include the payment in the calculation of annual salary supplement upon termination.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	Assessment on general occupational safety and health in the factory is not available.	Conduct monthly OHS risk assessments in all the various sections of the factory including preventive and remediation action.	The factory management started to hold monthly meeting with the OSH committee members. The compliance assistant is Conducting monthly OHS risk assessments.	5
Jun-22	Occupational Safety and Health	OSH Management Systems	The OSH committee is not active.	Establish an OSH committee. Then, Inform workers about its existence and its activities	The factory assigned a new compliance officer and established an OSH committee. Management hold a meeting with the OSH committee in November.	5
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work related accidents to OFATMA on a monthly basis.	Declare accidents to OFATMA monthly.	The factory investigate accidents and also prepare an investigation report.	5
Jun-22	Occupational Safety and Health	OSH Management Systems	Management did not provide any structural safety certificate for the building.	Request a structural safety certificate from the city hall.		5

Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is incomplete.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.	The Warehouse assistant is the responsible for updating the inventory for the company, the compliance officer is the person in charge of verification.	20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals.	Define who control the chemical container on receipt from supplier and control the label.	Previous actions are currently under control and supervision of the compliance officer and the compliance officer assistant.	20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical storage areas do not have not all the safety requirements.	Ensure all chemicals and hazardous substances used in the factory are stored properly.	The compliance officer is in charge of the verification, The chemical storage areas has all the safety requirements in place.	5
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS not available for all chemicals product.	Keep chemical MSDS for all hazardous chemicals used in the workplace.	The factory kept all the MSDS in the chemical warehouse and mechanic workshop.	20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory did not provide any training records for workers and supervisors using chemical and hazardous substances.	Develop a training plan Provide training to workers on chemical management.	The factory conducted a training in November 2021. In addition, the compliance team has developed a training plan.	20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash stations are not available in all areas where chemical products are used.	Install eye wash facilities where chemicals are used Include this aspect in the daily and weekly checks.	The products have been moved and placed in the chemical warehouse where eye wash stations are installed.	20
Jun-22	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.	The factory provide the PPE to the employees and kept a register. the checklist has been updated.	20
Jun-22	Occupational Safety and Health	Worker Protection	The factory did not provide any training records for the use of personal protective equipment and machines.	Develop a training plan Provide training on PPE	Factory already done this Dropbox folder as reference	20
Jun-22	Occupational Safety and Health	Worker Protection	90 percent of the single-needle machines were missing their finger guards.	Define who is in charge of installing and regularly maintaining the machine guards.	The eye guards have been installed. The maintenance department will make sure that each machine maintains its protector.	20

Jun-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical wiring and obstructed electrical boxes.	Insulate the exposed electrical wires. Electrical boxes should not be obstructed at any time.		20
Jun-22	Occupational Safety and Health	Worker Protection	Assessors observed that six electrical boxes were missing hazard signs.	Make sure that the door of the electrical panel has an hazard sign.	The hazard sign has been posted and the checklist has been updated.	20
Jun-22	Occupational Safety and Health	Worker Protection	The factory does not systematically check all workers' and visitors' body temperature upon entry.	Check the body temperature of all workers as well as visitors.	This practice was carried out until May 2022.	20
Jun-22	Occupational Safety and Health	Worker Protection	It was observed that several chairs in the sewing areas are missing backrest.	Provide chairs with backrest for all workers. Add this aspect in the daily or weekly checks.		20
Jun-22	Occupational Safety and Health	Working Environment	Temperature exceed Better Work recommendation of 30 C in all section.	Take action to reduce the temperature (opening in the roof, water curtain, additional fans).		5
Jun-22	Occupational Safety and Health	Working Environment	Noise level exceed 90 dB in the cutting section.	Provide ear plug to workers in the cutting section	Factory provided ear plugs to employees.	5
Jun-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Discuss legal requirements with the General Manager. Increase the number of toilets as required by law.	Factory is currently working in the maintenance of the following: Men 27 toilets 15 urinals Total 42 Women 29 toilets.	20
Jun-22	Occupational Safety and Health	Welfare Facilities	The employer has its own eating area and workers use the communal eating areas which do not have the capacity to accommodate all workers.	Ensure the factory has it own eating area that can accommodate all the workers.	Park increase number of tables and chairs, eating area is now using exclusive for Everbright employees.	20
Jun-22	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Hire the required medical staff.		20
Jun-22	Occupational Safety and Health	Health Services and First Aid	Less than 10 percent of the workforce is trained in first aid, as recommended by Better Work.	Train at least 10 percent of the workforce Develop a monitoring log.		20

Jun-22	Occupational Safety and Health	Emergency Preparedness	There was no smoke detector in the tread room and no alarm and smoke detector in building 3.	Install a smoke detector in the tread room , Install an alarm and smoke detector in building 3. Add this aspect in the daily or weekly checks.	5
Jun-22	Occupational Safety and Health	Emergency Preparedness	Undercharged, obstructed and missing fire extinguishers were missing, in several areas of the workplace.	Install firefighting equipment in the warehouse building.	20
Jun-22	Occupational Safety and Health	Emergency Preparedness	No evacuation plan was available in building 2 & 3 and the one posted in building 1 need to be updated.	Update the evacuation map and Post evacuation map in all buildings.	20
Jun-22	Occupational Safety and Health	Emergency Preparedness	Assessors observed that building 3 has only one door identified as an exit.	Increase the number of emergency exit in building 3 to at least 2 emergency exits.	20
Jun-22	Occupational Safety and Health	Emergency Preparedness	Emergency exit was locked during the working hours and escape routes were obstructed.	Provide additional space for storing goods. Give instruction to security and staff not to close gates in case of fire.	20
Jun-22	Occupational Safety and Health	Emergency Preparedness	The factory has not conducted any drill for the past 12 months.	Conduct at least 2 emergency drill per calendar year. Insert the drills in the OSH annual training plan.	20
Jun-22	Occupational Safety and Health	Emergency Preparedness	No occupational health and safety policies are posted or accessible to workers in the workplace.	Inform workers about workplace hazards. Post policies and procedure related to health and safety in the workplace	5
Jun-22	Occupational Safety and Health	Emergency Preparedness	The total number of workers trained in fire-fighting is less 10 percent of the workforce as recommended by Better Work.	Train at least 10 percent of the workforce. Develop a monitoring log.	20
Jun-22	Working Time	Regular Hours	The regular working hours are from exceed the legal limit.	Discuss legal requirements with the General Manager. Ensure that the regular working hour including the lunch break do not exceed 48 h per week.	20

Jun-22	Working Time	Regular Hours	Pregnant workers are not given two additional breaks of 30 minutes each per day.	Develop a procedure for pregnant women. Inform workers of their rights. Provide 2 additional breaks of 30 minutes to pregnant women.		20
Jun-22	Working Time	Regular Hours	A review of the working time record and interviewed with workers revealed discrepancies with the payroll.	Have an accurate attendance recording system.	All the workers were trained on click in and out procedure. Supervisors were instructed that they can not ask the workers to punch out at continue working.	20
Jun-22	Contract and Human Resources	Employment Contracts	The factory does not have an HR policy that is signed by top management with a clear commitment to meet all legal requirements.	Develop an HR policy that is signed by top		5
Jun-22	Contract and Human Resources	Employment Contracts	HR job descriptions, reporting lines, description of job duties and authority and performance evaluations are not available.	Define responsibility in writing such as job descriptions, reporting lines, description of job duties and authority and performance evaluations.		5
Jun-22	Contract and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include Induction all the necessary steps.	Conduct Induction training for workers. Provide Staff training on how to carry out policies and procedures. Display policies and internal regulations in the factory.		5
Jun-22	Contract and Human Resources	Employment Contracts	Human Resource management system document were not available at the time of the assessment visit.	Develop a procedure on HR performance indicators. Have in place a monitoring systems.		5
Jun-22	Contract and Human Resources	Employment Contracts	Disciplinary and termination procedures not adequate.	Include the following points in the procedure such as: - The right to defend oneself prior to termination, and to representation during disciplinary processes; - Timeframes for warnings and payments.		5
Jun-22	Contract and Human Resources	Employment Contracts	The grievance procedure is not adequate.	Include in the procedure communication of changes made and resolution.		5

Jun-22	Occupational Safety and Health	OSH Management Systems	Management did not define accountability and/or responsibilities for OSH officer as well as top management.	Define accountability and/or responsibilities for OSH officer as well as top management.	Currently factory hired a compliance officer with expertise.	5
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not effectively communicates and implements OSH policies.	Display OSH policies and work instructions in the workplace. Post of evacuation plans in all buildings	Evacuation plan is on hold, currently factory is working moving some departments to other areas.	55
Jun-22	Occupational Safety and Health	OSH Management Systems	The employer does not investigates monitors and measures OSH issues.	Investigates monitors and measures OSH issues through: Regular test, survey and inspections.		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Develop an accident investigation procedure that includes: Implementation of changes in order to avoid reoccurrence.		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an emergency preparedness procedure.	Develop an emergency preparedness procedure that includes: Reporting fires, alerting all employees to evacuate, accounting for all employees after an evacuation.		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure.	Develop a hazard/risk management and control procedure that includes: A systematic approach to identifying hazards.		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH policy that is signed by top management and developed in consultation with workers and their representatives.	Develop the policy in consultation with workers and their representatives which include measurable objectives and improvement targets.	The factory develops a hygiene and safety manual.	5

BETTER WORK HAITI – 26TH SYNTHESIS REPORT



Factory: Everest Apparel Haiti S.A.
Location: Arrondissement du Trou du Nord
Number of workers: 1365
Date of registration: Jan-18
Date of last two Better Work assessments: Jun-22 May-23

Advisory and Training Services

27-Jun-23	Advisory meeting	Meeting with HR manager and Union presidents to follow up on Disciplinary measures at the factory level.
10-May-23	Training	Supervisory Skills (SST)
8-May-23	Training	Negotiation Skills
24-Apr-23	Training	GBVH Cluster Training (Introduction, Grievance Mechanism, Gap Analysis & PFA)
18-Apr-23	Advisory meeting	OSH tour on emergency preparedness and chemical handling. Meeting with trade unions about the factory operations, Follow up on retrenchment plan with Management and review of management systems.
22-Mar-23	Advisory meeting	Virtual meeting with union leaders to discuss workers' concerns leading to strike notification. Meeting with management to follow up on the announcement of the workers' strike, retrenchment plan, lockout and disciplinary measures at the factory level.
31-Jan-23	PICC Meeting	Bipartite committee meeting to discuss the training needs.
31-Jan-23	Advisory meeting	Virtual OSH tour to validate pending issues on the improvement plan. Follow Up on Sexual Harassment case and Freedom of Association. Bipartite meeting, meeting with Union leaders.
1-Dec-22	Advisory meeting	Meeting with union leaders to follow up on industrial disputes at the factory level. Then meeting with the compliance team to review compensation and working time.
1-Sep-22	Training	BWH-TNG HIV/AIDS
26-Aug-22	Training	Respectful Workplace Program for Workers
26-Aug-22	Training	Respectful Workplace Program for Supervisors & Middle Management
22-Aug-22	Training	Supervisory Skills (SST)

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2023						
May-23	Compensation	Wage Information, Use and Deduction	he payroll is done manually and therefore it is not linked to the punch system.	The workers must confirm the hours actually worked and the factory must ensure that the payroll is linked to the punch.		3
May-23	Compensation	Paid Leave	Sick leave is compensated on the minimum salary.	Send workers' pay slip to OFATMA on time.		21

May-23	Compensation	Social Security and Other Benefits	OFATMA accident insurance payment is made late.	Pay OFATMA work related accident on time.		21
May-23	Compensation	Social Security and Other Benefits	Employees' deductions for ONA are based on the minimum salary.	Send workers contributions to ONA during the period from October 3 to November 13, 2022. Ensure that ONA deductions are made on the basic salary.		21
May-23	Compensation	Social Security and Other Benefits	Employers' contribution to OFATMA are based on workers' minimum salary.	Send employers contributions to OFATMA during the period from October 3 to November 13, 2022. Ensure that OFATMA deductions are made on the basic salary.		21
May-23	Compensation	Social Security and Other Benefits	Employers' contributions to ONA are based on workers' minimum salary.	Send employers contributions to ONA during the period from October 3 to November 13, 2022. Ensure that ONA deductions are made on the basic salary.		21
May-23	Compensation	Social Security and Other Benefits	Workers' deductions for OFATMA are based on the minimum salary.	Send workers contributions to OFATMA during the period from October 3 to November 13, 2022. Ensure that OFATMA deductions are made on the basic salary.		21
May-23	Occupational Safety and Health	OSH Management Systems	The factory did not submit accident report for the months of October 2022.	Records and submit accident report to OFATMA monthly.		12
May-23	Occupational Safety and Health	OSH Management Systems	Management didn't provide any structural safety certificate, certifying the structure of the buildings meets the safety requirements for an industrial structure.	Request a structural safety certificate from the city council.		12
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical is not accurate. It is missing several products and the quantities are not updated.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		54

May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals found in the workplace.	Define who control the chemical container on receipt from supplier and control the label. Define who is entitled to pour chemicals in other recipients and label them.		54
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Improper storage of chemical and hazardous products.	Ensure all chemicals and hazardous substances used in the factory are stored properly.		54
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS were not available for all chemical and hazardous products used in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		54
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors did not observe any eye wash station in the boiler room of building 3, where chemical is used. Furthermore, the eye wash in the mixing room is not working.	Provide eye wash bottles and specify who will conduct regular checks of the functioning of the eyewash.		1
May-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide ear plug for workers in the boiler room and compressor room.		21
May-23	Occupational Safety and Health	Worker Protection	Electrical installation was not properly maintained.	Make sure that the electrical cable are properly maintained and display pictures of electrical hazards on the floor.		42
May-23	Occupational Safety and Health	Working Environment	Lux level is insufficient in cutting section.	Ensure that lux level is at least 500 in cutting section.		21
May-23	Occupational Safety and Health	Welfare Facilities	Drinking water is not tested regularly.	Defines who organize regularly test to check the quality of the drinking water.		1
May-23	Occupational Safety and Health	Health Services and First Aid	Medical checks were not provided to workers within the first three months of hiring.	Ensure that workers received medical checks in their first three months of hiring.		1
May-23	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that medical checks were provided to workers exposed to work-related hazard.	Ensure that medical checks are provided twice a year to workers exposed to work-related hazard.		1
May-23	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that annual medical checks were provided to workers.	Ensure that annual medical checks are provided to all workers.		1

May-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Hire the required medical staff.		1
May-23	Occupational Safety and Health	Health Services and First Aid	Less than 10 percent of the workforce is trained in first aid.	Train at least 10 percent of the workforce in first aid.		1
May-23	Occupational Safety and Health	Emergency Preparedness	Obstructed fire extinguishers found in the building.	Specify who conduct daily weekly checks and include this in the system of daily weekly checks.		21
May-23	Occupational Safety and Health	Emergency Preparedness	During the factory tour, assessors observed that the aisles in the cutting section, packing section and old printing area were obstructed.	Identify additional space for storing goods. Specify who conduct daily weekly checks and include this in the system of daily weekly checks.		21
May-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted every six months as recommended.	Conduct at least 2 emergency drill per calendar year, insert the drills in the OSH annual training plan, Keep records of the drill.		1
May-23	Working Time	Regular Hours	Regular working hours exceed the legal limit	Ensure that the regular working hours do no exceed 48 hours per week.	The June 13 decree suspends the 3*8 law.	12
May-23	Working Time	Regular Hours	Inaccurate punch system.	Have in place an Accurate attendance system, all manual attendance should be acknowledge with workers' signature.		1
May-23	Contract and Human Resources	Employment Contracts	The employer does not investigates violations of HR policies and procedures.	Develop a procedure that define HR performance indicator, objectives and targets for each KPI then action plan when the factory do not meet the targets.		12
May-23	Contract and Human Resources	Employment Contracts	The factory has disciplinary and termination procedures which does not include the time frame between warnings.	Include the time frame between warnings.		12
May-23	Contract and Human Resources	Employment Contracts	The factory' grievance handling and dispute resolution procedures does not ensure anonymity and non-retaliation for the complainants.	Revised the grievance mechanism and ensure it include anonymity and non-retaliation for the complainants.		12

May-23	Occupational Safety and Health	OSH Management Systems	The names of OSH committee members are not posted in the workplace.	Post the names of OSH committee members in the workplace.		12
May-23	Occupational Safety and Health	OSH Management Systems	The employer has not provided sufficient evidence to indicate: - Regular review of OSH management system.	Hold a management meeting to define OSH measurable objectives and targets. Conduct an accident investigations after each accident in the workplace and keep records.		12
May-23	Occupational Safety and Health	OSH Management Systems	The emergency preparedness procedure does not include:	Revised the procedure and include: Accounting for all employees after an evacuation.		12
May-23	Occupational Safety and Health	OSH Management Systems	The hazard/risk procedure does not include all the necessary elements.	Include a risk register that drives the implementation of controls (list of risks with due dates, owners and next steps).		12
Assessment June 2022						
Jun-22	Discrimination	Gender	Although the factory has a policy against sexual harassment, there is no evidence that the factory has taken the necessary steps to address the cases of sexual harassment.	Review the policy against sexual harassment. Provide training to HR staff on how to conduct sexual harassment investigation and how to apply the policy.		5
Jun-22	Freedom of Association and Collective Bargaining	Interference and Discrimination	No valid reasons for trade union terminations.	Reinstate the trade unions and develop a retrenchment policy,		5
Jun-22	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings, because the factory does not compensate workers for the lunch break.	Discuss legal requirements with the General Manager. Pay the lunch break Calculate the annual leave payment on the daily average earnings.	The lunch break has been paid since September 2022.	14
Jun-22	Compensation	Paid Leave	The daily break is not compensated and included in the calculation of the sick leave payment.	Discuss legal requirements with the General Manager. Pay the lunch break	The lunch break has been paid since September 2022.	14
Jun-22	Compensation	Paid Leave	Maternity leave payments are based on average earnings that do not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break.	The lunch break has been paid since September 2022.	14

Jun-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Discuss legal requirements with the General Manager. Pay the lunch break.	The lunch break has been paid since September 2022.	14
Jun-22	Compensation	Paid Leave	The factory does not pay annual leave, sick leave and maternity leave correctly.	Discuss legal requirements with the General Manager. Pay the lunch break.	The lunch break has been paid since September 2022.	47
Jun-22	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break.	The lunch break has been paid since September 2022.	14
Jun-22	Compensation	Social Security and Other Benefits	The maternity leave and sick leave payment register do not includes the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break Send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment	The lunch break has been paid since September 2022. In addition, it is included in workers' pay slip for sick leave and maternity leave payment.	14
Jun-22	Compensation	Social Security and Other Benefits	The employer collects and forward the workers' and employers' contribution to ONA on the minimum salary.	Discuss legal requirements with the General Manager. Pay the lunch break Pay ONA within the first 10 business days of the next month for the previous month.	The lunch break has been paid since September 2022. The contributions are sent to ONA.	14
Jun-22	Compensation	Social Security and Other Benefits	The employer collects and forward the workers' and employers' contribution to OFATMA based on the minimum salary.	Discuss legal requirements with the General Manager. Pay the lunch break Pay OFATMA within the first 10 business days of the next month for the previous month.	The lunch break has been paid since September 2022. The contributions are sent to OFATMA.	14
Jun-22	Compensation	Termination	The calculation of the average salary for the payment for the applicable notice period does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break.	The lunch break has been paid since September 2022.	14
Jun-22	Compensation	Termination	The calculation of the average salary for unused paid annual leave upon termination does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break.	The lunch break has been paid since September 2022.	14
Jun-22	Compensation	Termination	The calculation of the average salary for the payment of annual salary supplement upon termination does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break.	The lunch break has been paid since September 2022.	14

Jun-22	Compensation	Termination	The factory refused to follow the government's recommendations to reinstate dismissed workers and decided to give their salaries and bonuses to the terminated workers.	Follow the instructions of government entities.		5
Jun-22	Discrimination	Dialogue, Discipline and Disputes	Verbal and physical abuse in the workplace.	Provide training on workplace violence. Develop a procedure on gender based violence		33
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory did not submit accident report to OFATMA for the months of December 2021 and January 2022.	Submit work related accident to OFATMA monthly.	Management ensured that accident reports are submitted monthly to OFATMA.	5
Jun-22	Occupational Safety and Health	OSH Management Systems	Management didn't provide any structural safety certificate for the building.	Request a structural safety certificate from the city council.		5
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical inventory is not accurate.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		47
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals.	Define who control the chemical container on receipt from supplier and control the label.		47
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Improper storage of chemical and hazardous products.	Read the section on storage of the MSDS of chemicals used in the factory. Then, issue instruction on proper storage.		47
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS were not available for all chemical and hazardous products used in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		47
Jun-22	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper mask to workers in the spot cleaning area or install vacuum table. Provide safety belt for heavy lifting		14
Jun-22	Occupational Safety and Health	Worker Protection	Electrical installation was not properly maintained.	Make sure that the door of the electrical panel is closed and display pictures of electrical hazards on the floor.		35

Jun-22	Occupational Safety and Health	Worker Protection	Workers working at height use industrial platform ladder without side rails of at least 0.90m as recommended by the labor Code.	Provide safety cap and safety belt to workers working at height.		5
Jun-22	Occupational Safety and Health	Working Environment	Temperature exceeds Better Work recommended maximum limit of 30 C.	Take action to reduce the temperature such as opening in the roof, water curtain or additional fans.		14
Jun-22	Occupational Safety and Health	Working Environment	Lux level is below recommended limit in cutting and packing section.	Increase the lux level in cutting, packing section.		14
Jun-22	Occupational Safety and Health	Working Environment	The factory used one of the toilets as storage. However, it is not a clean zone.	Ensure the toilets are in good conditions and clean.	The toilet has been cleaned and is in good conditions.	5
Jun-22	Occupational Safety and Health	Health Services and First Aid	Assessors found an expired product in 2 first aid boxes.	Equip first aid box and define responsibility for refilling.		5
Jun-22	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Ensure regular maintenance of fire extinguishers. Specify who conducts regular checks to make sure that the equipment is in place and functioning Add this aspect in the daily weekly checks.	Regular maintenance is planned for the fire extinguishers and assignation is done.	14
Jun-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several areas of the workspace.	Identify additional space for storing goods. Specify who conduct daily weekly checks and include this in the system of daily weekly checks.		14
Jun-22	Occupational Safety and Health	Emergency Preparedness	Emergency exits were locked during working hours including overtime.	Discuss with top management and give instruction to security staff not to close gates in case of fire / when they go to toilets. Specify who conduct daily weekly checks and include this in the system of daily weekly checks.		14
Jun-22	Working time	Regular Hours	The regular working hours exceed the legal limit.	Discuss the regular working hours with the General Manager and workers' representative. Review the internal work rules to ensure the regular working hour do not exceed 48 hours per week.		5

Jun-22	Contract and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include all the necessary elements.	Ensure that all worker contracts are signed. Conduct induction training for workers. Provide training to HR staff on how to carry out policies and procedures.		5
Jun-22	Contract and Human Resources	Employment Contracts	The employer does not investigate violations of HR policies and procedures.	Develop HR performance indicators and have in place a monitoring systems. Investigate violations of HR policies and procedures.		5
Jun-22	Contract and Human Resources	Employment Contracts	The factory has disciplinary and termination procedures which does not include the time frame between warnings.	Include the time frame between warnings and payment in the procedure.		5
Jun-22	Contract and Human Resources	Employment Contracts	The factory has grievance handling and dispute resolution procedures but it does not ensure anonymity and non-retaliation for the complainants.	Ensure anonymity and non-retaliation for the complainants in the procedure. Communicate the procedure to workers.		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The names of OSH committee members are not posted in the workplace.	Display the names of OSH committee members in the workplace.		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The employer has not provided sufficient evidence to indicate: - Regular review of effectiveness of management system including performance on measurable objectives and targets.	Conduct management review of effectiveness of management system including performance on measurable objectives and targets. Conduct accident investigations.		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The emergency preparedness procedure does not include: Accounting for all employees after an evacuation.	Include in the procedure accounting for all employees after an evacuation.		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The hazard/risk procedure does not include all the necessary elements.	Include a risk register in the procedures that drives the implementation of controls (list of risks with due dates, owners and next steps).		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The OSH policy does not include all the necessary steps.	Include measurable objectives and improvement targets in the policy. Hold a meeting with workers and their representatives to present the policy.		5

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: Fairway Apparel S.A.
Location: Arrondissement de Port-au-Prince
Number of workers: 455
Date of registration: Jan-11
Date of last two Better Work assessments: Mar-22 Mar-23

Notes: Factory was closed for parts of September and October 2022

Advisory and Training Services

17-Apr-23	Bipartite Committee Meeting	Advisory summary session:- Reviewed several documents to identify the improvement made by the factory. Completed the purchasing practices training with the factory management. Meeting with the bipartite committee to: Follow-up on OFATMA maternity and health insurance. Review the new improvement plan to find out the root cause of the non-compliance and lock for remediation action needed.
7-Jul-23	Training	Virtual GBVH Cluster Training (Introduction, Grievance Mechanism, Gap Analysis & PFA)
18-Jul-23	Training	Virtual Sexual Harassment Awareness and Prevention for Workers
21-Jul-23	Training	Virtual Sexual Harassment Awareness and Prevention for Supervisors
13-Sep-22	Bipartite Committee Meeting	Meeting with the PICC to: - Review of the improvement plan - Document review: HR procedures Finally, monitoring the needs of the bipartite committee.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment March 2023						
Mar-23	Occupational Safety and Health	OSH Management Systems	The OSH policy does not meet all the requirements.	Update and adjust OSH policy and procedures.		16
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		16
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a written accident investigation procedure that includes all the requirements.	Revise the accident investigation procedure to include root cause analysis.		16
Mar-23	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OSH issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		16

Mar-23	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures does not include all the necessary elements.	Review the procedure and include fair review and appeal process, communication of changes made or resolution.		16
Mar-23	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures does not include all the necessary steps.	Review the procedure to include details on the workers' rights to defend themselves prior to termination, and to representation during disciplinary processes.		16
Mar-23	Contracts and Human Resources	Employment Contracts	The factory does not properly investigate violations of HR policies and procedures.	Review the procedure to identify weaknesses and make necessary adjustments to prevent recurrence.		16
Mar-23	Working Time	Regular Hours	Inaccurate attendance records.	Ensure that workers are directly accountable for effectively recording their own working time.		16
Mar-23	Working Time	Regular Hours	The required break was not provided to pregnant women.	Give the legally required break to all pregnant women.		16
Mar-23	Working Time	Regular Hours	Regular working hours did not meet legal requirements.	Modify the internal work rules and ensure the regular working hours do not exceed 8 hours per day and 48 hours per week		0
Mar-23	Occupational Safety and Health	Emergency Preparedness	Insufficient number of workers trained in the use of fire-fighting equipment	Train at least 10% of the workforce on the use of fire-fighting equipment.	The factory has trained 14 additional worker in the use of fire-fighting equipment. However, this training was not provided by a certified company or trainer.	26
Mar-23	Occupational Safety and Health	Emergency Preparedness	The employer did not conduct at least 2 emergency drills per year.	Conduct fire drill at least twice a year.		26
Mar-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several sections of the workspace.	Keep routes unobstructed during working hours.	Now the stairs in the cutting section is unobstructed during working hours including overtime.	59
Mar-23	Occupational Safety and Health	Emergency Preparedness	Unmarked escape routes, were observed during the assessment.	Ensure that the escape routes in the warehouse building are clearly marked		16
Mar-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Provide adequate firefighting equipment and Ensure regular maintenance is done.	The factory unobstructed the fire extinguisher on the sewing floor.	26

Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first aid.	Train at least 10 percent of the workforce in first aid.	The factory has trained 15 additional workers in first aid.	26
Mar-23	Occupational Safety and Health	Health Services and First Aid	First aid boxes are missing basic items and one expired medicine.	The factory needs to designate a person to monitor the inventory of the first aid boxes.		26
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses to comply with the labor code.		59
Mar-23	Occupational Safety and Health	Health Services and First Aid	Incomplete annual medical checks provide to workers.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		59
Mar-23	Occupational Safety and Health	Health Services and First Aid	Incomplete medical checks provide twice a year to workers exposed to work-related hazards	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		59
Mar-23	Occupational Safety and Health	Health Services and First Aid	Incomplete medical checks provide within the first three months of hiring to workers.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		59
Mar-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		0
Mar-23	Occupational Safety and Health	Working Environment	light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		26
Mar-23	Occupational Safety and Health	Worker Protection	Assessors observed that standing workers were not provided with ergonomic mats.	Provide standing mats or foot rests to all standing workers.		26
Mar-23	Occupational Safety and Health	Worker Protection	Sewing machines were missing pulley guards.	Install the proper safety guards on all machines.		0
Mar-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper PPE to all workers, including weight lifting belts and masks.		16
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available in the chemical room.	Install eye wash stations in all places where chemical and hazardous substances are used.		16
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.		16

Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not have appropriate chemical storage area.	Ensure that the factory has a proper chemical storage with all requirements safety		0
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals and Hazardous Substances not properly labelled in the mechanic workshop.	Label all chemicals and hazardous substances used in the workplace.		16
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.		61
Mar-23	Occupational Safety and Health	OSH Management Systems	The structural safety certificate was not available.	Request a structural safety certificate from the city hall.		0
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work-related accidents to OFATMA on a monthly basis.	Record and submit work related accidents to OFATMA on a monthly basis.		0
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory did not provide any evidence of OSH bipartite meeting or minutes for the last 12 months.	keep records of the meeting minutes on a monthly basis.		0
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory did not provide any evidence of OSH assessments reports for the last 12 months.	Conduct and keep records of the assessment result on a monthly basis.		0
Mar-23	Contracts and Human Resources	Termination	The calculation of the annual salary supplement or bonus upon termination does not include the lunch break payment.	Pay workers their annual salary supplement upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	61
Mar-23	Contracts and Human Resources	Termination	The calculation for unused paid annual leave upon termination does not include the lunch break payment.	Pay the unused paid annual leave upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	61
Mar-23	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period does not include the lunch break payment.	Pay the applicable notice period and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	61
Mar-23	Contracts and Human Resources	Employment Contracts	Inaccurate workers contract.	Ensure that workers are issued contracts with benefits matching the true nature of their jobs.		16

Mar-23	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers contribution to OFATMA for all workers.	Collect workers contribution on the basic salary for all workers and forward it on time.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required. Now the factory register 132 out of 471 to OFATMA maternity and health insurance.	61
Mar-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	61
Mar-23	Compensation	Social Security and Other Benefits	The Factory does not forward employers contribution to OFATMA for all workers.	Forward employer's contribution to OFATMA maternity and health insurance on the basic salary for all workers.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required. Now the factory register 132 out of 471 to OFATMA maternity and health insurance.	61
Mar-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	61
Mar-23	Compensation	Social Security and Other Benefits	Inaccurate payment for annual salary supplement.	Pay annual leave based on average earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	61
Mar-23	Compensation	Social Security and Other Benefits	Inaccurate payment to OFATMA for work-related accident insurance.	Complete the payment for OFATMA work related accident for the fiscal year 2022-2023.		50
Mar-23	Compensation	Paid Leave	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	61
Mar-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings. Pay 12 weeks of maternity leave to workers	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	61
Mar-23	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	61
Mar-23	Compensation	Paid Leave	Inaccurate annual leave payment.	Pay annual leave based on average earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	61

Mar-23	Compensation	Overtime Wages	Inaccurate payment to workers work on Saturday.	Ensure that hours worked on Saturday are accurately compensated as overtime hours to all eligible workers.		17
Assessment March 2022						
Mar-22	Occupational Safety and Health	OSH Management Systems	The OSH policy does not meet all the requirements.	Update and adjust OSH policy and procedures.	Factory will be reviewing the OSH policy.	9
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		9
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory has a written accident investigation procedure that does not include all the requirements.	Revise the investigation procedure to include root cause analysis.		9
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR review.		9
Mar-22	Contract and Human Resources	Employment Contracts	Inaccurate workers contract.	Ensure that workers are issued contracts with benefits matching the true nature of their jobs.		9
Mar-22	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures does not include all the necessary elements.	Review the procedure and include fair review and appeal process, communication of changes made or resolution.		9
Mar-22	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures do not include all the necessary steps.	Review the procedure to include details on the workers' rights to defend themselves prior to termination, and to representation during disciplinary processes.		9
Mar-22	Contracts and Human Resources	Employment Contracts	The factory does not properly investigate violations of HR policies and procedures.	Review the procedure to identify weaknesses and make necessary adjustments to prevent recurrence.		9
Mar-22	Working Time	Leave	The factory provides payment to security guards in place of annual leave.	Factory must provide all workers with 15 days of paid annual leave as required by law.		9

Mar-22	Working Time	Regular Hours	Inaccurate attendance records.	Use one punch system to record all hours worked and include all payments in the regular payroll.		9
Mar-22	Working Time	Regular Hours	The required break was not provided to pregnant women.	Provide pregnant women with tow additional breaks of 30 minutes each.		9
Mar-22	Occupational Safety and Health	Emergency Preparedness	Insufficient number of workers trained in the use of fire-fighting equipment	Train at least 10% of the workforce on the use of fire-fighting equipment.		19
Mar-22	Occupational Safety and Health	Emergency Preparedness	The factory has not conducted any fire drill in the last 12 months.	Ensure that the factory conduct a fire drill and emergency awareness training every 6 month.		19
Mar-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several sections of the workspace.	Keep routes unobstructed during working hours.	All routes are unobstructed during working hours.	52
Mar-22	Occupational Safety and Health	Emergency Preparedness	The evacuation map does not reflect the current layout of the factory.	Ensure that the evacuation plan is updated.	Evacuation plan has been updated.	9
Mar-22	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Provide adequate firefighting equipment and Ensure regular maintenance is done.	Factory fixed the issue with the fire extinguisher in the trim warehouse	19
Mar-22	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first aid.	Train at least 10 percent of the workforce in first aid.		19
Mar-22	Occupational Safety and Health	Health Services and First Aid	First aid boxes are missing basic items.	The factory needs to monitor the first aid boxes and ensure that missing items are replaced promptly.	All missing items has been replace in all first aid boxes.	19
Mar-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses to comply with the labor code.		52
Mar-22	Occupational Safety and Health	Health Services and First Aid	Free health checks are not systematically provided to workers.	Pay OFATMA for the Health Card and ensure that annual health check are provided to workers.		52

Mar-22	Occupational Safety and Health	Health Services and First Aid	Medical checks are not provided twice a year to workers exposed to work-related hazards.	Pay OFATMA for the Health Card and ensure that health check are provided to workers exposed to work-related hazard at least twice a year.		52
Mar-22	Occupational Safety and Health	Health Services and First Aid	The factory does not systematically provide free health checks within the first three months of hiring that cover all required exams.	Pay OFATMA for the Health Card and provide health check to new workers within the first three month of being hired.		52
Mar-22	Occupational Safety and Health	Welfare Facilities	The factory does not perform regular test on the water filtration system.	Water must be tested every month by a certified laboratory.		19
Mar-22	Occupational Safety and Health	Working Environment	Light levels were inappropriate in all working sections.	Provide adequate lighting as recommended by Better Work.		19
Mar-22	Occupational Safety and Health	Working Environment	Workplace temperature levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		40
Mar-22	Occupational Safety and Health	Worker Protection	Assessors observed that standing workers were not provided with ergonomic mats.	Provide standing mats or foot rests to all standing workers.	The factory provide ergonomics mats to all standing workers.	19
Mar-22	Occupational Safety and Health	Worker Protection	The factory does not systematically check body temperature upon entry.	Systematically check all body temperature upon entry and keep a registry for all persons who present a temperature of 38C and above.		19
Mar-22	Occupational Safety and Health	Worker Protection	The employer did not take any measures to maintain a social distance of 1.5 m.	Take the appropriate measure to respect a social distance of 1.5m.		34
Mar-22	Occupational Safety and Health	Worker Protection	Management did not provide workers with training on the use of protective equipment.	Provide workers with the necessary training to use personal protective equipment and machinery.		54
Mar-22	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper PPE to all workers, including weight lifting belts and hard hats.	Factory has provided PPE to all worker.	9
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available in the mechanic workshop.	Install eye wash stations in all places where chemical and hazardous substances are used.		9

Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical safety data sheets were not available in the mechanic workshop.	Translate and post MSDS where chemicals are used in the workplace.		9
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals and Hazardous Substances not properly labelled in the mechanic workshop.	Label all chemicals and hazardous substances used in the workplace.		9
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.	The factory updated the inventory for chemicals and hazardous substances used in the workplace.	54
Mar-22	Contracts and Human Resources	Termination	Inaccurate notice period upon termination.	Factory needs to apply the law and pay the lunch break.		54
Mar-22	Contracts and Human Resources	Termination	Inaccurate unused paid annual leave upon termination.	Factory needs to apply the law and pay the lunch break.		54
Mar-22	Contracts and Human Resources	Termination	Inaccurate annual salary supplement or bonus payments upon termination.	Factory needs to apply the law and pay the lunch break.		54
Mar-22	Compensation	Social Security and Other Benefits	ONA payments are consistently late.	Calculate ONA contributions on the average salary, include the lunch break payment and forward it on time.		54
Mar-22	Compensation	Social Security and Other Benefits	The factory is not affiliated to OFATMA for maternity and health insurance.	Factory needs to register with OFATMA maternity and health insurance.	Factory is registered with OFATMA maternity and health insurance, but payment will start on August according to management	54
Feb-21	Compensation	Social Security and Other Benefits	Inaccurate payment to OFATMA for work-related accident insurance.	Complete the payment for OFATMA work related accident for the fiscal year 2021-2022.		43
Mar-22	Compensation	Social Security and Other Benefits	Inaccurate calculation for the annual salary supplement or bonus.	Factory needs to apply the law and pay the lunch break.		54
Mar-22	Compensation	Paid Leave	The factory pays workers incorrectly for all types of paid time leave.	The factory needs to pay all types of leave based on worker's average daily earnings by including the lunch break payment.		54

Mar-22	Compensation	Paid Leave	Lunch break is not compensated in the payroll.	Pay the daily lunch break accurately to all workers.		54
Mar-22	Compensation	Paid Leave	Inaccurate payment for maternity leave.	The factory needs to register with OFATMA for maternity and health insurance that will allow workers to received 12 weeks of payments. The factory also need to pay for the lunch break.	Factory is registered with OFATMA maternity and health insurance, but payment will start on August according to management	54
Mar-22	Compensation	Paid Leave	Inaccurate payment for sick leave.	Factory needs to apply the law and pay the lunch break.		54
Feb-21	Compensation	Premium Pay	Inaccurate payment to workers work on Saturday.	Ensure that hours worked on Saturday are accurately compensated as overtime hours to all eligible workers.		10

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: HAITI BEST SEWING MFG SA
Location: Arrondissement de Port-au-Prince
Number of workers: 269
Date of registration: Oct-09
Date of last two Better Work assessments: Mar-22 Mar-23

Advisory and Training Services

17-Mar-23	advisory meeting	Advisory summary session:- Reviewed several documents to identify the improvement made by the factory. Completed the purchasing practices survey with the factory management. Meeting with the factory management to get an update on the factory situation. Meeting with the union in the factory to follow-up on the working condition.
17-Mar-23	Training	Virtual Purchasing Practices Training
1-Dec-22	advisory meeting	Advisory service to discuss about: The factory situation (workers suspension, insecurity) Improvement plan review PRI due by the factory
15-Sep-22	Advisory meeting	Meeting was done to: Review improvement plan Plan next meeting with workers to conform the PICC

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment March 2023						
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances was not available at the time of the assessment visit.	Prepare an inventory for chemical and hazardous substances in the workplace. Keep the inventory updated.		130
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.		136
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Workers are not trained on the use and handling of chemicals and hazardous substances.	Provide chemical management system training to all workers using chemicals and hazardous substances.		131

Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available in the mechanic workshop.	The factory needs to install eyewash station in all areas where chemical products are used.		18
Mar-23	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers are not properly maintained	Provide adequate firefighting equipment and Ensure regular maintenance is done.		80
Mar-23	Occupational Safety and Health	Emergency Preparedness	The employer did not conduct at least 2 emergency drill per year.	Conduct fire drill at least twice a year.		114
Mar-23	Occupational Safety and Health	Emergency Preparedness	Alarm system is not functioning in the embroidery building	Fire alarm system need to be installed and working properly in all buildings.		80
Mar-23	Occupational Safety and Health	Emergency Preparedness	Inaccurate evacuation plan and the floor is not properly marked.	Update and post an evacuation plans for all buildings, and ensure that escape routes are clearly marked.		99
Mar-23	Contract and Human Resources	Employment Contracts	Inaccurate workers contract.	Ensure the written contracts specify the amount or salary for the position.		18
Mar-23	Contract and Human Resources	Employment Contracts	The factory did not share an internal work rules with the assessors.	Ensure that the factory has an approve internal work rules by MAST.		15
Mar-23	Contract and Human Resources	Employment Contracts	The factory does not investigates HR performance and issues.	Develop a procedure on HR performance indicators and monitoring systems.		18
Mar-23	Contract and Human Resources	Employment Contracts	The factory did not share a disciplinary and termination procedures.	Develop a disciplinary and termination procedures that includes all the step.		18
Mar-23	Contract and Human Resources	Employment Contracts	The factory did not share a recruitment procedures.	Develop a recruitment procedures that include all the step.		18

Mar-23	Contract and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures does not include all the necessary elements.	Review the procedure and include clear specification for a fair review process and how changes should be communicated.		18
Mar-23	Contract and Human Resources	Employment Contracts	The factory does not have an HR policy that include all the necessary elements.	Make sure the factory has an HR policy sign by the top management with of all the necessary elements.		18
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses and 3 doctor's visits per week to comply with the labor code.		130
Mar-23	Occupational Safety and Health	Health Services and First Aid	Products in first aid boxes are missing the expiration date.	The factory needs to designate a person to monitor the first aid boxes.		18
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first aid.	Train at least 10 percent of the workforce in first aid.		27
Mar-23	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers within the first three months of hiring.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		113
Mar-23	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		58
Mar-23	Occupational Safety and Health	Health Services and First Aid	Free annual health checks was not provided to workers.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		111
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory did not provide any evidence of OSH assessments reports for the last 12 months.	Conduct and keep records of the assessment result on a monthly basis.		122
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory did not provide any evidence of OSH bipartite meeting minutes for the last 12 months.	keep records of the meeting minutes on a monthly basis.		28

Mar-23	Occupational Safety and Health	OSH Management Systems	The structural safety certificate was not available.	Request a structural safety certificate from the city hall.		28
Mar-23	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR Director	Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		18
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not communicate and implement OSH policies and procedures.	Ensure that training are provided to all relevant staff.		18
Mar-23	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OSH issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		18
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Create an accident investigation procedure that includes all the necessary steps.		18
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure.	Create a hazard/risk management and control procedure that includes that all the requirements.		18
Mar-23	Occupational Safety and Health	OSH Management Systems	The OSH policy signed by senior management does not meet all the requirements.	Update and adjust OSH policy and procedures.		18
Mar-23	Compensation	Paid Leave	Inaccurate annual leave payment.	Calculate the annual leave on worker's daily average earnings as specified in Art. 148.		18
Mar-23	Compensation	Paid Leave	The factory were not able to provide evidence sick leave payment.	Ensure that all documents are available in the HR department..		18
Mar-23	Compensation	Social Security and Other Benefits	Late payment to OFATMA maternity and health insurance.	Forward all worker's contribution on time to OFATMA for maternity and health.		68
Mar-23	Compensation	Social Security and Other Benefits	Inaccurate payment to OFATMA for work-related accident insurance.	Complete the payment for OFATMA work related accident for the fiscal year 2022-2023.		27
Mar-23	Compensation	Social Security and Other Benefits	Workers' contributions to ONA is forwarded late.	Forward worker's contribution on time to ONA.		68

Mar-23	Compensation	Social Security and Other Benefits	Employer's contributions to ONA is forwarded late.	Forward employer's contribution on time to ONA.		68
Mar-23	Compensation	Social Security and Other Benefits	Late payment to OFATMA maternity and health insurance.	Forward all employer's contribution on time to OFATMA for maternity and health		68
Mar-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send the workers' pay slip to OFATMA for sick leave payment as required by Law.		18
Mar-23	Contract and Human Resources	Termination	Inaccurate payment for unused paid annual leave when they resign or are terminated.	Calculate the unused paid annual leave on worker's daily average earnings as specified in Art. 148.		18
Mar-23	Occupational Safety and Health	Welfare Facilities	The factory does not conduct the water test on a monthly basic.	Conduct a water test every month to check the quality of the drinking water.		18
Mar-23	Occupational Safety and Health	Worker Protection	Several sewing machines were missing eye guards, finger guards and pulley guards.	Install the proper safety guards on all machines.		18
Mar-23	Occupational Safety and Health	Worker Protection	No evidence of training on personal protective equipment was available.	Develop a training plan and provide training on personal protective equipment to workers.		18
Mar-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all electrical panel are accessible and all circuit breakers are identified.		58
Assessment March 2022						
Mar-22	Compensation	Social Security and Other Benefits	The factory did not provide any proof of payment for OFATMA accident insurance for the fiscal year 2021-2022.	Pay OFATMA for accident insurance for the fiscal year 2021-2022 as per the agreement with OFATMA.		20
Mar-22	Compensation	Social Security and Other Benefits	Factory does not consistently collect and forward ONA contributions on time.	Factory need to deduct contributions from worker regularly and submit them to ONA within the first 10 working days of the following month.		61

Mar-22	Compensation	Social Security and Other Benefits	Factory does not consistently collect and forward OFATMA contributions on time.	Factory need to deduct contributions from worker regularly and submit them to OFATMA within the first 10 working days of the following month.		61
Mar-22	Contracts and Human Resources	Employment Contracts	The factory did not share an internal work rules with the name of Haiti Best Sewing assessors.	Factory needs to review the internal work rules with the name of Haiti Best Sewing and submit it to the Ministry of Labor for approval.		8
Mar-22	Occupational Safety and Health	OSH Management Systems	Management did not provide evidence of OSH assessment reports for the last 12 months.	Develop an OSH assessment procedure and conduct an OSH general assessment on a monthly basis.	123	115
Mar-22	Occupational Safety and Health	OSH Management Systems	The employer has not developed any mechanism to ensure cooperation on OSH matters.	Develop mechanism to ensure cooperation on OSH matters, by establishing an OSH committee.		51
Mar-22	Occupational Safety and Health	OSH Management Systems	Factory does not have a building permits that covers all structures.	Have the building inspected by the proper authorities and provide the certificate.		21
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Inaccurate Inventory of chemicals and hazardous substances.	Update inventory of chemicals and hazardous substances in the workplace.		123
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unidentified container chemical and hazardous substances found in the workplace.	Label all chemicals and hazardous substances used in the workplace.		123
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals and hazardous substances were not properly stored	Remove chemical from the sun. Store the chemicals and hazardous substances appropriately.		41
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Post MSDS where all chemical products are used.		129

Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory did not train workers using chemical and hazardous substances.	Provide training to all workers who are working with chemicals. Keep a record of the training provided.	Management did not know that workers were using chemical products. Management will follow up on this issue.	124
Mar-22	Occupational Safety and Health	Worker Protection	Management did not provide any evidence of training provided to workers to properly use personal protective equipment and machines.	Provide training n the use of PPE and machines to al workers.	All workers know it is necessary to use the protection on the machines.	11
Mar-22	Occupational Safety and Health	Worker Protection	Several sewing machines were missing finger guards, eye guards and pulley guards.	Install the necessary guards on all machines.		11
Mar-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system.	Make sure that all electrical boxes are closed or covered. Post hazard sign on all electrical panels.		51
Mar-22	Occupational Safety and Health	Worker Protection	The factory does not keep a checklist to register workers who present a body temperature of 38C and above.	Keep a register for workers who present a temperature of 38C or above.		11
Mar-22	Occupational Safety and Health	Worker Protection	The employer did not provide sufficient ergonomic equipment to workers.	Provide standing mats to all workers. Provide chairs with backrest to all workers.		11
Mar-22	Occupational Safety and Health	Working Environment	Workplace temperature levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		123
Mar-22	Occupational Safety and Health	Working Environment	Light levels were inappropriate in all the working sections.	Ensure the lighting is adequate and adapted to worker's needs.		63
Mar-22	Occupational Safety and Health	Working Environment	The mechanic shop was not well maintained.	Keep mechanic workshop clean and tidy.		11
Mar-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		123

Mar-22	Occupational Safety and Health	Health Services and First Aid	Health checks is not provided to workers within the first three months of hiring.	Pay the CDS and coordinate with OFATMA to provide free health checks to the workers within the first three months of hiring.		106
Mar-22	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Provide health checks to workers exposed to work-related hazards at least twice a year.		51
Mar-22	Occupational Safety and Health	Health Services and First Aid	Free annual medical checks was not provided to workers.	Arrange free annual medical checks for workers.		104
Mar-22	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical personnel.	Medical service for the factory must have a permanent onsite medical service, with at least 2 nurses and 3 doctor's visits per week.		123
Mar-22	Occupational Safety and Health	Health Services and First Aid	First aid boxes are missing supplies and they have expired products.	Develop a checklist to verify the inventory of products in the first aid boxes. Have a schedule to check the boxes on a weekly basis. Assign somebody who is responsible to replenish the boxes.		11
Mar-22	Occupational Safety and Health	Health Services and First Aid	Less than 10 percent of the workforce was trained in first aid.	The factory must provide first aid training to at least 10 percent of the workers present.		20
Mar-22	Occupational Safety and Health	Emergency Preparedness	Fire alarm system is not installed in several buildings.	Fire alarm system need to be installed and working properly in building 2 and the cutting building		73
Mar-22	Occupational Safety and Health	Emergency Preparedness	Obstructed fire extinguishers and improper maintenance of fire extinguishers.	Keep fire extinguisher unobstructed. Train workers and supervisors on the use and importance of fire extinguishers.	Factory has done the correction.	73

Mar-22	Occupational Safety and Health	Emergency Preparedness	Inaccurate and missing evacuation plan. The factory floor is not properly marked.	Prepare the evacuation plan. Paint evacuation arrows and signs. Paint yellow lines on the floor to show the exit pathway. Specify who conducts additional daily weekly checks (and include this in the system of daily weekly checks).		92
Mar-22	Occupational Safety and Health	Emergency Preparedness	The aisles were obstructed by tables and boxes.	Remind supervisors about their responsibility to enforce OSH in their area. Identify additional storage area. Review and update the internal audit procedure.		11
Mar-22	Occupational Safety and Health	Emergency Preparedness	The factory did not conduct an emergency drill every 6 months as recommended by Better Work.	Ensure that the factory conduct fire drills and emergency awareness training every 6 month to prepare and inform of possible workplace emergencies.		107
Mar-22	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of the workforce was trained in fire fighting.	Training needed for workers in fire fighting.		
Mar-22	Occupational Safety and Health	Emergency Preparedness	Evidence of risk assessment was not available.	Develop risk assessment procedure. Perform regular risk assessment.	Management will develop a risk assessment procedure.	45
Mar-22	Working Time	Regular Hours	Factory does not provide the legally required breastfeeding breaks to nursing women.	Give the legally required break to all nursing women.	Factory will develop policy for pregnant and nursing women. Policy will be posted on the factory floor.	20
Mar-22	Contracts and Human Resources	Employment Contracts	The factory has HR policy does not include all the necessary elements.	Review the procedure to include: Preventing sexual harassment Equal treatment and non-discrimination Freedom of association	Management will review the HR policy.	11

Mar-22	Contracts and Human Resources	Employment Contracts	The factory does not have an appropriate disciplinary and termination procedures.	Review the actual procedure to include disciplinary and termination procedures that includes: Unacceptable behaviors or performance Legal notice periods and termination payments A step-by-step warning system. The right to defend oneself prior to termination, and to representation during disciplinary processes time frame for warnings and	Management will review the disciplinary and termination procedures to include all the necessary steps.	11
Mar-22	Contracts and Human Resources	Employment Contracts	The factory does not have an appropriate grievance policy.	Factory needs to review its internal rules to include a clear specification for a fair review process and how changes should be communicated.		11
Mar-22	Contracts and Human Resources	Employment Contracts	The factory's recruitment procedures does not include all the necessary elements.	Review the recruitment procedure to include the following elements: Hiring criteria that are applied equally to all job applicants. Verifying the age of workers prior to hiring. Ensuring compliance with legal requirements for workers under the age of 18. Ensuring that workers retain ID documents.	Management is working to finalize the recruitment procedure.	11
Mar-22	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for Occupational Health and Safety to OSH Officer and HR Director.	Establish an OSH committee with clear reporting lines and hold regular monthly meetings. Keep minutes of the meeting and share with committee members. Hire an OSH officer with sufficient expertise.	Factory is seeking the support of Better Work to establish the OSH committee.	11

Mar-22	Occupational Safety and Health	OSH Management Systems	No. The employer does not properly investigate monitors and measures OSH issues.	The factory should investigate OSH issues through: Regular test, survey and inspections, logging and analysis of violations of procedures. Regular management review of effectiveness of management system including performance on measurable objectives and targets.		11
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure that includes all the necessary steps.	Review the actual procedure to include Root cause analysis, Focus on sustainable solutions and Implementation of changes in order to avoid reoccurrence.		11
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an emergency preparedness procedure that includes all the necessary elements.	Factory needs to do have an emergency preparedness procedure that includes: Reporting fires and other emergencies Alerting all employees to evacuate, evacuating employees to designated assembly location, accounting for all employees after an evacuation.		11
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the necessary elements.	The factory need to do a hazard/risk management and control procedure that includes: A systematic approach to identifying hazards A structure to prioritize risks based on potential impact and likelihood A hierarchy of controls that is used to select effective controls A risk register that drives the implementation of controls.		11

Mar-22	Occupational Safety and Health	OSH Management Systems	The factory has an OSH policy that is not signed by top management.	The policy has to be reviewed in consultation with workers and their representatives and a clear commitment to compliance with legal requirement pertaining to OSH has to be included. Management has to sign the OSH policy.	11
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BETTER WORK HAITI – 26TH SYNTHESIS REPORT



Factory: HANSAE HAITI S.A
Location: Arrondissement de Port-au-Prince
Number of workers: 2123
Date of registration: Jan-17
Date of last two Better Work assessments: Mar-22 Mar-23

Advisory and Training Services

19-May-23	Advisory meeting	Advisory visit to review the improvement plan and prepare the update. Virtual tour were perform with compliance to validate the points.
12-May-23	Training	Virtual Sexual Harassment and abuse in the workplace
28-Apr-23	Advisory meeting	Advisory on Improvement plan. Meeting with bipartite committee. Main concerns expressed by the workers and union representatives were the lack of cleaners and the cleanliness level within the modules.
29-Mar-23	Advisory meeting	Meeting with management on pending issues. Management clarifies the reduction in working hours and suspension days situation. Advisor provide recommendation according. The discussion was also about a pending issue regarding a court decision. Management committed to follow up prompt and to give an update of the situation.
24-Mar-23	Advisory meeting	Meeting with senior management with the participation of MAST representatives on the legal order issued by the Labor Court. Management committed to contact their legal advisor and issue an investigation on current state of the situation. Discussion was also on factory decision to reduce working days.
29-Nov-22	Virtual Advisory meeting	Meeting to prepare the progress report 2. Review of pending finding. Meeting with bipartite committee members on workers pending concerns.
17-Nov-22	Training	Virtual Introduction to Workers Rights & Responsibilities.
11-Nov-22	Training	Virtual Introduction to Workers Rights & Responsibilities
28-Oct-22	Training	Virtual Introduction to Workers Rights & Responsibilities
3-Oct-22	Virtual Advisory meeting	Meeting with the management on the service model and timeline for the report. Discussion was on the current situation regarding the fuel shortage and civil unrest. Updates of last improvement.
14-Sep-22	PICC Meeting	Discussion on the existence of a new committee. Management was advised to acknowledge the notification. Discussion with union on collaboration with management.
14-Sep-22	Virtual Advisory meeting	Discussion on the existence of a new union committee. Management was advised to acknowledge the notification. Discussion with union on collaboration with management.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment March 2023						
Mar-23	Occupational Safety and Health	OSH Management Systems	The OSH policy does not include all the necessary elements.	Include missing elements in the OSH policy.	Factory updated the OHS policy to implement measures and targets in consultation with worker representatives.	18

Mar-23	Occupational Safety and Health	OSH Management Systems	The hazard/risk management and control procedure was not available at the time of the assessment visit.	Ensure that an hazard/risk management and control procedures are available.	Factory implemented the risk management and control procedure.	18
Mar-23	Occupational Safety and Health	OSH Management Systems	Management does not perform a review of its management system documents.	Add the missing elements in the procedure. Conduct a review of effectiveness of management system including performance on measurable objectives and targets Accident investigations, followed by an actual change in procedures.	Factory updated the OHS policy, and annually we will continue to work and update our OHS policy.	18
Mar-23	Occupational Safety and Health	OSH Management Systems	Management has not posted names of OSH committee members	Post the names of the OSH committee members where all workers can see.	Factory already posted the OSH committee's names in all factories so that workers can see the committee members in each factory.	2
Mar-23	Contracts and Human Resources	Employment Contracts	Management does not investigate shortcomings or issues in HR performance.	Establish a procedure to investigate shortcomings or issues in HR performance.	Factory already implemented this indicator for investigating HR performance gaps or issues.	18
Mar-23	Working Time	Regular Hours	Pregnant women in building 50 are not entitled to two period of rest in addition to the lunch break.	Ensure that pregnant women are entitled to 2 additional break of 30 minutes each.	The 2 women were trained and the extra hour of break is provided to them. All pregnant women who bring a pregnancy certificate to the administration are immediately entitled to 2 additional breaks of 30 minutes each, and HR and compliance had provided training on the Haitian labor code for all pregnant women	3
Mar-23	Working Time	Regular Hours	The employer has not posted the factory's working hours for all shifts including break time in building 50.	Post the working hours including the break time in building 50. The HR department has already posted the working hours and including break time in all factories.	The factory posted the working hours with break time included.	3

Mar-23	Working Time	Regular Hours	The regular working hours are exceed the legal limit.	Ensure that the regular hours do not exceed the legal limit of 8 hours a day and 48 hours a week.	According to the decree published on June 2023, the break time is no longer considered as part of the regular working hours,	3
Mar-23	Occupational Safety and Health	Emergency Preparedness	Several aisles were obstructed and one emergency exit locked during working hours including overtime.	Ensure that the aisles remained unobstructed and the emergency exits remained unlocked during the working hours.	The factory provided training on health and safety by the microphone for workers in the warehouse, cutting, packing, and stocking, and we had already discussed with the manager the aisles must be free from obstruction. For the emergency exit in the warehouse of building 1, we did the corrective action at the same time as the evaluation, and we identified that it was not an emergency exit, it was an emergency exit door that was not used and we did not put our internal security to guard the exits and entrances.	22
Mar-23	Occupational Safety and Health	Emergency Preparedness	Escape routes are not clearly marked.	Properly mark the escape routes of the Building 1 and the warehouse of building 55.	The maintenance team had already marked the escape route in the cutting department and warehouse of building 55 after the assessment.	3
Mar-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Ensure that regular checked are performed on the fire fighting equipment.	We had already installed the fire extinguisher in the diesel stockroom and we inspected the fire extinguishers for all factories, and change some fire extinguishers that had lost pressure.	18
Mar-23	Occupational Safety and Health	Emergency Preparedness	The diesel stock room has no smoke detectors neither an alarm installed.	Install fire detection equipment such as smoke detector in the diesel stock room.	Maintenance has already installed the smoke detector in the diesel stock room.	18
Mar-23	Occupational Safety and Health	Health Services and First Aid	Two products in the medical clinic were not properly identified.	Identified all the medical products available in the first aid boxes.	The medical clinic has identified all medical products, and compliance will inspect the clinic monthly on this.	3

Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number nurses in the workplace.	Hire two additional nurses.	The HR department had hired 2 nurses after the assessment.	38
Mar-23	Occupational Safety and Health	Health Services and First Aid	The factory does not systematically provide free annual health checks to all workers.	Ensure that CDS is paid for all the workers. Contact OFATMA to provide free health checks to workers.	Factory put in place a schedule to carry out the medical checks of foreign workers on July 29 and on August 5th.	3
Mar-23	Occupational Safety and Health	Health Services and First Aid	The factory does not systematically provide free health checks to workers exposed to work-related hazard.	Ensure that CDS is paid for all the workers. Contact OFATMA to provide free health checks to workers.	The HANSAE administration has already sent a letter to the medical department of OFATMA for the medical checks of our workers.	3
Mar-23	Occupational Safety and Health	Health Services and First Aid	The factory does not systematically provide free health checks to workers within the first three months of hiring.	Ensure that CDS is paid for all the workers. Contact OFATMA to provide free health checks to workers.	The HANSAE administration has already sent a letter to OFATMA medical management for the medical follow-up of our workers.	3
Mar-23	Occupational Safety and Health	Welfare Facilities	Insufficient numbers of toilets for women in the workplace.	Have an adequate numbers of toilet for women.	The toilets are repaired and are being used by the workers. The factory has 166 toilets for 1445 women, which compliant.	3
Mar-23	Occupational Safety and Health	Working Environment	Light levels are inadequate in several section of the workplace.	Ensure that lux levels are adequate in all the departments and sections.	The compliance had provided a daily illumination report for the maintenance, and the maintenance is monitoring the light level on a regular basis.	18
Mar-23	Occupational Safety and Health	Working Environment	The temperature levels exceeded 30 C in several section of the workplace.	Ensure to monitor the temperature level at a maximum of 30 C.	Factory repaired the fans through maintenance the fans. The factory bought an equipment to monitor and check regularly the temperature level.	3
Mar-23	Occupational Safety and Health	Worker Protection	Workers are working at height without industrial platform ladder.	Ensure that workers have the necessary equipment to perform their duties.	The maintenance has already provided an industrial platform ladder for workers working at height during the assessment.	18

Mar-23	Occupational Safety and Health	Worker Protection	The electrical installation was not properly maintained.	Ensure that maintenance are regularly scheduled and daily compliance checks are performed.	We provided the maintenance with a regular daily and monthly report, and this report will be on the control of compliance.	18
Mar-23	Occupational Safety and Health	Worker Protection	The grinder in the mechanic shop is missing eye guards.	Ensure that equipment and machinery are equipped with necessary guards.	Maintenance has installed eye protection in the grinder in the mechanical workshop during the assessment.	20
Mar-23	Occupational Safety and Health	Worker Protection	Factory has not provided proper PPE to all workers.	Ensure that workers received necessary protective equipment to perform their duties.	The compliance has provided safety belts for temporary workers, and goggles in the mechanic shop for workers using the grinder, we have a checklist of the EPP we provide for all workers who necessary.	22
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash station has been installed in all areas where chemical and hazardous products are used.	Ensure that cleansing facility is available where chemicals are used and stored.	The maintenance manager has installed the eyewash stations in the 3 cleaning rooms as requested, and the eyewash station is clear of any obstruction near the mechanic area.	3
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	One chemical product was found without chemical safety data sheets.	Ensure that safety data sheets are available for all chemicals used and stored.	Factory displayed the safety data sheet for the Axia product in the mechanical workshop during the evaluation.	43
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical products.	Ensure to identify containers that are used in the workplace.	We had put labels on containers in this department and also provide training on hazards and safety precautions.	43
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate and did not include the name of all chemicals used in the workplace.	Update the chemical inventory and ensure that all chemicals used and stored in the workplace are included.	We have already updated and specified in our inventory the location where the chemicals will store for each factory and accurately the name of all chemicals used in the workplace.	38

Mar-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of annual salary supplement upon termination does not include the lunch break payment.	Pay the lunch break	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	3
Mar-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of unused paid annual leave upon termination. does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	3
Mar-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of applicable notice period does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	3
Mar-23	Contracts and Human Resources	Employment Contracts	The internal work rules do not comply with the labor code. It is missing the payment time.	Insert the time in the internal working rules.	Factory shared an addendum to the internal working rules that is approved by the Ministry of Labor.	22
Mar-23	Compensation	Social Security and Other Benefits	The calculation for the workers' contribution to OFATMA does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	18
Mar-23	Compensation	Social Security and Other Benefits	The calculation for the employer's contribution to ONA does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	18
Mar-23	Compensation	Social Security and Other Benefits	The calculation for the employer's contribution to OFATMA does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	18
Mar-23	Compensation	Social Security and Other Benefits	The calculation for the workers' contribution to ONA does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	18
Mar-23	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus does not include the lunch break payment.	Include the lunch break payment in the calculation of the bonus payment.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	18

Mar-23	Compensation	Social Security and Other Benefits	The factory did not adequately pay CDS for all workers.	Pay the lunch break. Pay the CDS.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	3
Mar-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	18
Mar-23	Compensation	Paid Leave	The calculation of the average salary for maternity leave payments does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	18
Mar-23	Compensation	Paid Leave	Sick leave payments are not based on average daily earnings as the calculation does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	18
Mar-23	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings as the calculation does not include the lunch break payment.	Include the payment of the lunch break in the calculation of the annual leave payment.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	18
Mar-23	Forced Labor	Coercion	The foreign workers' contract are not in line with ILO recommendations.	Update the contract for the foreign workers.	Factory updated the foreign employees contract.	3
Assessment March 2022						
Mar-22	Occupational Safety and Health	OSH Management Systems	The written OSH policy does not include measurable objectives and improvements targets.	Update the OSH policy through consultation with workers' representatives. Include measurable objectives and improvements targets.	The Compliance department is updating its OSH policy through consultation with workers' representative by adding measurable objectives and improvements targets.	

Mar-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an appropriate hazard/risk management and control procedures.	Implement a Hazard /risk management and control procedure that includes: A systematic approach to identifying hazards. A structure to prioritize risks based on potential impact and likelihood. A hierarchy of controls that is used to select effective controls. A risk register that drives the implementation of controls.	The compliance team is in the process of elaborating a Hazard /Risk management and control procedure including : A systematic approach to identifying hazards. A structure to prioritize risks based on potential impact and likelihood. A hierarchy of controls that is used to select effective controls. A risk register that drives the implementation of controls	
Mar-22	Occupational Safety and Health	OSH Management Systems	The employer did not perform regular reviews of the effectiveness of its management system documents.	Perform regular reviews of the effectiveness of the management system including performance on measurable objectives and targets.	The Compliance team is working on a regular review of the effectiveness of management system, to include performance on measurable objectives and targets .	
Mar-22	Contracts and Human Resources	Employment Contracts	Management did not have any evidence of investigation of performance issues.	Investigate issues related to lack of HR performance or shortcomings.	The HR department is in the process of implementing an investigation procedures for HR shortcomings or performance issues.	
Mar-22	Working Time	Regular Hours	The regular working hours exceeded 48 hours.	Include the lunch break in the regular work hours as prescribed by the labor code .	No progress because factory is waiting for a clear notification from MAST on the implementation the lunch break period. As of 15/11/2019, at the request of SOHSA, the union members and the administration have agreed to use the old law in the lieu of the	
Mar-22	Occupational Safety and Health	Emergency Preparedness	Combustible materials were stored in the generator room of building 1.	Remove the combustible materials from the generator room .	The maintenance team has already repaired the leak in the area where combustible materials are stored and they have removed the combustible materials from the generator room in Building 1.	
Mar-22	Occupational Safety and Health	Emergency Preparedness	Evacuation drills were not conducted every 6 months as recommended by Better Work.	Perform evacuation drill for building 21.	The company carried out evacuation drills in factories #21 and #50 on 14/5/2022.	

Mar-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in the stock room of several buildings.	Ensure routes are free from obstacles . Train maintenance team to perform daily check.	Factory has removed all obstacles from aisles of building #1 ,#21,#55. Factory has developed procedures to include OSH committee members in ensuring routes are cleared. Factory assigned maintenance team to conduct daily safety checks to maintain the routes and aisles free from obstacles.	
Mar-22	Occupational Safety and Health	Emergency Preparedness	One fire extinguisher was obstructed in the mechanic shop.	Maintain the Fire extinguishers free from obstacles. Provide training to the workers at this area .	Factory advised mechanical manager that all fire extinguishers should be free from obstacles. Training will be provided to all workers in this area.	
Mar-22	Occupational Safety and Health	Emergency Preparedness	Fire detectors were not installed in the generator room and boiler room.	Install the fire detectors in the generator and boiler rooms.	The maintenance team had already installed the fire detector in the generator room and in boiler room of building #50 during the assessment day.	
Mar-22	Occupational Safety and Health	Health Services and First Aid	The number of nurses is insufficient as per the Haitian Labor Code.	Hired more nurses to comply with the requirement .	The factory has hired 4 more nurses to comply with Haitian law.	
Mar-22	Occupational Safety and Health	Working Environment	The floor in the generator room was slippery.	Clean water and oils spill from the floor in the generator room of building # 1. Replace the damaged steam pipes. Post danger signs in the area.	The maintenance team has already cleaned the floor in the generator of building 1, and replaced the damaged steam pipes.	
Mar-22	Occupational Safety and Health	Working Environment	The light levels were inadequate in sewing and packing sections.	Provide sufficient lighting to each section as requested by Better work .	The illumination monitoring report is already done as requested by Better Work. Additional lights were added to each section.	
Mar-22	Occupational Safety and Health	Worker Protection	Workers working at height used industrial platform ladders without side rails of at least 0.90m as recommended by the labor Code.	Install the side rails in the industrial platform ladder.	The maintenance team has already installed the side rails in the industrial platform ladder.	

Mar-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical boxes and battery terminals.	Install the cover in the electrical box. Protect the battery terminals with plastic covers.	The maintenance team had already installed the cover in the electrical box as well as the battery terminals.	
Mar-22	Occupational Safety and Health	Worker Protection	The compressor in the generator room was missing belt guards.	Install the belt guards. Perform regular maintenance checks.	The maintenance team has already installed the belt guard in the compressor	
Mar-22	Occupational Safety and Health	Worker Protection	The boiler operator was not properly trained.	Provide training to the boiler operator and keep proper records.	The factory provided the training to the generator boiler operator.	
Mar-22	Occupational Safety and Health	Worker Protection	The employer did not provide proper PPE to all workers.	Provide Mask against chemical vapors to workers using chemical products, Helmet for workers working at heights, safety belts for workers doing heavy lifting, earplugs for workers in the generator room , gloves for workers in the toilets.	The compliance department provided all the PPE that advisor has listed. Training on the use of PPE were carried out for workers in spot cleaning area.	
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Hazardous chemicals were found without chemical safety data sheets.	Place the chemical safety data sheet where these chemicals are stored and used.	During the assessment, the compliance department had already placed the chemical safety data sheets where the chemicals are used and stored.	
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Containers of chemical products were not properly labelled.	Label the containers and include "classification, hazards, and safety precautions"	During the assessment the compliance department had already corrected the labels on all 3 containers.	
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory chemical product is not accurate.	Setup an accurate inventory of chemicals and include all the chemicals used in the workplace.	The factory updated the new chemical inventory list. The factory implemented preventive measures to facilitate a better monitoring of the chemicals.	
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory did not share any structural safety certificates for the buildings.	Ensure buildings are safe. Share the structural safety certificate.	Factory has official building certificate in hand.	

Mar-22	Contracts and Human Resources	Employment Contracts	The internal work rules does not comply with the labor code.	Include the payment time in the internal work rules	Payment time has been included in the internal work rules and approved by MAST on March 25, 2022.	
Mar-22	Compensation	Social Security and Other Benefits	Payments to OFATMA for maternity and health insurance were late. Furthermore, lunch break payment is not included in the calculation.	Pay the contribution on Time. Pay the lunch break as prescribed law and include it in the calculation of the average daily salary.	No progress has been made, because the factory is waiting for a clear notification from MAST on implementing the lunch Break .At the date of 15/11/2019, at the request of SOHSA, the union members and the administration have agreed to use the old law in the lieu of the new 3x8 law.	
Mar-22	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus calculation does not include the lunch break payment.	Pay the lunch break as prescribed law and include it in the calculation of the average daily salary.	No progress has been made, because the factory is waiting for a clear notification from MAST on implementing the lunch Break .At the date of 15/11/2019, at the request of SOHSA, the union members and the administration have agreed to use the old law in the lieu of the new 3x8 law.	
Mar-22	Compensation	Social Security and Other Benefits	Payments to ONA for maternity and health insurance were late. Furthermore, lunch break payment is not included in the calculation.	Pay the contribution on Time. Pay the lunch break as prescribed law and include it in the calculation of the average daily salary.		
Mar-22	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave and maternity leave correctly.	Pay the lunch break as prescribed law and include it in the calculation of the average daily salary.	No progress has been made, because the factory is waiting for a clear notification from MAST on implementing the lunch Break .As of 15/11/2019, at the request of SOHSA, the union members and the administration have agreed to use the old law in the lieu of the new 3x8 law.	

Mar-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break as prescribed law and include it in the calculation of the average daily salary.	No progress has been made, because the factory is waiting for a clear notification from MAST on implementing the lunch Break .As of 15/11/2019, at the request of SOHSA, the union members and the administration have agreed to use the old law in the lieu of the new 3x8 law.	
Mar-22	Compensation	Paid Leave	The maternity leave payment does not include the lunch break payment.	Pay the lunch break as prescribed by the labor code .	No progress has been made, because the factory is waiting for a clear notification from MAST on implementing the lunch Break .As of 15/11/2019, at the request of SOHSA, the union members and the administration have agreed to use the old law in the lieu of the new 3x8 law.	
Mar-22	Compensation	Paid Leave	Sick leave payments are not paid correctly.	Pay the lunch break as prescribed by the labor code and include it in the calculations of average daily earnings.	No progress has been made, because the factory is waiting for a clear notification from MAST on implementing the lunch Break .As of 15/11/2019, at the request of SOHSA, the union members and the administration have agreed to use the old law in the lieu of the new 3x8 law.	
Mar-22	Compensation	Paid Leave	The annual leave payment are not paid correctly.	Pay the lunch break as prescribed by the labor code and include it in the calculations of average daily earnings	No progress has been made, because the factory is waiting for a clear notification from MAST on implementing the lunch break	

Mar-22	Freedom of Association and Collective Bargaining	Freedom to Associate	The employer did not grant access to a legally registered trade union in a timely manner.	Training and awareness-raising on Freedom of Association to Hansae Haiti S.A management and other employee having a relationship of authority with the workers. Update the policy on freedom of association to clearly define the roles and responsibilities of both parties.	Hansae Haiti submitted all explanatory materials to BMST to prove that Hansae went through fair dismissal process regarding the termination of union members. Factory already provided awareness session on company regulation including General discipline policy and local labor law to avoid any misunderstanding and confusion. Company continues to implement all company process based on labor law and company regulation. Factory already provide training on FOA for management and all personnel in contract to ensure any of the FOA and union related regulations are carried out in line with the local law .	
Mar-22	Discrimination	Gender	The salary for the breastfeeding women was lower than it was before they went on maternity leave.	Send the evidence of maternity leave payment before and after to prove that the factory is paying the workers correctly.	The factory had resolved the issue during the assessment process. Some of the workers were moved to other positions upon request. The factory also submitted proof that the workers are earning the same amount of money before and after their maternity leave.	

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: LIFE S.A.
Location: Port-au-Prince
Number of workers: 79
Date of registration: Jun-15
Date of last two Better Work assessments: Sep-21 Sep-22

Advisory and Training Services

22-May-23	Advisory meeting	Advisory on the improvement. No improvement reported and factory does not have access to the portal. Management will try to set up the bipartite committee as soon as possible. Advisor share training list and management will get back with possible way to accommodate the
10-Mar-23	Advisory meeting	Meeting with management to discuss the improvement plan. Management to take responsibility to implement a bipartite committee to discuss IP follow ups. Discussion on perspective and factory updates.
7-Nov-22	Virtual advisory meeting	Discussion with management to update new Improvement Plan uploaded. Factory was advised to edit the Progress report one and submit it the earliest possible. Discussion was also on Factory status.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment August 2022						
Sep-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedure.	Include the missing criteria in the hazard/risk management and control procedures.		11
Sep-22	Occupational Safety and Health	OSH Management Systems	Management did not show evidence that the employer investigates monitors and measures OSH issues.	Update the OSH policies and procedures to include missing elements.		11
Sep-22	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	Update the OSH policies and procedures to include missing elements.		11
Sep-22	Occupational Safety and Health	OSH Management Systems	Management has not defined authority for OSH officer and top management to perform OSH responsibilities.	Assign responsibilities and accountability at all levels including OSH committee members.		11
Sep-22	Contracts and Human Resources	Employment Contracts	The employer does not have any performance evaluation procedures in place and does not investigate violations of HR policies and procedures.	Provide evidence of performance evaluation procedures and investigation records or violations of HR policies and procedures.		11

Sep-22	Contracts and Human Resources	Employment Contracts	The employer does not properly communicate HR policies and procedures.	Include the following missing criteria in the HR procedures and policies. Induction training for workers and staff. Staff training on how to carry out policies and procedures. Worker representatives and/or worker-management committees.		11
Sep-22	Contracts and Human Resources	Employment Contracts	The employer has not properly defined accountability and responsibility for HR issues to HR staff.	Define accountability and responsibility for HR issues and performance through: Job descriptions, reporting lines, organizational charts, description of job duties and authority. Moreover, management could not share any document that defines performance evaluations.		11
Sep-22	Occupational Safety and Health	Emergency Preparedness	The factory did not take steps to control potential sources of ignition.	Take the necessary measures to control risk and hazard within the workplace.	Meeting has been done with workers, information has been shared and verification has been done frequently .	11
Sep-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles and emergency exits.	Ensure that aisles and routes remained unobstructed during working hours.	Information has been shared, OSH evaluation has been done on May 5, 2002	11
Sep-22	Occupational Safety and Health	Health Services and First Aid	Workers do not receive within the first 3 months of hiring.	Pay OFATMA for the medical card (CDS) and coordinate with OFATMA to provide medical check for workers within their first three months.	Medical checks has been done internally (private doctors).	35
Sep-22	Occupational Safety and Health	Welfare Facilities	The factory has not conducted a water test on a monthly basis by a certified laboratory to ensure the water is safe.	Ensure the drinking water is tested on a monthly basis by a competent laboratory.		22
Sep-22	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Provide adequate lighting in all sections of the factory.		46
Sep-22	Occupational Safety and Health	Working Environment	Temperature exceeded the recommended 30 C in all sections of the workplace.	Keep the temperature to a maximum of 30C or lower.		70
Sep-22	Occupational Safety and Health	Worker Protection	The factory did not check all workers and visitors body temperature upon entry in a systematic way.	Check all workers and visitors body temperature upon entry in a systematic way and keep a registry for all persons who present a temperature of 38C and above.		22

Sep-22	Occupational Safety and Health	Worker Protection	The social distance is not respected in all sections of the factory, as well as during entry and exit.	Monitor that the 1.5 meter social distancing recommendation is respected in all sections of the factory, as well as during entry and exit.	New circular from the government.	22
Sep-22	Occupational Safety and Health	Worker Protection	Safety warning not posted on electrical panel.	Post safety warnings on all electrical panels and other places where it is necessary.		22
Sep-22	Occupational Safety and Health	Worker Protection	Unidentified circuit breakers were not identified in electrical panels.	Ensure that electricity system is regularly inspected and well maintained. Identify all circuit breakers.		22
Sep-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station was not available in the chemical warehouse where chemicals are stored.	Install eye wash station in the chemical warehouse.		22
Sep-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer did not provide training to workers handling chemical and hazardous products.	Provide training on safe use of chemical and hazardous substances to workers.		22
Sep-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Improper storage of chemical substances.	Ensure to properly stored all the chemical used in the workplace. Storage area should be adequately ventilated and different types of chemical products should not stored together.		22
Sep-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of fuel in the Generator room.	Label all chemical and hazardous substances used in the workplace.		40
Sep-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is not accurate.	Ensure that the inventory of chemical products is available and accurate. Inventory list must include approximate quantities in storage and the locations of the chemical storage area in the factory.		22
Sep-22	Occupational Safety and Health	OSH Management Systems	The employer did not provide any document that covers the structural safety and states that the building is safe.	Provide certificate of building of building safety.		22
Sep-22	Occupational Safety and Health	OSH Management Systems	The factory did not record work related accidents and submit them to OFATMA on a monthly basis.	Submit work-related accident reports on a monthly basis.		22
Sep-22	Occupational Safety and Health	OSH Management Systems	The employer did not have any worker safety and health committees in place.	Ensure that the Osh committee has equal representation of workers and management representatives.		22

Sep-22	Occupational Safety and Health	OSH Management Systems	The employer does not perform any assessment on general occupational safety and health.	Keep records of the general occupational safety and health performed on the monthly basis.		22
Sep-22	Contracts and Human Resources	Termination	The payment for unused paid annual leave upon termination is not calculated on the daily average salary.	Calculate the unused paid annual leave upon termination.		22
Sep-22	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register to OFATMA for maternity and health insurance and forward workers' contribution.	Factory is already registered and will share proof of payment	64
Sep-22	Compensation	Social Security and Other Benefits	The payment for OFATMA work related accident insurance for the fiscal year 2020-2021 was late.	Pay the contribution within the deadline indicated in the invoice.	Factory has received the invoices in January, and made the payment when it was received. Payment has been done for 2021/2022.	22
Sep-22	Compensation	Social Security and Other Benefits	The employer contribution to ONA is calculated on the average daily salary from the 4th month of the date of signature of each contract.	Declare all employees within the first 15 days of hiring and forward the workers and forward employer contribution for each worker on a monthly.		33
Sep-22	Compensation	Paid Leave	The sick leave payment is not calculated based on the daily average earning.	Ensure that the sick leave payment is calculated on the daily average earning.		11
Sep-22	Compensation	Paid Leave	The annual leave payment is not calculated based on the daily average earning.	Ensure that the annual leave payment is calculated on the daily average earning.		22
Assessment September 2021						
Sep-21	Occupational Safety and Health	Emergency Preparedness	The factory did not take steps to control potential sources of ignition.	Take the necessary measures to control risk and hazard within the workplace.		
Sep-21	Occupational Safety and Health	Emergency Preparedness	Several aisles leading to an emergency exit were obstructed by tables in the sewing lines.	Ensure that the evacuation routes and aisles remained unobstructed.		
Sep-21	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks performed within the first 3 months of hiring were available.	Pay OFATMA for the medical card (CDS) and coordinate with OFATMA to provide medical check for workers within their first three months.		
Sep-21	Occupational Safety and Health	Welfare Facilities	The factory has not conducted a water test on a monthly basis by a certified laboratory.	Ensure the drinking water is tested on a monthly basis by a competent laboratory.		

Sep-21	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Provide adequate lighting in all sections of the factory.		
Sep-21	Occupational Safety and Health	Working Environment	Temperature exceeded the recommended 30 C in all sections of the workplace.	Keep the temperature to a maximum of 30C or lower.		
Sep-21	Occupational Safety and Health	Worker Protection	The workers and visitors body temperature are not checked upon entry in a systematic way. No registry for body temperature of 38C and above.	Check all workers and visitors body temperature upon entry in a systematic way and keep a registry for all persons who present a temperature of 38C and above.		
Sep-21	Occupational Safety and Health	Worker Protection	The social distance is not respected in all sections of the factory, as well as during entry and exit.	Monitor that the 1.5 meter social distancing recommendation is respected in all sections of the factory, as well as during entry and exit.		
Sep-21	Occupational Safety and Health	Worker Protection	One electrical panel near the clinic does not safety warnings.	Post safety warnings where necessary.		
Sep-21	Occupational Safety and Health	Worker Protection	Assessors noticed circuit breakers were not identified in an electrical panel near the clinic.	Identify all circuit breakers.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station was not available in the chemical warehouse where chemicals are stored.	Install eye wash station in the chemical warehouse.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer did not provide training to workers on chemical products handling.	Provide training on safe use of chemical and hazardous substances to workers.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical substances were not properly stored.	Ensure that Chemical substances are properly stored and storage room are adequately ventilated.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	2 unlabeled containers of Diesel fuel found in the Generator room.	Label all chemicals and hazardous substances properly.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Factory does not maintain a chemical inventory listing all the chemicals used including their locations.	Update the inventory of chemicals accordingly.		
Sep-21	Occupational Safety and Health	OSH Management Systems	The employer did not provide any document that covers the structural safety or stating that the building is safe.	Provide permits or documents on building's structural safety.		

Sep-21	Occupational Safety and Health	OSH Management Systems	The factory did not record work related accidents and submit them to OFATMA on a monthly basis.	Record the work related accidents and submit them to OFATMA on a monthly basis.		
Sep-21	Occupational Safety and Health	OSH Management Systems	The safety and health committee was not functional.	Factory should have an effective Health and safety committee.		
Sep-21	Occupational Safety and Health	OSH Management Systems	No reports on general occupational safety and health were available for the last 12 months.	Ensure that a general OSH assessment is conducted on monthly basis and duly recorded for review purposes.		
Sep-21	Contract and Human Resources	Termination	The annual leave upon termination. is not calculated on the average daily salary.	Pay the annual based on the average daily salary.		
Sep-21	Compensation	Social Security and Other Benefits	The factory has not collected and forwarded workers contributions to OFATMA for maternity and health insurance.	Register to OFATMA for maternity and health insurance and forward workers' contribution.		
Sep-21	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register to OFATMA for maternity and health insurance and forward workers' contribution.		
Sep-21	Compensation	Social Security and Other Benefits	The payments for OFATMA accident insurance for the fiscal year 2020-2021 were made in January 2021 instead of December 2020.	Pay the contribution within the deadline indicated in the invoice.		
Sep-21	Compensation	Social Security and Other Benefits	Factory does not collect nor forward workers' contributions to ONA on a monthly basis .	Collect and forward workers' contribution on a monthly basis.		
Sep-21	Compensation	Social Security and Other Benefits	The employer contribution to ONA is not submitted on a monthly basis.	Forward employer 's contribution to ONA on a monthly basis.		
Sep-21	Compensation	Paid Leave	The annual leave payment is not calculated based on the daily average earning.	Ensure that the annual leave payment is on the daily average earning.		

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: MAS AKANSYEL S.A
Location: Arrondissement du Trou du Nord
Number of workers: 1,495
Date of registration: Jun-17
Date of last two Better Work assessments: Jun-22 Apr-23

Notes Factory was closed from September 18 to November 11. The closure was due to civil unrest at first and electricity shortage totally prevent the factor from operating.

Advisory and Training Services

24-Apr-23	Training	BVH Cluster Training (Introduction, Grievance Mechanism, Gap Analysis & PFA)
21-Apr-23	Advisory meeting	- Conduct OSH tour: Emergency preparedness, Chemical management - Document review: Files of terminated workers - Follow up on retrenchment plan - Meeting with Union leaders
13-Mar-23	Advisory meeting	Meeting with senior management with the participation of ADIH representatives on the last email from MAS akansyel management on the process integrity . Advisor confirmed the procedures and clarified the investigation techniques. Decision was made to follow the investigation during assessment visit.
3-Feb-23	Advisory meeting	Call to review the Improvement plan. Factory to share updated progress on pending and in progress non compliance status. Discussions with representatives of Haitian staff and bipartite committee members.
31-Jan-23	Advisory meeting	Advisory summary session: - OHS assessment tour with the factory compliance officer - Reviewed several documents to identify the improvement made by the factory- I completed the purchasing practices survey with the factory management. Meeting with the factory management to get an update on the factory situation and the retrenchment process Meeting Bipartite committee on: - The retrenchment process that the factory is working on. They expressed concern about the downsizing process the factory is working on.- The working hours agreement the union had with the factory.- The payment of annual leave issue the staff union had with factory.
1-Dec-22	Virtual Advisory meeting	Discussion was on the improvement plan to update last progress. Discussion with union on specific issues such as annual leave and Bonus.
15-Nov-22	Training	Introduction to Purchasing Practices
15-Sep-22	Virtual Advisory meeting	Discussion and guidance on the progress report 1. Discussion with union on the impact on the socio-political crisis on the workers and the request they have submitted to the employer. Discussion with the ERB committee on factory improvement.
12-Sep-22	Virtual Advisory meeting	Meeting with management on the improvement plan. Virtual factory tour of the new building. The discussion was also on the past national strike that impacted the attendance rate of the factory. Advisor recommended the factory to discussed with the union to discuss on compensation for the workers who resume to work despite of the violence and transportation issues.
1-Sep-22	Training	HIV/AIDS Prevention.
26-Aug-22	Training	Respectful Workplace Program for Workers.
26-Aug-22	Training	Respectful Workplace Program for Supervisors & Middle Management.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment April 2023						
Apr-23	Occupational Safety and Health	OSH Management Systems	Management did not show evidence that the employer investigates monitors and measures OSH issues.	Ensure that regular test, survey and inspections are conducted on a regular basis to monitor and measure OSH priorities.	Tests and other relevant things are carried out	2

Apr-23	Occupational Safety and Health	OSH Management Systems	The OSH committee is not meeting regularly, to ensure that the OSH committee is functioning effectively.	Ensure that the OSH committee is meeting regularly. At least on a monthly basis.	As soon as recruiting the OSH point person, we will start back the OSH committee	2
Apr-23	Occupational Safety and Health	Emergency Preparedness	The factory did not provide assessors with a list of workers who were trained in the use of fire-fighting equipment.	Ensure that 10 percent of the workforce is trained in fire fighting equipment and keep the attendance list available.		43
Apr-23	Occupational Safety and Health	Emergency Preparedness	One aisle in the warehouse was obstructed by a table where a worker was performing regular work. There were a lot of cardboard boxes blocking the area as well.	Ensure that escape routes remained unobstructed.	Cleared the path by removing those boxes.	32
Apr-23	Occupational Safety and Health	Emergency Preparedness	The evacuation plan does not reflect the layout of the building.	Ensure that evacuation plan is reflecting the current layout and include the meeting point.	This issue was fixed. That level is included and arrow point is setup upon exiting the emergency exit.	13
Apr-23	Occupational Safety and Health	Emergency Preparedness	The embroidery section where cardboard boxes are used and stored does not have a fire detection system.	Install a fire detection system in the embroidery section where cardboard boxes are used and stored.	Installed a fire detection system in the embroidery section	2
Apr-23	Occupational Safety and Health	Health Services and First Aid	The factory did not provide a list of workers who were trained in first aid.	Ensure that 10 percent of the workforce is trained in first aid and keep the attendance list available.	Will be conducting on September in Full factory training	50
Apr-23	Occupational Safety and Health	Health Services and First Aid	All the first aid boxes are missing the checklist, so assessors could not verify if the content of the boxes are accurate.	Ensure the first aid boxes have a checklist to inform about the medical supplies that are available.	Added checklists for every first aid box	43
Apr-23	Occupational Safety and Health	Health Services and First Aid	The factory does not currently have a permanent doctor. The Embroidery section has a night shift, but no medical staff is available at night.	Ensure that factory receives doctor visit at least 3 times a week.	Management has done interviews and shortlisted some candidates. Waiting for Head office approval for recruitment	13
Apr-23	Occupational Safety and Health	Welfare Facilities	The last water test is not done on a monthly basis.	Ensure the drinking water is tested by an accredited laboratory on a monthly basis.	This is done. Shared Evidence	2
Apr-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for women.	Ensure that factory has adequate number of toilets for women and all the toilets are fully functioning.	Factory will write to the park management requesting this and once we receive the direction, will start	27
Apr-23	Occupational Safety and Health	Worker Protection	The factory did not provided safety belt to worker in the warehouse and packing area, for heavy lifting.	Provide safety for the workers in the warehouse and packing area doing heavy lifting work.	In Progress. Management has requested quotations from suppliers.	13

Apr-23	Occupational Safety and Health	Worker Protection	No personal protective equipment found in the boiler room and no ear protector was found in the compressor room .	Provide all necessary PPE for the boiler room operators.	This is done. Provided PPE to relevant employees	13
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical safety data sheets were not available for several products.	Ensure that chemical safety data sheets are available for all chemical used and stored in the workplace.		43
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Different types of flammable product were found next to each other.	Store chemical and hazardous substances adequately.		2
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several containers were found without labels and several other products were identified in a foreign language.	Ensure that product labelling is accurate. Review the labelling format.		49
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals and hazardous substances is not updated and accurate.	Ensure the inventory of chemicals includes all chemical used and stored in the workplace.		49
Apr-23	Occupational Safety and Health	OSH Management Systems	The employer did not submit a copy of the structural safety certificate.	Ensure that the structural safety certificate is available for any relevant purpose.	Received the certificate and shared with BW.	2
Apr-23	Compensation	Social Security and Other Benefits	The workers' contribution to OFATMA is made on the minimum salary.	Ensure that OFATMA contribution is accurate and include all the pertinent payroll elements.	With the collaboration of ONA, OFATMA, Ombudswomen, BMAST, DGI, Enterprise advisor over many months it is finally cleared	13
Apr-23	Compensation	Social Security and Other Benefits	The employers' contribution to ONA is based on the minimum salary.	Ensure that ONA contribution is accurate and include all the pertinent payroll elements.	With the collaboration of ONA, OFATMA, Ombudswomen, BMAST, DGI, Enterprise advisor over many months it is finally cleared. Employee representatives, ERB members did not initially agreed with MAST's direction and requested MAST, ONA, and OFATMA visit the facility and communicate with all workers. Further, as advised by enterprise advisor, MAS Akansyel need to be cautious when implementing this to avoid any work stoppage or strike. Therefore, please give us some	13

Apr-23	Compensation	Social Security and Other Benefits	The employers' contributions to OFATMA is based on the minimum salary.	Ensure that OFATMA contribution is accurate and include all the pertinent payroll elements.	With the collaboration of ONA, OFATMA, Ombudswomen, BMAST, DGI, Enterprise advisor over many months it is finally cleared. Employee representatives, ERB members did not initially agreed with MAST's direction and requested MAST, ONA, and OFATMA visit the facility and communicate with all workers. Further, as advised by enterprise advisor, MAS Akansyel need to be cautious when implementing this to avoid any work stoppage or strike. Therefore, please give us some time to implement the same.	13
Apr-23	Compensation	Social Security and Other Benefits	The workers' contribution to ONA is based on the minimum salary.	Ensure that ONA contribution is accurate and include all the pertinent payroll elements.	With the collaboration of ONA, OFATMA, Ombudswomen, BMAST, DGI, Enterprise advisor over many months it is finally cleared.	13
Apr-23	Forced Labor	Coercion	The factory failed to provide evidence that the workers were committing violence during the strike when violence was the motive for the dismissal.	Reinstate all the 43 workers dismissed after the strike or provide proof of labor laws violated that justify actions taken.	These employees were terminated under article 42 A and G of the Haitian Labor Code. All obligations of the employees are covered under article 30 of the Haitian Labor	2
Apr-23	Discrimination	Gender	19 female workers were terminated during pregnancy, maternity leave and breastfeeding.	Reinstate the 19 pregnant workers, pay compensation or obtain written authorization from MAST.	During the Better Work assessment on 26th April 2023, it was recommended by the auditors to obtain a written authorization from MAST confirming MAS Akansyel	2
Assessment June 2022						
Jun-22	Occupational Safety and Health	OSH Management Systems	Recording work-related accidents and diseases and/or submitting the record to OFATMA.	Submit the accidents and diseases to OFATMA and ensure to get the stamp on the document.	Factory submit the record. However, OFATMA does not stamp the documents.	
Jun-22	Working Time	Regular Hours	Employer did not post the factory's working hours for all shifts including break time in all buildings.	Post factory's working time in both building.	The factory has posted its working hours on notice boards	

Jun-22	Occupational Safety and Health	Emergency Preparedness	Less than the 10 percent of the workforce trained in fire fighting, as recommended by Better Work.	Ensure that 10 percent of workforce is train in fire fighting equipment.	Factory conducted training (Fire Fighting) program for selected employees in each department and given comprehensive training on Fire fighting. 16 employees were trained as Fire Fighting trainers. A total of 4% of employees out of total trained after the assessment visit.	
Jun-22	Occupational Safety and Health	Emergency Preparedness	Several aisles were obstructed by sewing machine in the sewing floor.	Ensure that the aisles remained unobstructed during working hours.		
Jun-22	Occupational Safety and Health	Emergency Preparedness	Emergency exits were missing the hazard sign and no evacuation plan has been installed in the new building under construction.	Post the exit sign on emergency doors. Post a evacuation plan in the new building.		
Jun-22	Occupational Safety and Health	Health Services and First Aid	Less than 10 percent of the workforce trained in first aid.	Ensure that 10 percent are trained in first aid.	The training is ongoing and 4% of the workforce has been trained.	
Jun-22	Occupational Safety and Health	Health Services and First Aid	Obstructed first aid box. In addition, first aid box is not available in the new building under construction.	Ensure there is a first aid box in the new building.	There was one first aid box that was obstructed during the assessment and it was corrected same time. Purchased new first aid boxes for the new building and now its comply as per the requirement.	
Jun-22	Occupational Safety and Health	Health Services and First Aid	Insufficient onsite medical staff.	Have adequate number of nurses.		
Jun-22	Occupational Safety and Health	Welfare Facilities	Insufficient numbers of toilets for women.	Have adequate numbers of toilets for women.		
Jun-22	Occupational Safety and Health	Worker Protection	Factory did not provide safety belt, for heavy lifting, to worker in the packing area.	Provide safety belt to workers heavy lifting work.	Safety belt requirements are already identified and ordered through Amazon.	
Jun-22	Occupational Safety and Health	Worker Protection	Posting safety warnings in the workplace.	Post a warning sign in the packing area of the main building.	This was corrected and Pasted the safety warning sign accordingly.	
Jun-22	Occupational Safety and Health	Worker Protection	No chemical mask were provided to workers and line leaders in the spot cleaning area.	Provide appropriate mask to workers in the spot cleaning area.	A Chemical mask has been provided and awareness has been given.	

Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory did not provide training record for supervisors using chemical in the spot cleaning.	Train the workers in the safe usage of chemical.		
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Workers and supervisors have access to use chemicals and hazardous products without proper PPE.	Limit the access of the spot cleaning to authorized workers. Ensure the area is well ventilated.		
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical safety data sheets were not available for several chemicals products.	Ensure the safety data sheets are available for all the chemical used in the workplace.	All pending MSDS have been posted	
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers found in the chemical warehouse of the main building.	Label all the container of chemicals used in the workplace.	This was corrected and showed proof to the Auditor. Responsibility has clearly advised and control put in system.	
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate and did not include the name of all chemicals used in the workplace.	Keep an accurate inventory of chemical.	The chemical Inventory has been updated as per the instruction given by the auditor.	
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory did not submit accident report to OFATMA during the last 12 months.	Submit OFATMA accidents report on a monthly basis.	The accident investigation report has been sent to the OFATMA regional office in Cap-Haitian and got approved.	
Jun-22	Compensation	Social Security and Other Benefits	Workers' and employers' contribution to OFATMA are late and calculated on the minimum wage.	Pay OFATMA deduction on time. Deduction should be calculated on the basis salary.	The usual practice is, that a representative from the OFATMA visits the factory monthly and collects the payments. The incident was their (OFATMA) delay to visit during the investigation.	
Jun-22	Compensation	Social Security and Other Benefits	The workers' and employers' contribution to ONA are late and calculated on the basic salary.	Pay ONA on time and ONA should be calculate on the basic salary.	As discussed during the audit closing meeting, only the month of May payment got delayed by one (1) working day, and the management has implemented a new process to submit within the timeline.	

BETTER WORK HAITI – 26TH SYNTHESIS REPORT



Factory: Mazava Hispaniola Ltd
Location: Ouanaminthe
Number of workers: 790
Date of registration: May-21
Date of last two Better Work assessments: Apr-22 Apr-23

Advisory and Training Services

18-Apr-23	Advisory meeting	Review of the Improvement and corrective action plan. Factory shared training follow up documents and new corrective action plan was
17-Apr-23	Advisory meeting	- Conduct OSH tour: Emergency preparedness, chemical, electrical safety - Training on Chemical management - OSH management systems gap analysis
11-Apr-23	Training	PNCs(persistent non compliance) & Management System.
27-Mar-23	Advisory meeting	Follow up on current retrenchment. Review of dismissal documentation and recommendations were provided to avoid unjustified termination. Review of the Improvement plan in preparation of the PR2 to be released soon.
3-Feb-23	Advisory meeting	1) Factory tour to validate pending issues such as chemical management, emergency preparedness, personal protective equipment.2) Meeting with union leaders regarding general concerns at the factory level
27-Jan-23	Training	Workplace Cooperation & Communication
9-Jan-23	Advisory meeting	Meeting with management to guide on Pr1. EA reviewed the guidance with compliance officer and updated the Pr1. Management identified room for improvement and most needed training. Management presented updates and workforce status.
22-Sep-22	Advisory meeting	Meeting with management representatives on the current situation and HR measure take to cope with the situation (security, disciplinary/absenteeism). Discussion was also on pending issue on the improvement plan and update on the status of ONA and OFATMA
29-Aug-22	Training	BWH-TNG HIV/AIDS
1-Jul-22	Advisory meeting	Advisory visit summary Meeting with management to work on the improvement plan following the recent assessment. Share guidance and template of PICC meeting. Discussion on PR1 guidance. Factory to edit PR1.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment April 2023						
Apr-23	Occupational Safety and Health	OSH Management Systems	The OSH policy was not developed in consultation with workers and their representatives.	Update the policy in consultation with workers and their representatives.		2
Apr-23	Occupational Safety and Health	OSH Management Systems	The accident investigation procedure does not include all the necessary elements.	Include all minimum steps to carry out the investigations.		2

Apr-23	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	Post and update the evacuation plans in all buildings.		2
Apr-23	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures do not include all the necessary elements.	Update the procedures to include an appeal process procedure.		2
Apr-23	Contracts and Human Resources	Employment Contracts	The termination procedures do not include all the necessary elements.	Include the time frame between warnings and payments, the right to defend oneself prior to termination and to representation during the disciplinary process, a step-by-step warning system, and procedures related to legal notice periods and termination payments.		2
Apr-23	Contracts and Human Resources	Employment Contracts	No evidence that the employer takes action to investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments	Document the necessary steps taken to monitor HR violations.		2
Apr-23	Contracts and Human Resources	Employment Contracts	The factory does not communicate effectively or implement HR policies and procedures.	Include staff training on how to carry out policies and procedures. Post the internal regulations in the factory floor where all workers can see.		2
Apr-23	Contracts and Human Resources	Employment Contracts	The HR policy is not signed by top management.	Ensure that policy is signed by top management.		2
Apr-23	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Ensure that pregnant women go on maternity leave 6 weeks before giving birth.	Factory trained the HR staff and consult the onsite doctor to effectively apply the legal requirements.	14
Apr-23	Working Time	Regular Hours	The regular working hours exceed the legal requirements.	Ensure that regular working hours do not exceed 8 hours a day and 48 hours a week.	Our schedule is from 7:30AM to 5:30 PM. With the lunch break from 12:00PM to 1:00 PM.	2

Apr-23	Occupational Safety and Health	Emergency Preparedness	Less than 10% of the total workforce is trained on fire-fighting equipment	Ensure that 10 percent of the workforce is trained.	Two more groups will be trained on Fire-Fighting equipment.	14
Apr-23	Occupational Safety and Health	Emergency Preparedness	Fire drill is not conducted every 6 months.	Ensure to perform 1 fire drill every 6 months.	We carried out our drill in May 2023.	14
Apr-23	Occupational Safety and Health	Emergency Preparedness	Two emergency exits obstructed and locked in Mazava 3.	Ensure emergency exits remained unobstructed during working times.	MAH 3 is closed since early June 2023.	1
Apr-23	Occupational Safety and Health	Emergency Preparedness	The emergency lights above two emergency doors in Mazava 1 were observed damaged.	Repair the damaged emergency exits.	The emergency lights were changed.	1
Apr-23	Occupational Safety and Health	Emergency Preparedness	NO smoke detectors and alarm system in Mazava 3.	Ensure that the building Mazava 3 has an alarm system and smoke detectors where necessary.	MAH 3 is closed since early June 2023.	1
Apr-23	Occupational Safety and Health	Health Services and First Aid	Less than 10% of the total workforce is trained on fist aid.	Provide first-aid to a minimum of 10 percent of the workforce.	Factory began retraining a first group on first aid on May 5 and will continue with the rest of the staff.	2
Apr-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Ensure that workers exposed to work-related hazards received the medical checks twice a year.	The personnel who work with chemical products underwent a medical study on June 6 2023. Factory will conduct next round on November of this year.	2
Apr-23	Occupational Safety and Health	Health Services and First Aid	Workers did not receive the health cards within the first 3 months of hiring.	Ensure that workers received the health cards within the first 3 months of hiring.	We are working together with OFATMA to collect all the necessary information and complete the corresponding process.	2
Apr-23	Occupational Safety and Health	Welfare Facilities	No soap and toilet paper available in the male bathrooms.	Ensure to provide soap and paper in the male bathrooms.	Soap for washing hands and toilet paper are constantly checked to avoid shortages.	2
Apr-23	Occupational Safety and Health	Working Environment	12 out of 48 exhaust ventilation fans were observed damaged in Mazava 1. The temperature exceeded 30 C in all sections.	Fix the damaged exhaust. Maintain the temperature level to a maximum of 30 D in all sections of the workplace.	The exhaust ventilation fans were fixed.	14

Apr-23	Occupational Safety and Health	Worker Protection	No earmuff have been provided to workers at spot cleaning area.	Provide earmuff to workers in the spot cleaning area.	The earmuffs were provided to the corresponding people.	14
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The Exhaust system is insufficient to limit worker's exposure to chemicals in spot cleaning area and surrounding area of Mazava 1. No exhaust system observed in the	Ensure to take appropriate actions to limit worker's exposure to chemicals.	We put in place a chemical collection system to avoid chemical exposure to staff.	2
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Most of chemical data sheets do not contain the minimum information required such as; supplier, classification, hazards, safety precaution and emergency procedures.	Ensure that the MSDS contain all required information and are available in a local language.	all MSDS were updated.	14
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals are not properly stored in the chemical warehouse.	Ensure that chemical are properly stored in the workplace.	We moved the chemical stored to another place more appropriate.	14
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical containers not properly labelled as they only showed the name of the product.	Ensure that chemical containers are properly labelled.	All the chemical containers were properly labelled with the corresponding information.	14
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Although the factory has an inventory of almost all chemicals used in the workplace, the Hardener is still missing in the inventory.	Add the missing elements in the inventory.	We corrected the inventory of chemicals.	14

Apr-23	Contracts and Human Resources	Termination	The annual salary supplement or bonus upon termination does not include the lunch break payment.	Ensure that annual leave upon termination is paid accurately.	On June 13, 2023, the Government of Haiti issued a decree announcing the immediate suspension of the 3*8 Law, officially known as the Law on the Organization and Regulation of the Twenty-Four (24) Hour Workday Divided into Three (3) Eight-Hour Shifts. The 3*8 law stipulated that the lunch break is considered an integral part of the eight-hour workday and should be compensated accordingly. However, the publication of this new decree suspends all provisions of the 3*8 law. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	14
Apr-23	Contracts and Human Resources	Termination	The unused paid annual leave upon termination is not calculated on the daily average earning and does not include the lunch break payment.	Pay the annual leave accurately.	The lunch break payment is no longer required following the June 13th decree that amends the 3x8 law. However, the annual leave payment is not calculated on the daily average.	14
Apr-23	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Ensure that the internal work rules are approved by the Ministry of Labor.	We will contact the Ministry of Labor again to obtain an answer.	14
Apr-23	Compensation	Social Security and Other Benefits	Workers' pay slips are not sent to OFATMA for payment of sick leave. The factory makes the payments.	Forward the deduction to OFATMA for maternity and health insurance.	Factory is actively following up with OFATMA to complete the corresponding processes as soon as possible. And start to do the collection of the contributions and send them to OFATMA.	14
Apr-23	Compensation	Social Security and Other Benefits	The factory does not collect and forward the workers' contribution to OFATMA.	Collect and forward workers' contribution to OFATMA.	Factory is working with OFATMA so that they can complete the proper process and we can start to collect and send the contributions to this institution.	14
Apr-23	Compensation	Social Security and Other Benefits	The employer's contribution to ONA is calculated on the weekly minimum wage and does not include the lunch break payment.	Pay ONA's deduction accurately.	The payment for lunch break is no longer required with the new decree published on June 13. However, the calculation is not calculated on the basic salary.	14

Apr-23	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers' contribution to OFATMA.	Collect and forward workers' contribution to OFATMA	Factory is working with OFATMA so that they can complete the proper process and we can start to collect and send the contributions to this institution.	14
Apr-23	Compensation	Social Security and Other Benefits	The employer contribution to ONA is calculated on the minimum weekly salary and does not include the lunch break payment.	Include the lunch break in the calculation of the ONA deductions.	The payment for lunch break is no longer required with the new decree published on June 13. However, the calculation is not calculated on the basic salary.	14
Apr-23	Compensation	Social Security and Other Benefits	The calculation for the bonus payment does not include the lunch break payment.	Pay the lunch break.	The new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	14
Apr-23	Compensation	Social Security and Other Benefits	The payment of OFATMA work related accident was late. In addition, no proof of agreement with OFATMA was available for the Fiscal year 2022-2023.	Pay the OFATMA contribution for work related accident on time.		14
Apr-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	The new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	14
Apr-23	Compensation	Paid Leave	Maternity leave payment does not include the lunch break payment. The factory pays 6 weeks of maternity leave where workers are entitled to 12 weeks.	Pay the lunch break and be compliant with OFATMA for the monthly contributions.	The lunch break payment is no longer required. However, factory must comply with OFATMA for maternity and health insurance.	14
Apr-23	Compensation	Paid Leave	Sick leave payments are not calculated on average daily earnings. The calculation does not include the lunch break payment.	Pay the lunch break and Forward monthly deductions to OFATMA for maternity and sickness.	The lunch break payment is no longer required. However, factory must comply with OFATMA for maternity and health insurance.	14
Apr-23	Compensation	Paid Leave	The annual leave payment does not include the lunch break payment.	Pay the lunch break.	The new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	14
Apr-23	Freedom of Association and Collective Bargaining	Collective Bargaining	The employer failed to implement some of the CBA requirements.	Comply with CBA requirements and provide shirts to union leaders; comply with legal requirement to be in compliance with OFATMA monthly contributions; provide chairs with back to workers.	Factory ensured that union received the t-shirts. The topic related to OFATMA is in process of implementation. All the factory staff have ergonomic chairs at their disposal.	2

Apr-22	Occupational Safety and Health	OSH Management Systems	The hazard/risk management and control procedure does not include all the necessary elements.	Include the following in the hazard management procedure: A structure to prioritize risks based on potential impact and likelihood A hierarchy of controls that is used to select effective controls A risk register that drives the implementation of controls	The procedures were updated to include all the missing elements.	
Apr-22	Occupational Safety and Health	OSH Management Systems	The emergency preparedness procedure does not include all the necessary elements.	Include the following in the emergency preparedness procedure: Evacuating employees to designated assembly location Accounting for all employees after an evacuation	The procedures were updated to include all the missing elements.	
Apr-22	Occupational Safety and Health	OSH Management Systems	No evidence of: - Regular management review of effectiveness of management system including performance on measurable objectives and targets	Include the review process of the OSH policy and set measurable objectives and targets.	The OSH policy was reviewed and modified.	
Apr-22	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures. The employer has not posted an evacuation plans in all buildings.	Post an evacuation plan in all buildings.	The evacuation plan is already posted.	
Apr-22	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures do not include an appeal process.	Include an appeal process in the grievance handling procedures.		
Apr-22	Contracts and Human Resources	Employment Contracts	The termination procedures do not include all the necessary elements.	Include in the termination procedures the time frame between warnings and payments, the right to defend oneself prior to termination and to representation during the disciplinary process, a step-by-step warning system, and procedures related to legal notice periods and termination.		
Apr-22	Contracts and Human Resources	Employment Contracts	No evidence that the employer takes action to investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence.	Implement procedure of investigating on violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence.	The following procedure was implemented: investigating on violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence.	

Apr-22	Contracts and Human Resources	Employment Contracts	No. The factory does not effectively communicate and implement HR policies and procedures.	Include the HR policies staff training on how to carry out policies and procedures. Post the internal regulation where anyone can see.	The internal regulation is already post in different areas.	
Apr-22	Contracts and Human Resources	Employment Contracts	No, The HR policy does not include all the necessary elements.	Ensure that the HR is signed by top management.	It was checked and corrected.	
Apr-22	Working Time	Leave	The factory does not comply with the Labor Code as pregnant workers do not go on leave 6 weeks before giving birth.	Ensure that pregnant women can benefit the six weeks before their departure on maternity leave.	In accordance with the law, the Company incapacitates the Employee, when she presents the medical document with the probable date of delivery.	
Apr-22	Working Time	Regular Hours	Pregnant women are not allowed additional breaks.	Ensure that pregnant women are entitled of the two additional breaks of 30 minutes each per day. Keep a file with written acknowledgement from the pregnant women of that right.	The Company provided the additional rest time to pregnant employees. This is done at the time they deliver their pregnancy medical report. They sign an acknowledgment document.	
Apr-22	Working Time	Regular Hours	The employer has not posted the factory's working hours for all shifts including break time.	Post the factory's working hours for all shifts including break time.	They are already published in the informative murals	
Apr-22	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of workers were trained in fire-fighting equipment.	Train 10 % of the workforce in in fire-fighting equipment.	According to the law, a minimum of 10% of personnel must be trained in the handling of fire fighting equipment. We currently have 2668 people, of which 313 are trained, which is equivalent to 11.73% of the staff.	
Apr-22	Occupational Safety and Health	Emergency Preparedness	A wooden box with light bulbs lit to heat food in the mechanic workshop of building 3 which represents a fire hazard.	Ensure that the workplace is safeguarded and properly rectify practice that represents an hazard within the workplace.	The necessary actions were taken so that these situations do not occur again. This artifact was removed.	
Apr-22	Occupational Safety and Health	Emergency Preparedness	The aisles in the sewing area of building 1 and building 2 were obstructed by boxes.	Ensure that the aisles and escape routes remained unobstructed.	The spaces were duly habilitated	
Apr-22	Occupational Safety and Health	Emergency Preparedness	The evacuation plan for building 2 did not reflect the actual layout of the floor. In addition, the evacuation plan for Building 3 was not posted.	Post the layout of the floor in building 3.	Building 3 is not yet in operation, so once formal work begins on it, evacuation routes will be defined based on the layout.	

Apr-22	Occupational Safety and Health	Emergency Preparedness	Missing and/or obstructed fire extinguishers were missing in building 1.	Ensure that fire extinguishers are not obstructed and accessible.	All necessary measures were taken. The fire extinguishers are accessible.	
Apr-22	Occupational Safety and Health	Emergency Preparedness	No fire alarm system installed in building 3.	Install fire alarm in building 3.	Building 3 is not yet in operation, so once formal work begins on it, the alarm and fire detection systems will be installed beforehand.	
Apr-22	Occupational Safety and Health	Health Services and First Aid	First aid boxes were either inaccessible, missing supplies or not available at all in one of the buildings.	Ensure that first aid boxes are fully equipped and accessible.	All first aid boxes were duly enabled and recharged with supplies.	
Apr-22	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by the labor code.	Ensure to have sufficient medical staff onsite.	Medical services are provided by the CODEVI Industrial Park. The clinic that we have in Mazava is only for First Aid cases, in case the patient needs more specialized care, he is referred to the Park clinic.	
Apr-22	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Ensure that workers exposed to work-related hazards received the medical checks.	Health control is carried out according to workers who are exposed to chemical products. Records and follow-up are kept in the Medical Clinic.	
Apr-22	Occupational Safety and Health	Welfare Facilities	The number of toilets for men and women are insufficient according to the Labor Code prescriptions.	Ensure that the number of functioning toilets is adequate with the workforce.	We currently have a staff of 2,668 (1,821 men and 847 women), and we have 38 bathrooms and 20 urinals for men and 48 bathrooms for women. As an improvement we are adding some more bathrooms.	
Apr-22	Occupational Safety and Health	Working Environment	The light levels were inadequate in the packing, inspection and pressing sections.	Ensure that lux level are adequate in the workplace.	The necessary measures were taken so that the level of the light was adequate in all the working section.	
Apr-22	Occupational Safety and Health	Working Environment	The workplace temperatures exceeded 30 C in the pressing section.	Ensure that the workplace temperature level do not exceed 30 C.	The necessary measures were taken so that temperatures do not exceed the established level.	
Apr-22	Occupational Safety and Health	Worker Protection	Several standing workers were not provided with shock absorbing mats in building 1. Standing mats were not available in the spot cleaning of building 2.	Provide shock absorbing mats to all standing workers.	The Mats were placed for personnel who, due to the nature of the position, need to have them. All standing workers have the standing mats.	

Apr-22	Occupational Safety and Health	Worker Protection	No protective barriers installed between the workstation. The employer did not take any measures to maintain a social distance of 1.5m	Ensure that social distance requirements are respected.	Social distancing is no longer a legal requirement.	
Apr-22	Occupational Safety and Health	Worker Protection	More than 50 percent of the single needle machines were missing finger guards.	Ensure all the sewing machines have their necessary guards.	All fingers guards were collocated.	
Apr-22	Occupational Safety and Health	Worker Protection	The following protective equipment has not been provided: - Support belt for workers doing heavy lifting work in fabric warehouse of building 1 and storage area of building 3. - Sufficient Gloves for worker in the cutting section of building 1 and 2.	Provide all necessary protective equipment to workers doing heavy lifting work and in the cutting section.	These people have already protective equipment at their disposal.	
Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available where chemicals such as ink, thinner and paints are used and stored.	Install eye cleansing equipment where chemical substances are stored or used.	The stations are strategically placed so that they are easily accessible to the different points where the use of chemicals is required and the eye Wash solutions were delivered to all personnel who required it.	
Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer did not isolate the use of chemical substances in the stamping area located in the sewing floor. Workers and supervisors have access to this area and there are no protective equipment available.	Ensure that the use of chemicals is closely monitored and workers are provided with proper protective equipment.	These people have already protective equipment at their disposal.	
Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS were not available for several chemical and hazardous substances used in the workplace.	Ensure that MSDS are available for all chemicals used in the workplace.	The MSDS duly collocated.	
Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical products are not properly stored in the chemical warehouse of building 1.	Ensure that chemicals are properly stored.	Location of chemical warehouse in the process of changing the location to a more suitable one.	
Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of detergent, solvent and oil found in several areas.	Identify and labelled all chemicals used and stored within the workplace.	The containers were already labeled in the corresponding areas.	

Apr-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory did not include the approximate amounts in storage, and the locations of the chemical storage area in the factory.	Include the approximate amounts in storage, and the locations of the chemical storages in the inventory of chemicals.	The current inventory of chemical products is as follows: Solvent 5 GL, Retarder 12 GL, Cleaner 4 GL, Blow Out 145 UND, K.O 67 GL and Liquid Soap 11 GL. The system we use has this information.	
Apr-22	Contracts and Human Resources	Termination	The annual salary supplement upon termination does not include the lunch break payment.	Include the lunch break payment in the calculation of the annual salary supplement upon termination.	Payment calculations are made according to what is established in the CODEVI Industrial Park and what the Haitian labor code says	
Apr-22	Contracts and Human Resources	Termination	The unused paid annual leave upon termination does not include the lunch break payment.	Include the lunch break payment in the calculation of the annual leave upon termination.	Payment calculations are made according to what is established in the CODEVI Industrial Park and what the Haitian labor code says	
Apr-22	Contracts and Human Resources	Termination	The payment for the applicable notice period does not include the lunch break payment.	Include the lunch break payment in the calculation of the notice period payment.	Payment calculations are made according to what is established in the CODEVI Industrial Park and what the Haitian labor code says	
Apr-22	Contracts and Human Resources	Contracting Procedures	The doctor's working hours are not included in the contract as required by law.	Ensure that all employee contract is compliant with the requirements,	Proceeded to review and corrected.	
Apr-22	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Ensure that the internal working rules are submitted to MAST for approval.	The Regulation was presented and received by the Ministry of Social Affairs on March 17, 2021	
Apr-22	Contracts and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor, as legally required.	Submit the apprentice contract to the Manpower Office for approval.	As there is no Office of the Ministry of Social Affairs in Ouanaminthe, there is no one who receives the apprenticeships. The Company gives a copy of the contract to each one of the workers contracted.	
Apr-22	Compensation	Social Security and Other Benefits	The factory does not collect and forward the employee contribution to OFATMA maternity and health insurance.	Forward worker's contribution to OFATMA maternity and health insurance within the first 10 business days of the next month for the previous month.	Payments made to OFATMA are in accordance with the provisions of the CODEVI Industrial Park	
Apr-22	Compensation	Social Security and Other Benefits	The lunch break payment is not included in the calculation of ONA's contributions.	Include lunch break payment in the calculation of ONA's contributions.	Last payment was made in October for the month of September 2022.	

Apr-22	Compensation	Termination	The workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	Ensure that workers are entitled to 12 weeks of maternity leave payment from OFATMA maternity and health insurance.	All workers that are entitled to 12 weeks of maternity leave payment from OFATMA maternity and health insurance receive the correct payment	
Apr-22	Compensation	Social Security and Other Benefits	The payment of annual salary supplement does not include the lunch Break.	Include the lunch break in the calculation of annual salary supplement.	Payment calculations are made according to what is established in the CODEVI Industrial Park and what the Haitian labor code says	
Apr-22	Compensation	Social Security and Other Benefits	The salary statement sent to OFATMA for work related accident insurance does not include overtime and lunch break payment. The factory did not share with the assessors any agreement with OFATMA for multiple instalments.	Submit accurate salary statement with overtime payment included.	Payment calculations are made according to what is established in the CODEVI Industrial Park and what the Haitian labor code says.	
Apr-22	Compensation	Paid Leave	The payments for annual leave, Sick leave, maternity leave and the daily break are not accurate.	Pay the lunch break.	Payment calculations are made according to what is established in the CODEVI Industrial Park and what the Haitian labor code says.	
Apr-22	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	Pay the lunch break.	Payment calculations are made according to what is established in the CODEVI Industrial Park and what the Haitian labor code says.	
Apr-22	Compensation	Paid Leave	The factory paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment when the factory is registered with OFATMA for maternity and health insurance based on the labor Code. the calculation of the maternity leave does not include the lunch break payment.	Collect and forward accurate contribution to OFATMA for maternity and Health insurance.	Payment calculations are made according to what is established in the CODEVI Industrial Park and what the Haitian labor code says and the correct payment is made to ofatma as established in the labor code.	
Apr-22	Compensation	Paid Leave	Sick leave payments do not include the lunch break payment.	Pay the lunch break.	Payment calculations are made according to what is established in the CODEVI Industrial Park and what the Haitian labor code says	
Apr-22	Compensation	Paid Leave	The annual leave payment is not calculated on worker's daily average earnings and does not include the lunch break.	Pay the lunch break.	Payment calculations are made according to what is established in the CODEVI Industrial Park and what the Haitian labor code says.	

Apr-22	Compensation	Minimum Wages/Piece Rate Wages	Some apprentice workers who are part of the production lines do not earn the minimum wage.	Ensure that workers doing permanent work in the factory receive the minimum wage.	In Mazava Hispaniola the minimum wage is \$HTG 4,067. 19	
Apr-22	Child Labor	Documentation and Protection of Young Workers	Management has not shared any document for foreign workers allowing the assessors to verify if the employer has a reliable system in place to verify the age of workers prior to hiring.	Ensure that each employee file contain an ID card certifying the age. Share the procedure regarding the hiring of non-Haitian employee.	The foreign personnel that is in the Company, provides a technical service, through a Dominican Company. They recruit as per the Dominican law.	

BETTER WORK HAITI – 26TH SYNTHESIS REPORT



Factory: MB Jeans Haiti (PVT) Ltd
Location: Ouanaminthe
Number of workers: 251
Date of registration: Mar-20
Date of last two Better Work assessments: Jun-22 May-23

Advisory and Training Services

2-Jun-23	Advisory meeting	Advisory summary session to: - Review the exit from the last assessment with the bipartite committee and follow-up on the improvement the factory already done. - Conduct a factory tour with MAST and the factory compliance office to verify the OSH issues that the factory already solved.
28-Apr-23	Advisory meeting	Advisory summary session to: -Review some documents -Investigate the industrial relation issue (Verbal abuse) the factory had.
11-Apr-23	Training	PNCs & Management System
3-Feb-23	Training	Workplace Cooperation & Communication (WCC)
3-Feb-23	Advisory meeting	Advisory summary session: - OSH assessment tour with the factory compliance officer - Reviewed several documents to identify the improvement made by the factory - Completed the purchasing practices survey with the factory management. - Conducted a training session during the visit, Meeting Bipartite committee to: - Monitor the Implementation of OFATMA maternity and Health insurance. - Get an update on the factory situation. - Discuss the late payroll issue.
17-Nov-22	PICC Meeting	Advisory session with the bipartite committee to Follow-up on: - the last meeting and the improvement that the factory made. - the implementation of OFATMA maternity and Health insurance Introductory meeting with the new factory manager. Meeting with the compliance team to work on the Better Work portal mainly on the management system.
31-Aug-22	PICC Meeting	Advisory session with the bipartite committee to discuss:- the implementation of OFATMA maternity and Health insurance about when OFATMA will begins to collect workers contributions.- about the working condition in the factory Meeting with the factory management to discuss the production problem the factory is facing due to quality issues.Factory tour with the factory compliance officer to verify all corrected occupational safety and health issues related to the last assessment of the factory Meeting with the compliance team to work on the Better work portal mainly on the management system.
31-Aug-22	Training	Supervisory Skills (SST)
24-Aug-22	Training	BWH-TNG HIV/AIDS
8-Jul-22	Training	Bipartite Committee training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment March 2022						
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		7
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an emergency preparedness procedure that includes all the requirements.	Update and adjust emergency preparedness procedure		7
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		7
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have a disciplinary and termination procedures that includes all the steps.	Update and adjust disciplinary and termination procedures.		7
May-23	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR review.		7
May-23	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place to communicate and implement the HR policy in the factory.		7
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy that include all the necessary elements.	Make sure that the factory has an HR policy in place.		7
May-23	Working Time	Leave	Inaccurate maternity leave to pregnant workers.	Ensure that pregnant workers are going home 6 weeks before giving birth.		0
May-23	Working Time	Regular Hours	Pregnant workers from the finishing area are not allowed to take two extra breaks.	Give the legally required break to all pregnant women.	The factory provide 2 additional breaks of 30 minutes to pregnant women since they fired the finishing manager.	0

May-23	Occupational Safety and Health	Emergency Preparedness	The employer did not conduct at least 2 emergency drill per year.	Conduct fire drill at least twice a year.		0
May-23	Occupational Safety and Health	Emergency Preparedness	Obstructed evacuation routes.	Keep evacuation routes unobstructed.		0
May-23	Occupational Safety and Health	Health Services and First Aid	One first aid box was not accessible in the boiler room.	The factory needs to designate a person to monitor all first aid boxes.		7
May-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by labor code.	Ensure that the free zone or the factory has adequate medical facilities		7
May-23	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Provide health checks to workers exposed to work-related hazards at least twice a year.	The factory has completed the payment for the CDS which entitled the workers to received health checks from OFATMA.	7
May-23	Occupational Safety and Health	Welfare Facilities	Eating area is not adequate to accommodate the entire workforce.	The factory needs to find an additional eating area for the workers.		7
May-23	Occupational Safety and Health	Working Environment	The light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		0
May-23	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		7
May-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Improve the electrical maintenance and Create a maintenance log	The factory removed the combustible material inside the electrical panel.	7
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.		7
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.		7

May-23	Contracts and Human Resources	Dialogue, Discipline and Disputes	A foreign manager was addressing the workers in an abusive and improper language.	Provide additional training, Conduct regular self-assessment and apply the disciplinary and termination procedure.	The factory fired the finishing manager. Based on a meeting with bipartite committee they said there is a mutual respect between management and workers right now.	0
May-23	Contracts and Human Resources	Termination	The calculation of the annual salary supplement or bonus upon termination does not include the lunch break payment.	Pay workers their annual salary supplement upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	7
May-23	Contracts and Human Resources	Termination	The calculation for unused paid annual leave upon termination does not include the lunch break payment.	Pay the unused paid annual leave upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	7
May-23	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period does not include the lunch break payment.	Pay the applicable notice period and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	7
May-23	Contracts and Human Resources	Termination	The factory does not provide all the terminated workers files requested.	Ensure that all documentations are available in the workplace including the files of terminated workers.		7
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Send the factory internal work rules to MAST for approval.	The factory sent internal work rules to MAST since 18 of July 2022 for approval.	7
May-23	Contracts and Human Resources	Employment Contracts	The Dominican workers contract does not comply with the internal work rules.	Ensure that all contracts are in compliance with the factory internal work rules.		7
May-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		7
May-23	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register the factory with OFATMA and then forward employer's contribution to OFATMA.		7

May-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.		7
May-23	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register the factory with OFATMA and then Collect and forward workers contribution to OFATMA.		7
May-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.		7
May-23	Compensation	Social Security and Other Benefits	Inaccurate payments for OFATMA accident insurance.	Ensure the factory paid the work related accident on time to OFATMA including the CDS, and has an agreement with OFATMA for payment.		7
May-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	7
May-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Pay 12 weeks of maternity leave to workers		7
May-23	Freedom of Association and Collective Bargaining	Strikes	Industrial relation dispute in the workplace.	Ensure that the factory establish a retrenchment plan in consultation with workers' representatives and notify the Ministry of Social Affairs in such cases.		0
May-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Review the CBA and implement all articles as stated in the document.		0
May-23	Discrimination	Race and Origin	Workers interview reported that one foreign manager was addressing the workers with abusive and improper language.	Provide additional training, conduct regular self-assessment, and apply the disciplinary and termination procedure.	The factory fired the finishing manager. Based on a meeting with bipartite committee they said there is a mutual respect between management and workers right now.	0

Assessment June 2022

Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an emergency preparedness procedure that includes all the requirements	Update and adjust emergency preparedness procedure		
Jun-22	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		
Jun-22	Contracts and Human Resources	Employment Contracts	The factory does not have a disciplinary and termination procedures which does not include all the steps.	Update and adjust disciplinary and termination procedures.		
Jun-22	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR review.		
Jun-22	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place in the factory.		
Jun-22	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy that include all the necessary elements.	Make sure that the factory has an HR policy in place.		
Jun-22	Working Time	Regular Hours	Regular working hours did not meet legal requirements.	Modify the internal work rules and ensure the regular working hours do not exceed 48 hours per week.		
Jun-22	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers were not properly maintained	Provide adequate firefighting equipment and Ensure regular maintenance is done	The factory fixed all the fire extinguishers issues.	
Jun-22	Occupational Safety and Health	Health Services and First Aid	Ensure that first aid boxes have all requirement products.	The factory needs to designate a person to monitor all first aid boxes.	The factory adds all the missing items to the first aid boxes.	
Jun-22	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by labor code.	Ensure that the free zone or the factory has adequate medical facilities	The medical service is provided by the Clinic of codemix, where all our workers have full access.	

Jun-22	Occupational Safety and Health	Health Services and First Aid	Health checks was not provided to workers within the first three months of hiring.	Provide health checks to workers within the first three months of hiring.		
Jun-22	Occupational Safety and Health	Welfare Facilities	Eating area is not adequate to accommodate the entire workforce.	The factory needs to find an additional eating area to accommodate workers.		
Jun-22	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable..	Monitor the temperature level and maintain it under 30 C inside the workplace.	The factory is install a cooling system to improve the temperature condition.	
Jun-22	Occupational Safety and Health	Worker Protection	The factory does not systematically check body temperature upon entry.	Systematically check all body temperature upon entry and keep a registry for all persons who present a temperature of 38C and above.		
Jun-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Improve the electrical maintenance and Install proper hazard signs on all the electrical panels.	Factory removed the electrical panel in washing section.	
Jun-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Improve the electrical maintenance and cover all the exposed electrical wires in the workplace.	The factory cover the exposed electrical wires	
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eyewash stations are missing in two areas of the workplace and another one is not working.	Install eyewash stations in all areas where chemical products are used.	The factory stop using chemicals on the floor.	
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not have appropriate spot cleaning area.	The factory needs to have an isolated area for the spot cleaning.	The factory stops using chemicals on the floor.	
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.	The Factory post all missing MSDS in the workplace in local language.	
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.	The factory properly label all chemicals and hazardous substances in the workplace.	

Jun-22	Compensation	Paid Leave	Inaccurate sick leave payment.	Calculate sick leave on worker's average daily earnings by including the lunch break payment.		
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.	The factory adds all the chemicals missing in the inventory.	
Jun-22	Occupational Safety and Health	OSH Management Systems	The structural safety certificate was not available.	Assess the buildings to ensure they meet the safety requirements for an industrial structure.	The factory provided a structural safety certificate, certifying that the buildings' structure meets the safety requirements for an industrial structure.	
Jun-22	Contracts and Human Resources	Termination	Inaccurate annual salary supplement or bonus payments upon termination	Pay the lunch break, ensure the payment for annual salary supplement upon termination is based on the daily average earnings.		
Jun-22	Contracts and Human Resources	Termination	Inaccurate unused paid annual leave upon termination.	Pay the lunch break, ensure the payment for annual leave is based on the daily average earnings.		
Jun-22	Contracts and Human Resources	Termination	Inaccurate applicable notice period upon termination.	Pay the lunch break and ensure the applicable notice payment is based on the daily average earnings.		
Jun-22	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Send the factory internal work rules to MAST for approval.	The internal works rules have been submitted to MAST for approval.	
Jun-22	Contracts and Human Resources	Employment Contracts	The Dominican workers contract does not comply with the internal work rules.	Ensure that all contracts are in compliance with the factory internal work rules.		
Jun-22	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register the factory with OFATMA and then forward employer's contribution to OFATMA.	The factory starts the registration process with OFATMA.	
Jun-22	Compensation	Social Security and Other Benefits	The calculation for ONA payment is inaccurate and the employer does not forward workers' and employers' contributions to ONA on time	Calculate ONA contributions on the average salary, include the lunch break payment and forward it on time.		

Jun-22	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		
Jun-22	Compensation	Social Security and Other Benefits	The factory is not affiliated with OFATMA for work related accident.	Finalized the OFATMA affiliation process for work accidents and pay OFATMA on time.		
Jun-22	Compensation	Paid Leave	Inaccurate sick leave payment.	Calculate sick leave on worker's average daily earnings by including the lunch break payment.		
Jun-22	Compensation	Method of Payment	The factory does not pay the workers on time.	Pay wages during working hours as required by the Labor Code.		
Jun-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the daily lunch break accurately to all workers.		

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: MBI HAITI S.A
Location: Port-au-Prince
Number of workers: 1565
Date of registration: Aug-13
Date of last two Better Work assessments: Mar-22 Mar-23

Notes: Factory was periodically closed during the months of August September and October due to fuel shortage and socio-political unrest.

Advisory and Training Services

9-Jun-23	Bipartite Committee Meeting	Advisory summary session: Virtual meeting with the bipartite committee to discuss: - the new improvement plan - the root causes and necessary corrective actions
6-Mar-23	Advisory meeting	Advisory summary session: - Reviewed several documents to identify the improvement made by the factory - I completed the purchasing practices survey with the factory management. Meeting Bipartite committee: - To get an update on the factory situation.
6-Mar-23	Training	Virtual Purchasing Practices Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment March 2023						
Mar-23	Occupational Safety and Health	OSH Management Systems	Provide free drinking water to workers but does not conduct the water test monthly.	Ensure that water test is conducted monthly basis.	The Factory shared with assessor the water test for the month of May 2023.	3
Mar-23	Occupational Safety and Health	Working Environment	The noise level in some areas of the workspace exceeded 90 db.	Take appropriate measures to keep the noise level below 90db.		39
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work-related accidents to OFATMA on a monthly basis.	Record and submit work related accidents to OFATMA on a monthly basis.	The factory sent accident reports to OFATMA on a monthly basis.	3
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		19

Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a written accident investigation procedure that includes all the requirements.	Develop an accident investigation procedure which includes all the necessary elements..		19
Mar-23	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		19
Mar-23	Contracts and Human Resources	Employment Contracts	The factory does not have a grievance handling and dispute resolution procedure that meets all the requirements.	Update and adjust the grievance policies and procedures.		19
Mar-23	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR performance review.		19
Mar-23	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place to allow the factory to implement its HR policies.		19
Mar-23	Working Time	Leave	The factory does not grant the required annual leave to security guards.	Factory must provide all workers with 15 days of paid annual leave as required by law.		3
Mar-23	Working Time	Regular Hours	Regular working hours did not meet legal requirements.	Modify the internal work rules and ensure the regular working hours do not exceed 48 hours per week.		39
Mar-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several sections of the workspace.	Keep routes unobstructed during working hours.	The factory cleared all aisles during working hours, including overtime.	39
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first aid.	Train at least 10 percent of the workforce in first aid.		27
Mar-23	Occupational Safety and Health	Health Services and First Aid	First aid boxes were not accessible in the sewing floor of one building.	Ensure that first aid boxes are accessible in all building.	All first aid boxes are accessible on the floor of building 53.	39
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses to comply with the labor code.		39

Mar-23	Occupational Safety and Health	Health Services and First Aid	Incomplete annual medical checks provide to workers.	Proactively work with. OFATMA to distribute the health cards and conduct the medical checks as required.		19
Mar-23	Occupational Safety and Health	Health Services and First Aid	Incomplete medical checks provided twice a year to workers exposed to work-related hazards.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required.		19
Mar-23	Occupational Safety and Health	Health Services and First Aid	Incomplete medical checks provided within the first three months of hiring to workers.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required.		19
Mar-23	Occupational Safety and Health	Working Environment	light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		39
Mar-23	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		39
Mar-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all electrical panels have a hazard sign and circuit breakers are properly labelled.	The factory added the missing hazard sign and correctly labeled all circuit breakers.	39
Mar-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper PPE to all workers doing heavy lifting work.		19
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.		39
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.	The factory has labeled all chemicals and hazardous substances used in the workplace.	39
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.		39
Mar-23	Contracts and Human Resources	Termination	The calculation of the annual salary supplement or bonus upon termination does not include the lunch break payment.	Pay workers their annual salary supplement upon termination and include the lunch break payment in the calculation.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26

Mar-23	Contracts and Human Resources	Termination	The calculation for unused paid annual leave upon termination does not include the lunch break payment.	Pay the unused paid annual leave upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26
Mar-23	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period does not include the lunch break payment.	Pay the applicable notice period and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26
Mar-23	Contracts and Human Resources	Employment Contracts	The internal rules do not comply with the Labor Code.	Revised the internal rules to include entry and exit hours, pay locations and times of payment.		3
Mar-23	Contracts and Human Resources	Employment Contracts	Foreign worker's contract does not include the employer's information as well as the employee's salary.	Review the foreign workers contract to include all the missing information.		26
Mar-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		16
Mar-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26
Mar-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26
Mar-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for OFATMA payment is inaccurate and payments are made late consistently.	Calculate OFATMA contributions on the basic salary, and forward it on time.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26
Mar-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for OFATMA payment is inaccurate and payments are made late consistently.	Calculate OFATMA contributions on the basic salary, and forward it on time.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26
Mar-23	Compensation	Social Security and Other Benefits	Inaccurate payment for annual salary supplement.	Pay annual leave based on average earnings.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26

Mar-23	Compensation	Social Security and Other Benefits	Inaccurate payment to OFATMA for work-related accident insurance.	Complete the payment for OFATMA work related accident for the fiscal year 2022-2023.		3
Mar-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26
Mar-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26
Mar-23	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26
Mar-23	Compensation	Paid Leave	Inaccurate annual leave payment.	Pay annual leave based on average earnings.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	26
Mar-23	Compensation	Overtime Wages	Inaccurate payment of overtime.	Pay Overtime correctly as required by law.		3
Assessment March 2022						
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an accurate hazard/risk management and control procedure.	Develop a hazard/risk policy and procedures. Train the HR and compliance staff on the implementation of the policy.		12
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an accurate accident investigation procedure.	Develop an accident investigation procedure and include all the necessary elements to find the root causes and to prevent the reoccurrence of the accident.		12
Mar-22	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigate, monitor and measure OSH issues	Perform regular review of the management system document to monitor performance and ensure that objectives are being met.		12

Mar-22	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedure is not accurate.	Review the grievance policy to include the missing elements such as review and appeal process, communication of changes made.		12
Mar-22	Contracts and Human Resources	Employment Contracts	Employer does not takes action to investigate violations of HR policies and procedures.	Perform an assessment of HR policy to identify weaknesses and make the necessary adjustments. Investigate HR violations and establish a monitoring system to follow up and prevent a repeat of those violations.		12
Mar-22	Contracts and Human Resources	Employment Contracts	HR policies and procedures are not properly communicated.	Revie the HR policy and procedures to include induction training for workers. Provide training to HR staff on the implementation of the policy.		12
Mar-22	Working Time	Regular Hours	Regular working hours exceed the legal limit.	Update the internal work rules and comply the working hours mandated by the labor code. (48 Hours)		32
Mar-22	Occupational Safety and Health	Emergency Preparedness	Obstructed emergency exits and routes in in several areas.	Keep all emergency exits and routes free from obstructions.		32
Mar-22	Occupational Safety and Health	Health Services and First Aid	First aid boxes were not readily accessible in building 52.	Ensure that all first aid boxes are readily accessible. Post the name and pictures of the persons in charge of the first aid boxes in a visible space next to the boxes.		32
Mar-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Increase the number of medical personnel to comply with the labor code.		32
Mar-22	Occupational Safety and Health	Health Services and First Aid	Factory did not provide medical checks twice a year, for workers exposed to work-using chemical and hazardous products.	Medical check up has to be done twice for all the workers exposed chemical and hazardous products.	First medical check has been done last February. Next medical check is planed for the month of August 2022	12

Mar-22	Occupational Safety and Health	Health Services and First Aid	Newly hired workers do not received the health card within the first 3 month of hiring.	Follow up with OFATMA to pay for the health card (CDS).	Factory has paid for the health cards. OFATMA has delivered 90% of the required cards on June 9th. Factory has already delivered the available cards to the workers	12
Mar-22	Occupational Safety and Health	Welfare Facilities	Insufficient space at the eating area of the factory.	Provide an adequate space that can accommodate all the workers during lunch time or schedule different lunch break periods.		32
Mar-22	Occupational Safety and Health	Welfare Facilities	Soap and paper were not readily available in one building.	Provide soap and paper for the workers in all the buildings.	Factory has made the correction after the assessment There is one person available on each building responsible for the toilets,	32
Mar-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase to number of toilet to have at least 1 per every 15 women and 1 for every 25 men.		32
Mar-22	Occupational Safety and Health	Working Environment	Debris of cloth materials scattered in the workplace.	Keep the workspace clean and tidy.	Factory has made corrections	12
Mar-22	Occupational Safety and Health	Working Environment	Light levels were inappropriate in all the working sections.	Ensure the lighting is adequate and adapted to worker's needs.		32
Mar-22	Occupational Safety and Health	Working Environment	The noise level in one areas of the workspace exceeded 90 db.	Take appropriate measures to keep the noise level below 90db.		32
Mar-22	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		32
Mar-22	Occupational Safety and Health	Worker Protection	No register was available for all persons with a temperature of 38C and above.	Check all workers' and visitors' temperature at the entrance. Keep a registry for people presenting a temperature of 38 C and above.		12
Mar-22	Occupational Safety and Health	Worker Protection	No training was provided to all staff on Covid-19.	Provide training or awareness raising to all staff on the prevention of COVID-19.		12

Mar-22	Occupational Safety and Health	Worker Protection	Assessors noticed a half-open tank with no safety warning.	Post safety warning on all fuel tanks.	Correction has been made after the assessments,	12
Mar-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Perform proper maintenance on the electrical system.	Right after this work, corrections has been made.	32
Mar-22	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide all workers with the necessary PPE to protect them during work hours.	PPE are available for all workers, however factory is doing more training for the workers to encourage them to use the materials.	12
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not have appropriate spot cleaning area.	Isolate the spot cleaning area away from the workers.	Management took immediate action and it was corrected.	12
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available for some products used in the workplace.	Translate MSDS in the local language and post them where chemical products are used and stored.	Factory has put MSDS for the product that will be used on the generator room.	32
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.	Corrections has been made after the assessment.	32
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update and maintain the inventory of chemical products used in the workplace.	Inventory has been updated and shared with EA.	32
Mar-22	Contracts and Human Resources	Termination	Inaccurate annual salary supplement or bonus upon termination calculation.	Calculate annual salary supplement or bonus payment based on worker's average daily earnings.		19
Mar-22	Contracts and Human Resources	Termination	Inaccurate unused annual leave calculation upon termination.	Calculate annual payment based on worker's average daily earnings.		19
Mar-22	Contracts and Human Resources	Termination	Inaccurate notice period payment.	Calculate the payment for the notice period based on worker's average daily earnings.		19
Mar-22	Contracts and Human Resources	Employment Contracts	Foreign worker's contract does not include the employer's information as well as the employee's salary.	Review the foreign workers contract to include all the missing information.		9
Mar-22	Compensation	Social Security and Other Benefits	The calculation of the annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break and include it in the calculation of the average daily earnings.		19

Mar-22	Compensation	Social Security and Other Benefits	The factory sends the worker's pay slip to OFATMA the last three months. However the calculation of the average daily earning is not correct.	Pay the lunch break and include it in the calculation of the average daily earnings.		9
Mar-22	Compensation	Social Security and Other Benefits	Inaccurate calculation of workers' and employer's contribution for ONA.	Pay the lunch break and include it in the calculation of the average daily earnings.		19
Mar-22	Compensation	Social Security and Other Benefits	Inaccurate calculation of workers' and employer's contribution for OFATMA.	Pay the lunch break and include it in the calculation of the average daily earnings.		19
Mar-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break as required by the 3*8 law.		19
Mar-22	Compensation	Paid Leave	The calculation of the annual leave payment is incorrect because it does not include the lunch break payment.	Pay the lunch break as required by the 3*8 law.	Management explained that they calculated the annual leave according to the bonus but they will make changes in their payroll system.	
Mar-22	Compensation	Paid Leave	Inaccurate payment of maternity leave.	Pay the lunch break and include it in the calculation of the average daily earnings, for maternity leave payment.		19
Mar-22	Compensation	Paid Leave	Inaccurate payment of sick leave.	Pay the lunch break and include it in the calculation of the average daily earnings, for sick leave payment.		19

BETTER WORK HAITI – 26TH SYNTHESIS REPORT



Factory: MD Industries
Location: Ouanaminthe
Number of workers: 4,649
Date of registration: Jan-20
Date of last two Better Work assessments: Jun-22 Jun-23

Advisory and Training Services

12-Apr-23	Training	Chemical Management System
12-Apr-23	Advisory meeting	To conduct OSH tour and identify hazards on emergency preparedness, chemical and electrical safety. Session on management systems gap analysis.
11-Apr-23	Training	PNCs & Management System
23-Mar-23	Advisory meeting	To present the OSH policy and OSH factory tour to identify area of improvements. Session on OSH KPI and chemical handling procedure.
2-Feb-23	Advisory meeting	To validate pending issues on emergency preparedness, Bipartite meeting and meeting with Union leaders regarding workplace concerns.
25-Nov-22	Virtual advisory meeting	Virtual OSH tour on chemical management, meeting with Union leaders on CBA violation, Session with the compliance team to validate the portal.
17-Nov-22	Training	Virtual Introduction to Workers Rights & Responsibilities
13-Sep-22	Virtual advisory meeting	Management meeting on Publicly reported issues, session on First Progress report and review of the improvement plan.
31-Aug-22	Training	BWH-TNG HIV/AIDS
29-Aug-22	Training	Supervisory Skills (SST)
19-Aug-22	Training	Bipartite Committee

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment June 2023						
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is incomplete.	Assign a person, responsible for updating inventories of hazardous substances in the various locations where they are stored or used.		27
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals products found in the workplace.	Define who controls the chemical container upon receipt from supplier and control the labeling.		27
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS not available for all chemical product used in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		27
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper conditions to prevent unnecessary exposure of workers to chemical products.	Improve isolation from the chemical (e.g. separate room for spot cleaning).		27

Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash stations are not available in all areas where chemical products are used.	Install eye wash facilities where chemicals are used. Include this aspect in the daily and weekly checks.	Weekly checklist and portable wash bottle in all the station that use chemical.	27
Jun-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Failure to implement several provisions of the CBA.	Register all employees to OFATMA for work related Accidents, maternity and health insurance. Provide chairs with back rest to all workers and allocate chair for standing workers.		12
Jun-23	Occupational Safety and Health	Emergency Preparedness	Undercharged, obstructed and missing fire extinguishers in several areas of the workplace.	Install adequate firefighting equipment in the workplace.		27
Jun-23	Occupational Safety and Health	Emergency Preparedness	Several escape routes were obstructed.	Provide additional space for storing goods.		27
Jun-23	Occupational Safety and Health	Emergency Preparedness	The factory has not conducted fire drills every six months in all buildings.	Conduct at least 2 emergency drill per calendar year. Insert the drills in the OSH annual training plan.		27
Jun-23	Occupational Safety and Health	Emergency Preparedness	Sources of ignition are not properly safeguarded.	Ensure that sources of ignition are properly protected.	Sign are posted in all the area at the factory prohibiting the connection of lamps, electronic equipment. and cellphones.	27
Jun-23	Contract and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor (MAST), as legally required.	Send the apprentice contracts to the Ministry of Labor (MAST) for approval.		12
Jun-23	Contract and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor.	Review the internal work rules. Send the document to MAST for approval. Ensure that all the pages are stamped.	The factory is waiting the response of MAST.	12
Jun-23	Contract and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include Induction all the necessary steps.	Conduct Induction training for workers. Provide Staff training on how to carry out policies and procedures. Display policies and internal regulations in the factory.		12
Jun-23	Contract and Human Resources	Employment Contracts	Human Resource management system document were not available at the time of the assessment visit.	Develop a procedure on HR performance indicators. Have in place a monitoring systems.		12
Jun-23	Contract and Human Resources	Employment Contracts	The factory recruitment procedure is not adequate.	Develop a recruitment procedure, that includes all the necessary elements.		12
Jun-23	Contract and Human Resources	Employment Contracts	The grievance procedure is not adequate.	Include in the procedure communication of changes made and resolution.		12

Jun-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Set up a clinic approved by the Authorities or Hire the required medical staff.		27
Jun-23	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less 10 percent of the workforce.	Provide additional training on first aid to workers.		27
Jun-23	Occupational Safety and Health	OSH Management Systems	Structural safety certificates are not available for all the buildings.	Request a structural safety certificate from the city council certifying the structure of the buildings meets the safety requirements for an industrial structure.		12
Jun-23	Occupational Safety and Health	OSH Management Systems	The factory does not effectively communicates and implements OSH policies.	Display OSH policies and work instructions in the workplace. Post of evacuation plans in all buildings		12
Jun-23	Occupational Safety and Health	OSH Management Systems	The employer does not investigates monitors and measures OSH issues.	Investigates monitors and measures OSH issues through: Regular test, survey and inspections.		12
Jun-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Develop an accident investigation procedure that includes: Implementation of changes in order to avoid reoccurrence.	The factory has developed and implemented an accident investigation procedure that includes, Root cause analysis, Focus on sustainable solutions.	12
Jun-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH policy that is signed by top management and developed in consultation with workers and their representatives.	Develop the policy in consultation with workers and their representatives which include measurable objectives and improvement targets.		12
Jun-23	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings.	Ensure that annual leave payment is calculated on average earnings.	The factory made some changes and annual leave payment is calculated based on worker's average daily earnings.	27
Jun-23	Compensation	Paid Leave	Sick leave is not compensated based on the average earnings.	Register the workers to OFATMA maternity and health insurance. Send workers' pay slip to OFATMA for sick leave payment.		27
Jun-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	Register the workers to OFATMA maternity and health insurance. Send workers' pay slip to OFATMA for maternity leave payment.		27
Jun-23	Working Time	Regular Hours	The factory's working hours for all shifts, are not posted in all the buildings.	Post the factory's working hours for all shifts including break time.	The working hour is included in the compliance weekly checklist.	27

Jun-23	Working Time	Regular Hours	Time records is not accurate.	Have an accurate and detailed payroll system.		27
Jun-23	Compensation	Social Security and Other Benefits	ONA deduction are based on the minimum salary.	Calculate ONA deduction on Workers' basic salary Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		27
Jun-23	Compensation	Social Security and Other Benefits	The factory is not register for OFATMA maternity and health insurance.	Discuss legal requirements with the General Manager. Register with OFATMA for maternity and health insurance.		27
Jun-23	Compensation	Social Security and Other Benefits	Employer's contributions to ONA are based on minimum salary.	Calculate ONA deduction on Workers' basic salary Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		27
Jun-23	Compensation	Social Security and Other Benefits	The factory is not register for OFATMA maternity and health insurance.	Register with OFATMA for maternity and Health insurance.		27
Jun-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		27
Jun-23	Compensation	Wage Information, Use and Deduction	The time records between the payroll and attendance record did not match.	Have an accurate and detailed payroll system.		27
Jun-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as required by law.		27
Jun-23	Occupational Safety and Health	Welfare Facilities	The employer does not have its own eating area, instead workers use the communal eating areas shared with other factories within CODEVI (industrial park).	Provide an eating Area that can accommodate all the workers.		27
Jun-23	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		27
Jun-23	Occupational Safety and Health	Worker Protection	25 percent of the single-needle machines in one building were missing their finger guards.	Install the finger guards on single-needle machines.	The factory has developed a Weekly inventory by area.	27

Jun-23	Occupational Safety and Health	Worker Protection	The emergency light is not working in one of the forklifts.	Develop a preventive maintenance plan. Add this aspect in the daily and weekly check.		27
Jun-23	Occupational Safety and Health	Worker Protection	Industrial platform ladder missing one side rail of at least 0.90m as recommended by the labor Code.	Develop a preventive maintenance plan. Add this aspect in the daily and weekly check.		1
Jun-23	Occupational Safety and Health	Working Environment	Lux level is insufficient in the workplace.	Increase the lux level with additional light. Specify who is in charge of regular maintenance of the lights and conduct regular measurement of temperature & compare with threshold value.		27
Jun-23	Occupational Safety and Health	Working Environment	Temperature level exceed 30 C in the workplace.	Increase the ventilation with additional fans. Specify who is in charge of regular maintenance of the fans and conduct regular measurement of temperature & compare with threshold value.		27
Jun-23	Occupational Safety and Health	Working Environment	The waste area is not clean and tidy. Workers close to it complained about the smell.	Hire additional cleaners and improve the housekeeping of the workplace		2
Assessment June 2022						
Jun-22	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Register all employees to OFATMA for work related Accidents, maternity and health insurance. Provide chairs with back rest to all workers and allocate chair for standing workers.		5
Jun-22	Compensation	Wage Information, Use and Deduction	Some supervisors and workers did not punch in and out. However, they had time for normal hours including overtime in their payroll record.	1. Have a single time record 2. Keep working time records for at least 12 months		20
Jun-22	Compensation	Paid Leave	The calculation of annual leave payment does not include the lunch break payment.	Discuss legal requirements with the General Manager, pay the lunch break and include it in the calculation of annual leave		20
Jun-22	Compensation	Paid Leave	Sick leave is not compensated based on the average earnings and it does not include the lunch break payment.	Discuss legal requirements with the General Manager, pay the lunch break and include it in the calculation of sick leave.		20
Jun-22	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave.	Pay the lunch break. Ensure that workers are registered with OFATMA for maternity and Health insurance.		20

Jun-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Discuss legal requirements with the General Manager and pay the lunch break.		20
Jun-22	Compensation	Paid Leave	The factory does not pay annual leave, sick leave and maternity leave correctly.	Discuss legal requirements with the General Manager and pay the lunch break.		20
Jun-22	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break and include the payment in the calculation of annual salary supplement.		20
Jun-22	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	Send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.		20
Jun-22	Compensation	Social Security and Other Benefits	The employer collect and forward the workers' and employers' contributions to ONA, based on the minimum salary.	Pay the lunch break, then forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		5
Jun-22	Compensation	Social Security and Other Benefits	They factory did not collect workers' contributions for OFATMA Maternity and Health insurance.	Pay the lunch break, then forward worker's and employers' contribution to OFATMA within the first 10 business days of the next month for the previous month.		20
Jun-22	Contract and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Review the internal work rules. Send the document to MAST for approval. Ensure that all the pages are stamped.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	Management has submitted only 7 months of work related accident to OFATMA.	Declare accidents to OFATMA monthly.		20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical products is not accurate.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous products found in the workplace.	Define who control the chemical container on receipt from supplier and control the label.		20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS were not available for all chemical and hazardous products used in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper conditions to prevent unnecessary exposure of workers to chemicals as it is not an isolated area.	Improve isolation from the chemical (e.g. separate room for spot cleaning).		20

Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash has been installed near the mechanic shop where chemical products are used.	Improve effectiveness of eyewash station and provide eye wash bottles.		20
Jun-22	Occupational Safety and Health	Worker Protection	The factory has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		20
Jun-22	Occupational Safety and Health	Worker Protection	90 percent of the single-needle machines in MD4 were missing their finger guards.	Define who is in charge of installing and regularly maintaining the machine guards.		20
Jun-22	Occupational Safety and Health	Worker Protection	The factory does not systematically check all workers' and visitors' body temperature upon entry.	Check the body temperature of all workers as well as visitors.		5
Jun-22	Occupational Safety and Health	Worker Protection	It was observed that several chairs in the sewing areas are missing backrest.	Provide chairs with backrest for all workers. Add this aspect in the daily or weekly checks.		5
Jun-22	Occupational Safety and Health	Working Environment	Workplace temperature exceed Better Work recommended limit of 30 C.	Take action to reduce the temperature (opening in the roof, water curtain, additional fans).		20
Jun-22	Occupational Safety and Health	Working Environment	Lux level is insufficient in all sections.	Ensure that the factory meets the following requirements: A minimum of 300 lux for Pressing section, 500 lux for Sewing, cutting, packing and 750 lux for Trimming, Inspection.		20
Jun-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Discuss legal requirements with the General Manager. Increase the number of toilets as required by law.		20
Jun-22	Occupational Safety and Health	Welfare Facilities	The employer does not have its own eating area. Instead, workers use the communal eating areas shared with other factories within CODEVI (industrial park).	Ensure the factory has its own eating area that can accommodate all the workers.		20
Jun-22	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Hire the required medical staff.		20
Jun-22	Occupational Safety and Health	Health Services and First Aid	Four first aids boxes are missing items listed on the checklist. In addition one first aid box was obstructed.	Equip first aid box and define responsibility for refilling.		20

Jun-22	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less 10 percent of the workforce as recommended by Better Work.	Train at least 10 percent of the workforce.		20
Jun-22	Occupational Safety and Health	Emergency Preparedness	Fire extinguisher are not properly maintained.	Mark on the floor areas that should remain unobstructed and provide additional space for storing goods.		20
Jun-22	Occupational Safety and Health	Emergency Preparedness	Evacuation route is not clearly marked.	Paint evacuation arrows and signs. Identify the meeting point and ensure it visible to workers in case of emergency.		20
Jun-22	Occupational Safety and Health	Emergency Preparedness	The factory has not conducted an emergency drill every 6 months.	Conduct at least 2 emergency drill per calendar year with the authorities (incl. full evacuation of the workforce).		20
Jun-22	Working Time	Regular Hours	The regular working hours are exceed the legal limit.	Ensure that the weekly regular working hours which include the daily break do not exceed 48 hours per week.		20
Jun-22	Working Time	Regular Hours	A review of the working time record and interviewed with workers revealed discrepancies in the time record.	Have an accurate attendance recording system.		20
Jun-22	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Develop a procedure for pregnant women. Inform workers of their rights.		20
Jun-22	Contract and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include : Staff training on how to carry out policies and procedures.	Provide staff training on how to carry out policies and procedures.		5
Jun-22	Contract and Human Resources	Employment Contracts	The employer does not investigate violations of HR policies and procedures.	Develop a procedure on HR performance indicators. Have in place a monitoring systems to identifies weaknesses and make necessary adjustments to prevent reoccurrence.		5
Jun-22	Contract and Human Resources	Employment Contracts	The grievance procedure does not ensure anonymity.	Review the grievance procedure to ensure anonymity and translate it in local language.		5
Jun-22	Contract and Human Resources	Employment Contracts	Recruitment procedure is not adequate.	Develop an appropriate recruitment procedure.		5

Jun-22	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of worker training relevant to assigned tasks.	Provide Worker training relevant to assigned tasks - Train the OSH committee - Post names of OSH committee members - Post policies and work instructions		5
Jun-22	Occupational Safety and Health	OSH Management Systems	Management does not implement the followings: - Logging and analysis of violations of procedures.	Investigates monitors and measures OSH issues through: - Regular test, survey and inspections - Logging and analysis of violations of procedures.		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate accident investigation procedure.	Develop an accident investigation procedure that includes: - Root cause analysis - Focus on sustainable solutions - Implementation of changes in order to avoid reoccurrence		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedure.	Develop a hazard/risk management and control procedure that includes: A systematic approach to identifying hazards.		5
Jun-22	Occupational Safety and Health	OSH Management Systems	The OSH policy does not establish measurable objectives and improvement targets.	Develop an OSH policy in consultation with workers' representative and establish measurable objectives.		5

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: MGA Haiti S.A.
Location: Port-au-Prince
Number of workers: 1520
Date of registration: Oct-09
Date of last two Better Work assessments: Mar-22 Feb-23

Advisory and Training Services

28-Jul-23	Training	Virtual Sexual Harassment Awareness and Prevention for Middle Management
10-Jun-23	Advisory meeting	Advisory summary session: Virtual meeting with the bipartite committee to discuss: - the new improvement plan - the root causes and necessary corrective actions.
27-Feb-23	Advisory meeting	Advisory summary session: - Reviewed several documents to identify the improvement made by the factory - I completed the purchasing practices survey with the factory management. Meeting Bipartite committee: to get an update on the factory situation.
27-Feb-23	Training	Virtual Purchasing Practices Training
27-Jan-23	Training	Workplace Cooperation & Communication
11-Nov-22	Training	Virtual Introduction to Workers Rights & Responsibilities
28-Oct-22	Training	Virtual Introduction to Workers Rights & Responsibilities
30-Aug-22	Virtual advisory meeting	Meeting with Bipartite Committee to review: - The improvement plan comments. - Training needed for the new members, to be able to participate on the improvement process.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment February 2023						
Feb-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances was not available at the time of the assessment visit.	Ensure that documentation is available during the evaluation period.	The factory shares the inventory with the assessor during the advisory visit.	45
Feb-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace		45
Feb-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.	Building 11 is no longer used as a sewing floor, now they use it as a warehouse.	45
Feb-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not have appropriate spot cleaning area.	The factory needs to have an isolated area for the spot cleaning.		26

Feb-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not operational in several section in the factory.	The factory needs to install eyewash station in all areas where chemical products are used.	The factory has fixed the eye wash issues in building 17. Building 11 is no longer used as a sewing floor, now they use it as a warehouse.	17
Feb-23	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers were not properly maintained	Provide adequate firefighting equipment and Ensure regular maintenance is done	The factory has fixed the fire extinguisher issues in building 17. Building 11 is no longer used as a sewing floor, now they use it as a warehouse.	62
Feb-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several areas.	Keep all aisles free from obstructions.		17
Feb-23	Occupational Safety and Health	Emergency Preparedness	Source of ignition not properly safeguarded.	Ensure that all source of ignition are properly safeguarded.	The factory removed the source of ignition inside the wooden box.	17
Feb-23	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedure does not include all the necessary steps. disciplinary processes.	Review the procedure to include details on the workers' rights to defend themselves prior to termination, and to representation during disciplinary processes.		17
Feb-23	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedure does not include all the necessary elements.	Review the procedure to include details on the workers' rights to defend themselves prior to termination, and to representation during disciplinary processes.		17
Feb-23	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place in the factory.		17
Feb-23	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR performance review.		17
Feb-23	Contracts and Human Resources	Employment Contracts	Foreign worker's contract does not include the employer's information as well as the employee's salary.	Review the foreign workers contract to include all the missing information.		17

Feb-23	Occupational Safety and Health	Health Services and First Aid	Newly hired workers do not received the health card within the first 3 month of hiring.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		54
Feb-23	Occupational Safety and Health	Health Services and First Aid	Factory did not provide medical checks twice a year, for workers exposed to work-using chemical and hazardous products.	Medical check up has to be done twice for all the workers exposed chemical and hazardous products.		54
Feb-23	Occupational Safety and Health	Health Services and First Aid	Factory did not provide annual medical checks to workers	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		54
Feb-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical personnel.	Hire additional nurses to comply with the labor code.		62
Feb-23	Occupational Safety and Health	Health Services and First Aid	First aid boxes were not readily accessible in some buildings and several products were expired in the clinic.	The factory needs to designate a person to monitor the inventory of the first aid boxes.		42
Feb-23	Occupational Safety and Health	OSH Management Systems	The structural safety certificate was not available.	Request a structural safety certificate from the city hall.		17
Feb-23	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		17
Feb-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a written accident investigation procedure that includes all the requirements.	Update the accident investigation procedure and include the implementation of changes in order to avoid reoccurrence.		17
Feb-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update the hazard/risk management and control procedure and include a risk register that drives the implementation of controls.		17
Feb-23	Occupational Safety and Health	OSH Management Systems	The factory did not provide any evidence of OSH assessments reports for the last 12 months.	Conduct and keep records of the assessment result on a monthly basis.		17

Feb-23	Compensation	Overtime Wages	Inaccurate overtime payment	Ensure that the attendance records is available during the evaluation period for overtime verification payments.		17
Feb-23	Compensation	Overtime Wages	Inaccurate overtime payment	Ensure that the attendance records is available during the evaluation period for overtime verification payments all ordinary overtime.		17
Feb-23	Compensation	Paid Leave	Inaccurate annual leave payment.	Pay annual leave based on average earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	26
Feb-23	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	26
Feb-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	17
Feb-23	Compensation	Paid Leave	Lunch break is not compensate in the payroll.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	57
Feb-23	Compensation	Premium Pay	Inaccurate overtime payment	Ensure that the attendance records is available during the evaluation period for overtime verification payments worked on weekly rest day.		4
Feb-23	Compensation	Premium Pay	Inaccurate overtime payment	Ensure that the attendance records is available during the evaluation period for overtime verification payments worked on legally mandated holidays.		4
Feb-23	Working Time	Regular Hours	Regular working hours did not meet legal requirements.	Modify the internal work rules and ensure the regular working hours do not exceed 48 hours per week	The June 13 decree suspends the 3*8 law. Now the lunch break is not include in the regular working hours.	17
Feb-23	Working Time	Regular Hours	The required break was not provided to pregnant women.	Give the legally required break to all pregnant women.		17

Feb-23	Working Time	Regular Hours	Attendance records was not available during the assessment.	Ensure that documentation is available during the evaluation period.		4
Feb-23	Compensation	Social Security and Other Benefits	Inaccurate payment to OFATMA for work-related accident insurance. .	Complete the payment for OFATMA work related accident for the fiscal year 2022-2023.	The factory completed the payment for work related accident.	26
Feb-23	Compensation	Social Security and Other Benefits	Inaccurate annual leave payment.	Pay annual leave based on average earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	57
Feb-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for OFATMA payment is inaccurate	Calculate employers' contributions for OFATMA on the basic salary.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	13
Feb-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for OFATMA payment is inaccurate	Calculate employers' contributions for OFATMA on the basic salary.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	13
Feb-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate	Calculate employers' contributions for ONA on the basic salary.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	57
Feb-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate	Calculate Workers' contributions for ONA on the basic salary.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	57
Feb-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		26
Feb-23	Contracts and Human Resources	Termination	The employer did not provide the list of terminated workers for the past 12 months.	Ensure that documentation is available during the evaluation period.		4
Feb-23	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period does not include the lunch break payment.	Pay the applicable notice period and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	26
Feb-23	Contracts and Human Resources	Termination	The calculation for unused paid annual leave upon termination does not include the lunch break payment.	Pay the unused paid annual leave upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	26

Feb-23	Contracts and Human Resources	Termination	The calculation of the annual salary supplement or bonus upon termination does not include the lunch break payment.	Pay workers their annual salary supplement upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	26
Feb-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets for men and women.		62
Feb-23	Occupational Safety and Health	Welfare Facilities	Soap was not available in men's and women's toilets.	Ensure that soap is available in men toilets during working hours including overtime.		17
Feb-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper PPE to all workers, including weight lifting belts Gloves, boots and apron		17
Feb-23	Occupational Safety and Health	Worker Protection	Sewing machines were missing pulley guards.	Install the proper safety guards on all machines.		62
Feb-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Improve the electrical maintenance and Create a maintenance log		45
Feb-23	Occupational Safety and Health	Worker Protection	Assessors observed that standing workers were not provided with ergonomic mats.	Provide standing mats or foot rests to all standing workers.	Factory provided shock absorbing mats to all standing workers, and Building 11 is no longer used as a sewing floor, now they use it as a warehouse	26
Feb-23	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		62
Feb-23	Occupational Safety and Health	Working Environment	light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		62
Feb-23	Occupational Safety and Health	Working Environment	The aisles in the cutting section were not clean and tidy.	Ensure that aisles are clean and tidy in the cutting section.	The factory keeps the aisles in the cutting section clean and tidy by placing garbage bins in this section.	16
Assessment February 2022						
Feb-22	Compensation	Minimum Wages/Piece Rate Wages	Factory paid workers less than the minimum.	Fix the accounting system and apply the new minimum wage for all workers.	Corrections have been made for all workers.	10

Feb-22	Compensation	Overtime Wages	Factory paid workers incorrectly for overtime hours worked.	Fix the accounting system and pay workers the correct amount for overtime worked.	Corrections have been made for all workers.	10
Feb-22	Compensation	Paid Leave	Inaccurate annual leave payments.	Calculate annual leave on worker's daily average earnings by including the lunch break payment.		19
Feb-22	Compensation	Paid Leave	Inaccurate sick leave payment.	Calculate sick leave on worker's average daily earnings by including the lunch break payment.		19
Feb-22	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings by including the lunch break payment.		10
Feb-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the daily lunch break accurately to all workers.		50
Feb-22	Compensation	Social Security and Other Benefits	The factory did not share any proof of payment for OFATMA work related accident insurance.	Factory need to register with OFATMA for work related accident insurance and pay the fiscal year.		19
Feb-22	Compensation	Social Security and Other Benefits	Inaccurate annual salary supplement or bonus payments.	Calculate annual salary supplement or bonus payment based on worker's average daily earnings.		50
Feb-22	Compensation	Social Security and Other Benefits	The factory sends inaccurate worker's pay slip to OFATMA.	The factory must pay for the lunch break and include it in the payment calculation.		19
Feb-22	Compensation	Social Security and Other Benefits	The calculation for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the average salary, include the lunch break payment and forward it on time.		50
Feb-22	Compensation	Social Security and Other Benefits	The calculation for OFATMA payment is inaccurate and payments are made late consistently.	Calculate OFATMA contributions on the average salary, include the lunch break payment and forward it on time.		6

Feb-22	Contract and Human Resources	Termination	Inaccurate notice period upon termination.	Factory needs to apply the law and pay the lunch break.		19
Feb-22	Contract and Human Resources	Termination	Inaccurate unused paid annual leave upon termination.	Factory needs to apply the law and pay the lunch break.		19
Feb-22	Contract and Human Resources	Termination	Inaccurate annual salary supplement or bonus payments upon termination.	Factory needs to apply the law and pay the lunch break.		19
Feb-22	Occupational Safety and Health	OSH Management Systems	The factory does not perform OHS self-assessment on a monthly basis.	The factory need to perform OHS self-assessment on a monthly basis.		10
Feb-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.	The factory has a system in place to maintain an up-to-date inventory.	38
Feb-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.	The factory has labelled all containers of chemicals and hazardous substances in the workplace.	38
Feb-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.	The factory post MSDS in local language for all chemical products used in the workplace.	38
Feb-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not have appropriate spot cleaning area.	The factory needs to have an isolated area for spot cleaning.	The factory has restricted access to other workers in the spot cleaning area.	19
Feb-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eyewash does not work in spot cleaning area.	Install functioning eye wash stations in all places where chemical and hazardous substances are used.	The factory repaired the eyewash in the Spot cleaning area.	10
Feb-22	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	The factory needs to provide proper PPE to all workers using chemical products.	The factory provides safety belts and gloves to all workers.	10
Feb-22	Occupational Safety and Health	Worker Protection	Several sewing machines are missing eye guards and pulley guards.	The factory needs to ensure that all machine have the proper safety guards.	The factory has installed appropriate safety guards on all machines.	55

Feb-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all electrical panel are properly maintained.	The factory fixed the exposed wire issues and labelled all circuit breakers in the boiler room.	38
Feb-22	Occupational Safety and Health	Worker Protection	The factory did not provide Covid-19 training to staff.	Factory needs to provide training to all staff on Covid-19.	The factory offers training to staff.	19
Feb-22	Occupational Safety and Health	Worker Protection	Factory does not systematically check workers' and visitors' body temperature upon entry.	Factory needs to check the body temperature of all workers as visitors Maintain register available for all persons with a temperature of 38 C. and above		19
Feb-22	Occupational Safety and Health	Worker Protection	The factory did not provide shock-absorbing mats to workers.	Factory needs to provide shock absorbing mats to all standing workers.		19
Feb-22	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.	Fans have been installed, in order to lower the temperature.	55
Feb-22	Occupational Safety and Health	Working Environment	Noise levels are not acceptable in the workplace.	Keep the noise level below 90db, as recommended by Better work.		10
Feb-22	Occupational Safety and Health	Working Environment	Light levels were inappropriate in all working sections.	Ensure the lighting is adequate and adapted to worker's needs.	The factory installed more lights.	55
Feb-22	Occupational Safety and Health	Working Environment	The workplace is not clean and tidy.	keep the factory floors clean and tidy. Fix the water leak in the generator room.	The factory fixed the water leak in the generator room.	10
Feb-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		55
Feb-22	Occupational Safety and Health	Welfare Facilities	Hand washing facilities and soap were not available.	Factory needs to install hand washing facilities and soap in the workplace.	The factory has installed hand washing facilities and soap in the workplace.	10
Feb-22	Occupational Safety and Health	Welfare Facilities	Eating area is not adequate to accommodate the entire workforce.	The factory needs to find an additional eating area to accommodate workers.		10

Feb-22	Occupational Safety and Health	Health Services and First Aid	Health checks was not provided to workers within the first three months of hiring.	Provide health checks to workers within the first three months of hiring.	Follow-up was done to fix an appointment with OFATMA for a check-up.	47
Feb-22	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Provide health checks to workers exposed to work-related hazards at least twice a year.	Follow-up was done to fix an appointment with OFATMA for a check-up.	47
Feb-22	Occupational Safety and Health	Health Services and First Aid	Free annual medical checks was not provided to workers.	Arrange free annual medical checks for all workers.	Follow-up was done to fix an appointment with OFATMA for a check-up.	47
Feb-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses to comply with the labor code.		55
Feb-22	Occupational Safety and Health	Health Services and First Aid	First aid boxes are missing basic items and contain expired products.	The factory need to monitor the first aid boxes and ensure that missing and expired items are replaced promptly.	The factory has fixed all first aid boxes.	35
Feb-22	Contract and Human Resources	Employment Contracts	The contract for foreign workers does not contain all the required information.	The factory should review the foreigner's contract and include the employer's information as well as the employee's salary.		10
Feb-22	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers were not properly maintained.	Provide adequate firefighting equipment and Ensure regular maintenance is done.	The factory has corrected all related issues with firefighting equipment.	55
Feb-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles and emergency exits.	Keep routes unobstructed during working hours.	All routes are unobstructed during working hours.	10
Feb-22	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of electrical panel.	Make sure electrical panels are properly maintained.		10
Feb-22	Working Time	Regular Hours	Regular working hours exceed the legal limit.	Revise the internal regulations and make sure that the regular hours do not exceed 48 hours per week.		10
Feb-22	Working Time	Regular Hours	Factory did not give two break of 30 minutes to pregnant workers	Provide additional breaks to pregnant women.		10

Feb-22	Working Time	Leave	Inaccurate maternity leave to pregnant workers.	Allow pregnant women to take 12 weeks of maternity leave as required by the labor code.		10
Feb-22	Contract and Human Resources	Employment Contracts	The factory's HR policies and procedures do not include staff training on how to carry out policies and procedures	Review the procedures to include Staff training on how to carry out policies and procedures		10
Feb-22	Contract and Human Resources	Employment Contracts	The employer does not take action to investigate violations of HR policies and procedures.	Review the policy to include procedures to investigate weaknesses and violations of HR policies and to make the necessary adjustments.		10
Feb-22	Contract and Human Resources	Employment Contracts	The disciplinary and termination procedures do not include all the necessary steps.	Review the actual procedure in order to include the time frame between warnings and payments, the right to defend oneself prior to termination and to representation during the disciplinary process.		10
Feb-22	Contract and Human Resources	Employment Contracts	The factory does not have a grievance handling and dispute resolution procedure that meets all the requirements.	Update and adjust the grievance policies and procedures.		10
Feb-22	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		10
Feb-22	Occupational Safety and Health	OSH Management Systems	The factory has a written accident investigation procedure that that includes all the requirements.	Review the accident investigation procedure to include the necessary step to avoid reoccurrence.		10
Feb-22	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		10

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: Pacific Sports Haiti S.A
Location: Port-au-Prince
Number of workers: 1,172
Date of registration: Oct-09
Date of last two Better Work assessments: Sep-21 Aug-22

Notes: Factory was closed parts of September, October and parts of November due to socio-political unrest.

Advisory and Training Services

17-Feb-23 Advisory meeting Meeting with workers' representative on general concerns at the factory level. Virtual OSH tour to validate pending issues. Documentation review Social security and OSH management systems.
 6-Sep-22 Advisory Meeting Elaborate the training plan and identify training for new workers. Present the improvement plan and OSH compliance performance.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment August 2022						
Aug-22	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigates monitors and measures OSH issues.	The factory's procedures lacks Regular management review of effectiveness of management system.		11
Aug-22	Working Time	Regular Hours	The regular working hours exceed the legal limits.	Revise the internal regulations and make sure that the regular hours do not exceed 48 hours per week.		22
Aug-22	Occupational Safety and Health	Emergency Preparedness	Evacuation maps do not reflect the layout of the floor. Escape routes are not clearly marked.	Paint evacuation arrows and yellow lines on the floor to show the exit pathway. Specify who conducts additional daily weekly checks (and include this in the system of daily weekly checks)	all the factory floors are already repainted.	22
Aug-22	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Hire additional medical staff to have at least 7 nurses for the current workforce.	The factory hired an additional nurse.	22
Aug-22	Occupational Safety and Health	Health Services and First Aid	Expired products found in the medical clinic.	Factory was advised to discard the expired product. Factory needs to assigns somebody to check the inventory on a regular basis	Management took immediate action to remove the product	11
Aug-22	Occupational Safety and Health	Welfare Facilities	The water provided to the workers is not being tested on a monthly basis.	Conduct the water test on a monthly basis and update the OSH policy.	Water test has been done on a monthly basis. evidence for the last 3 months has been shared.	22
Aug-22	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Increase the light level to reach 300 lux in Pressing section, 500 lux in Sewing, cutting, packing, 750 lux in trimming, Inspection section.	New lights are installed where needed in each section.	57

Aug-22	Occupational Safety and Health	Working Environment	Improper maintenance of building roof causes water filtration. Cardboard boxes were poorly stacked in the stock room of building 27.	Fix roof to avoid water leak. Organize the stock room.		11
Aug-22	Occupational Safety and Health	Working Environment	Workplace temperature level exceed 30 C in all buildings.	Increase the ventilation with additional fans.	Increased the ventilation with additional fans and adding more extractor in each building	131
Aug-22	Occupational Safety and Health	Worker Protection	Electrical wires are not properly maintained.	Properly support the electrical cable; Insulate the exposed electrical wires, Make sure that the door of the electrical panel is closed.	Already fixed Evidence shared	47
Aug-22	Occupational Safety and Health	Worker Protection	Workers were observed climbing the standing racks without stepladder and relevant protective equipment.	Provide appropriate step ladder or needed equipment for the workers. Provide training for the proper use of all equipment including PPE's . Keep training records.		11
Aug-22	Occupational Safety and Health	Worker Protection	Fuel tanks are not properly identified. Pictogram and warning signs missing.	Identify fuel tank, add pictograms pictogram and safety warnings.	Management took corrective action during the assessment visit	11
Aug-22	Occupational Safety and Health	Worker Protection	Standing workers were not provided with shock absorbing mats.	Provide anti fatigue mats for standing workers. Also provide sufficient break during which workers can sit down.	all workers are provided with anti fatigue mats. Evidence has been shared	22
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical products does not include the location where products are stored.	Assign a person responsible for updating inventories of hazardous substances in the various locations where they are stored or used.	The factory has made some changes in the chemical inventory.	22
Aug-22	Contracts and Human Resources	Termination	The calculation of bonus upon termination does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation of annual salary supplement or bonus upon termination.	The June 13 decree suspends the 3*8 law.	22
Aug-22	Contracts and Human Resources	Termination	The calculation of unused paid annual leave upon termination does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation for unused paid annual leave upon termination.	The June 13 decree suspends the 3*8 law.	22
Aug-22	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period. does not include the lunch break payment.	Discuss legal requirements with the General Manager Pay the lunch break and include it in the payment for the applicable notice period.	The June 13 decree suspends the 3*8 law.	22
Aug-22	Contracts and Human Resources	Contracting Procedures	The working contract of the security guards does not specify the working time including the shift schedule.	Review the contracts for the security guard to make sure it is in accordance with all legal requirements.		11

Aug-22	Contracts and Human Resources	Employment Contract	The factory's internal rules do not specify the category of employees and the applicable wage for the administrative staff.	Review the documents to include all legal requirements		11
Aug-22	Compensation	Social Security and Other Benefits	The calculation of bonus or annual salary supplement does not include the lunch break payment.	Discuss legal requirements with the General Manager Pay the lunch break and include it in the calculation of sick leave, maternity leave and annual leave.	The June 13 decree suspends the 3*8 law..	22
Aug-22	Compensation	Social Security and Other Benefits	The employer does not collect and forward workers contribution to OFATMA for maternity and health insurance.	Discuss legal requirements with the General Manager Register with OFATMA Include the lunch break in worker' contribution to OFATMA Collect and forward workers' contribution within the first 10 business days of the next month for the previous month	The Process in underway to finalize with the registration with OFATMA for maternity and health insurance	71
Aug-22	Compensation	Social Security and Other Benefits	The calculation of the workers' and employer's contribution to ONA does not include the lunch break payment.	Discuss legal requirements with the General Manager Pay the lunch break and Forward worker contribution to ONA within the first 10 business days of the next month for the previous month.	The June 13 decree suspends the 3*8 law.	22
Aug-22	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave, maternity leave and the daily break correctly.	Discuss legal requirements with the General Manager Pay the lunch break	The June 13 decree suspends the 3*8 law.	22
Aug-22	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	Discuss legal requirements with the General Manager Pay the lunch break	The June 13 decree suspends the 3*8 law.	22
Aug-22	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave when workers are entitled to 12 weeks of payment.	Register with OFATMA for maternity and health insurance.	The Process in underway to finalize with the registration with OFATMA for maternity and health insurance	47
Aug-22	Compensation	Paid Leave	The calculation of sick leave payments does not include the lunch break payment.	Discuss legal requirements with the General Manager Pay the lunch break and include it in the calculation of sick leave.	The June 13 decree suspends the 3*8 law.	22
Aug-22	Compensation	Paid Leave	The calculation of annual leave payment. Does not include the lunch break payment.	Discuss legal requirements with the General Manager Pay the lunch break and include it in the annual salary supplement.	The June 13 decree suspends the 3*8 law.	22

Assessment September 2021						
Sep-21	Working Time	Leave	Assessors found at least one case where the pregnant workers were provided more than 6 weeks before the delivery.	Have a procedure in place to request a medical certificate in case their physical state does not allow the pregnant worker to remain working until the 6 weeks before the delivery due date.		
Sep-21	Working Time	Regular Hours	The regular working hours are from 7:00 AM to 4:00 PM (including an hour of daily break), from Monday to Saturday, which is equivalent to 9 hours per day and 54 hours per week.	Revise the internal regulations and make sure that the regular hours do not exceed 48 hours per week.		
Sep-21	Occupational Safety and Health	Emergency Preparedness	Assessors observed a rechargeable electric bulb wrapped and hidden in cloth as it charged into a electrical outlet.	Identify electrical installations requiring warning signs. Post corresponding signs. Remind supervisors about their responsibility to enforce OSH in their area.	Signs of electrical hazards have been posted.	
Sep-21	Occupational Safety and Health	Emergency Preparedness	Fire drills are not performed twice a year.	Include the fire drill in the training plan. Ensure that the fire drill is conducted every 6 months.	The factory kept a registry for fire drill.	
Sep-21	Occupational Safety and Health	Emergency Preparedness	Escape routes were obstructed.	Provide additional training for supervisors and workers, rearrange the storage room. Keep escape routes free of obstruction.	A checklist has been implemented.	
Sep-21	Occupational Safety and Health	Emergency Preparedness	The escape routes are not clearly marked in all the buildings.	Paint evacuation arrows and yellow lines on the floor to show the exit pathway. Specify who conducts additional daily weekly checks.	A checklist has been implemented.	
Sep-21	Occupational Safety and Health	Emergency Preparedness	One fire extinguisher was undercharged.	Have a fire extinguisher suitable for the factory conditions. Develop a procedure for recharging the fire extinguishers.		
Sep-21	Occupational Safety and Health	Emergency Preparedness	The alarm system does not include emergency lights while the factory employs 44 deaf workers.	Have a fire detection and alarm system suitable for the factory conditions.	The fire detection and alarm system include emergency lights.	
Sep-21	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire additional medical staff to have at least 7 nurses for the current workforce.		
Sep-21	Occupational Safety and Health	Welfare Facilities	The water provided to the workers is not being tested on a monthly basis.	Conduct the water test on a monthly basis. Update the OSH policy.		
Sep-21	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Increase the light level to reach 300 lux in Pressing section, 500 lux in Sewing, cutting, packing. 750 lux in trimming, Inspection section.		

Sep-21	Occupational Safety and Health	Working Environment	Workplace temperature level exceed 30 C in all buildings.	Increase the ventilation with additional fans. Conduct regular measurement of temperature & compare with threshold value.		
Sep-21	Occupational Safety and Health	Worker Protection	Exposed electrical wires in the welding area.	Properly support the electrical cable; Insulate the exposed electrical wires, Make sure that the door of the electrical panel is closed.	The exposed wires have been insulated.	
Sep-21	Occupational Safety and Health	Worker Protection	Shock absorbing mats were not provided to all workers.	Provide anti fatigue mats for standing workers. Also provide sufficient break during which workers can sit down.		
Sep-21	Occupational Safety and Health	Worker Protection	Workers are not using proper personal protective equipment.	Define staff in charge of providing and renewing the PPE's. Provide employees with all necessary personal protective clothing and equipment.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer did not provide adequate washing facilities or cleansing materials in the welding area.	Install an eye wash station in the welding area.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical safety data sheets were not available in the welding area.	Keep chemical MSDS for all hazardous chemicals used in the workplace. Specify who is in charge of receiving MSDS from supplier. Verify the MSDS has the needed elements.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Unidentified containers of product found in several areas of the workplace.	Define who control the chemical container upon receipt from supplier and control the label. Define who is entitled to pour chemicals in other recipients and label them.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals is not accurate.	Assign a person responsible for updating inventories of hazardous substances in the various locations where they are stored or used.		
Sep-21	Contracts and Human Resources	Termination	The calculation of bonus upon termination does not include the lunch break payment.	Pay the lunch break and include it in the calculation of bonus upon termination.		
Sep-21	Contracts and Human Resources	Termination	The calculation of unused paid annual leave upon termination does not include the lunch break payment.	Pay the lunch break and include it in the calculation for unused paid annual leave upon termination.		
Sep-21	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period. does not include the lunch break payment.	Pay the lunch break and include it in the payment for the applicable notice period.		

Sep-21	Compensation	Social Security and Other Benefits	The employer pays workers for annual salary supplement or bonus. However, the calculation does not include the lunch break payment.	Pay the lunch break and include it in the calculation of sick leave, maternity leave and annual leave.		
Sep-21	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance. Therefore, the employer does not collect and forward workers contribution to the social security institution.	Register with OFATMA. Include the lunch break in worker' contribution to OFATMA. Collect and forward workers' contribution within the first 10 business days of the next month for the previous month.		
Sep-21	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance. Therefore, the employer does not contribute 3 percent of workers' basic salary to the social security institution.	Register with OFATMA. Include the lunch break in the employer contribution to OFATMA and ensure payment are done within the first 10 business days of the next month for the previous month.		
Sep-21	Compensation	Social Security and Other Benefits	The calculation of the workers' contribution to ONA does not include the lunch break payment.	Pay the lunch break and Forward worker contribution to ONA within the first 10 business days of the next month for the previous month.		
Sep-21	Compensation	Social Security and Other Benefits	The calculation of the employer's contribution to ONA does not include the lunch break payment.	Pay the lunch break and Forward worker contribution to ONA within the first 10 business days of the next month for the previous month.		
Sep-21	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave, maternity leave and the daily break correctly.	Discuss legal requirements with the General Manager. Pay the lunch break.		
Sep-21	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	Discuss legal requirements with the General Manager. Pay the lunch break.		
Sep-21	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave when workers are entitled to 12 weeks of payment.	Register with OFATMA for maternity and health insurance. Ensure workers are paid 12 weeks of maternity leave.		
Sep-21	Compensation	Paid Leave	The calculation of sick leave payments does not include the lunch break payment.	Pay the lunch break and include it in the calculation of sick leave.		
Sep-21	Compensation	Paid Leave	The calculation of annual leave payment. Does not include the lunch break payment.	Pay the lunch break and include it in the annual salary supplement.		

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: Palm Apparel S.A.
Location: Port-au-Prince
Number of workers: 1,009
Date of registration: Jan-11
Date of last two Better Work assessments: Mar-22 Mar-23

Advisory and Training Services

20-Jun-23	Advisory meeting	To identify root causes related to the last assessment. Virtual OSH tour of the new facility. Meeting with the bipartite committee to validate the implementation of the checklist for industrial park.
2-Mar-23	PICC Meeting	Meeting to identify the training needs and bipartite committee objectives.
2-Mar-23	Advisory meeting	To review pending issues related to social security, HR and OSH management systems, emergency preparedness. Meeting with workers' representative to discuss about general concerns and the improvement plan.
27-Jul-22	Virtual advisory meeting	To verify and validate the improvement made by the factory since the last assessment, Virtual OSH tour on emergency preparedness and workers' protection.
27-Jul-22	PICC Meeting	Meeting with the bipartite committee to present the last assessment findings.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment March 2023						
Mar-23	Child Labor	Documentation and Protection of Young Workers	The factory's management did not confirmed that all of its workers are hired on the basis of a government issued CIN Card (National Identification Card).	Keep copies of either a birth certificate or a national photo ID in each worker's file.	Copies of either a birth certificate or a national photo ID are available in each worker's file.	3
Mar-23	Compensation	Paid Leave	The Calculation of the payment for annual leave does not include the lunch break.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	16
Mar-23	Compensation	Paid Leave	Workers are entitled to full payment of sick leave. However, It does not include the lunch break payment in the calculation of the average salary.	Pay the lunch break	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	16
Mar-23	Compensation	Paid Leave	Workers are entitled to full payment of maternity leave. However, It does not include the lunch break payment in the calculation of the average salary.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	16
Mar-23	Compensation	Paid Leave	Workers are entitled to 1 hour daily break that is not compensated.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	16
Mar-23	Compensation	Social Security and Other Benefits	At the time of the assessment, the factory's management did not share the salary statement sent to OFATMA for work related accident for fiscal year 2022-2023.	Keep records of the salary statement sent to OFATMA. Pay OFATMA work related accident insurance on time.		70

Mar-23	Compensation	Social Security and Other Benefits	The calculation of the average salary for the payment an annual salary supplement or boni which does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	16
Mar-23	Compensation	Social Security and Other Benefits	The factory collects and forward workers' contribution to ONA. However, ONA deduction are based on the minimum salary and payment was made in June 2022.	Calculate ONA on the basic salary and Forward worker's contribution to ONA within the first 10 business days of the next month for the previous month.		140
Mar-23	Compensation	Social Security and Other Benefits	The factory submits the employer's portion of worker's salary to OFATMA for maternity and health insurance. However, OFATMA contributions are based on the minimum salary.	Forward worker's and employer's contribution to OFATMA maternity and health insurance within the first 10 business days of the next month for the previous month.		70
Mar-23	Compensation	Social Security and Other Benefits	The factory submits employer's contributions to ONA. However, ONA contributions are based on the minimum salary	Calculate ONA on the Basic salary. Then, forward employer's contribution to ONA within the first 10 business days of the next month for the previous month.		140
Mar-23	Compensation	Social Security and Other Benefits	The factory collects and forward workers' contributions to OFATMA for maternity and health insurance. However, OFATMA deductions are based on the minimum salary.	Forward worker's and employer's contribution to OFATMA maternity and health insurance within the first 10 business days of the next month for the previous month.		70
Mar-23	Compensation	Termination	The employer provides the payment for the applicable notice period. However, the calculation of the average earning does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	16
Mar-23	Compensation	Termination	The employer compensates workers for unused paid annual leave upon termination. However, the calculation of the average daily salary does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	16
Mar-23	Compensation	Termination	The employers pays workers their annual salary supplement upon termination. However, the calculation of the average daily salary does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	16

Mar-23	Occupational Safety and Health	OSH Management Systems	During the assessment visit, the factory did not share any structural safety certificate delivered by the city with the assessors.	Request a structural safety inspection from a construction firm or the city council.	The factory had asked the construction firm to provide the necessary document. The structural safety certificate is available.	16
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals found in the workspace.	Define who control the chemical container on receipt from supplier and control the label.	An internal verification was carried out in all sections to ensure that all containers had their labels.	16
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Management did not isolate the use of chemical substances in the spot cleaning section.	The factory needs to ensure that the use of chemicals are isolated from the floor.	The spot cleaning is totally isolated from the floor and contains a ventilation system.	16
Mar-23	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.	The masks have been provided to workers.	38
Mar-23	Occupational Safety and Health	Worker Protection	During the factory tour, assessors notice that the battery terminals in the generator are not properly protected.	The factory needs to ensure that the batteries terminals are insulated.	Every precaution has been taken to ensure that insulators are fitted over the battery terminals.	3
Mar-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets to comply with the law.		68
Mar-23	Occupational Safety and Health	Health Services and First Aid	Health checks within the first three months of employment are not in line with the legal requirements.	Pay the health cards. Coordinate with OFATMA to do the health checks		52
Mar-23	Occupational Safety and Health	Health Services and First Aid	Annual health checks are not in line with the legal requirements	Pay the health cards. Coordinate with OFATMA to do the health checks		52
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff for the current workforce.		52
Mar-23	Occupational Safety and Health	Health Services and First Aid	Document review reveals that the factory has trained less than 10% of the workforce in first-aid.	Train at least than 10% of the workforce in first-aid.		3
Mar-23	Occupational Safety and Health	Emergency Preparedness	Emergency exit and escape routes were obstructed.	The factory needs to assign responsibilities to someone to ensure that the emergency exits are unobstructed during work hours. The floor needs to be repainted.	The floor has been repainted. Arrows to identify the evacuation routes are in place and there are no cracks on the floor.	

Mar-23	Working Time	Regular Hours	The regular working hours are from 7 AM to 4:00 PM (including 60 minutes of daily break), 6 days per week, which is equivalent to 9 working hours per day and 54 hours per week.	Ensure that the regular hour do not exceed 48 h per week.	The June 13 decree suspends the 3 rd law. The lunch break is no longer part of the regular working hours.	16
Mar-23	Working Time	Regular Hours	The attendance record does not reflect the actual time worked.	Have an accurate attendance recording system.		3
Assessment March 2022						
Mar-22	Occupational Safety and Health	Emergency Preparedness	The factory did not conduct one fire drill every six month.	Conduct at least 1 emergency drill every six months. Insert the drills in the OSH annual training plan and Keep records of the drills.	The last fire drill was conducted in August 2022 and the one before that in march 2022.	31
Mar-22	Occupational Safety and Health	Emergency Preparedness	Evacuation routes are not properly identified.	Paint yellow lines on the floor to show the exit pathway- Specify who conducts additional daily weekly checks.	Repairs have been made such as arrows to identify the evacuation routes. The factory floor is marked, and the assembly point is indicated outside of the buildings.	31
Mar-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff to have at least 6 nurses for the current workforce.		45
Mar-22	Occupational Safety and Health	Health Services and First Aid	The annual health checks are not in line with the legal requirements.	Discuss the legal requirements with the General Manager. Pay the health cards. Coordinate with OFATMA to do the annual health checks		45
Mar-22	Occupational Safety and Health	Health Services and First Aid	Health checks within the first three months of employment are not in line with the legal requirements.	Discuss the legal requirements with the General Manager. Pay the health cards. Coordinate with OFATMA to do the health checks		44
Mar-22	Working Time	Regular Hours	The regular working hours exceed the legal limit.	Revise the internal regulations and make sure that the regular hours do not exceed 48 hours per week.		9
Mar-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets to comply with the law.		61
Mar-22	Occupational Safety and Health	Worker Protection	The factory does not check all workers' body temperature upon entry and re-entry.	Check workers' body temperature and Keep a registry for all persons who present a temperature of 38C and above.		9

Mar-22	Occupational Safety and Health	Worker Protection	The factory did not conduct any training for the prevention of COVID-19.	Provide training to workers on COVID-19		9
Mar-22	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		31
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash stations are not available in all areas where chemical products are used.	Install eye wash station where chemicals are used in stored.		9
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area is not isolated from the workspace.	Isolate the use of chemical away from the work area. Use a separate, ventilated room for spot cleaning.		9
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS are not available for all chemical and hazardous substances used in the workplace.	Prepare and post MSDS where chemicals are used.		62
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory did not share any structural safety certificate delivered by the city, with the assessors.	Request a structural safety certificate from the city.		9
Mar-22	Occupational Safety and Health	OSH Management Systems	Work related accident were not recorded and submitted to OFATMA on a monthly basis.	Assign responsibility and submit work related accident to OFATMA monthly.	The factory has assigned responsibilities and the reports are sent to OFATMA.	9
Mar-22	Compensation	Social Security and Other Benefits	Payment to OFATMA for maternity and health insurance is not accurate and made late.	Pay the lunch break and Forward worker's and employer's contribution to OFATMA maternity and health insurance within the first 10 business days of the next month for the previous month.		63
Mar-22	Compensation	Social Security and Other Benefits	Contributions to ONA for retirement insurance are inaccurate.	Pay the lunch break and Forward worker's and employer's contribution to ONA within the first 10 business days of the next month for the previous month.		133
Mar-22	Compensation	Social Security and Other Benefits	The factory did not send worker's pay slip to OFATMA for sick leave and maternity leave payment.	Send workers' pay slip to OFATMA on a regular basis for maternity and sick leave.	The maternity leave form, once completed, is sent to OFATMA along with a work certificate and the last 2 pay slips of the employee.	9

Mar-22	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus is inaccurate.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation of the average daily salary.	9
Mar-22	Compensation	Social Security and Other Benefits	The factory's management did not share the salary statement sent to OFATMA for work related accident insurance for the fiscal year 2021-2022.	Keep records of the salary statement sent to OFATMA. Pay OFATMA work related accident insurance on time.	63
Mar-22	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave and maternity leave correctly.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation of the average daily salary.	9
Mar-22	Compensation	Paid Leave	The lunch break is not compensated.	Discuss legal requirements with the General Manager Pay the lunch break.	9
Mar-22	Compensation	Paid Leave	Maternity leave payment is for 6 weeks instead of 12 weeks.	Discuss legal requirements with the General Manager. Pay the lunch break. Send worker's pay slip to OFATMA on time.	9
Mar-22	Compensation	Paid Leave	The payment for maternity leave is not accurate.	Discuss legal requirements with the General Manager Include the lunch break payment in the average salary for maternity leave.	9
Mar-22	Compensation	Paid Leave	The calculation of the annual leave payment does not include the lunch break payment.	Discuss legal requirements with the General Manager Pay the lunch break and include it in the calculation of annual leave	9

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: Premium Apparel
Location: Port-au-Prince
Number of workers: 958
Date of registration: Sep-10
Date of last two Better Work assessments: Nov-21 Nov-22

Notes: The factory was assessed in late November of 2022 and the report was completed in December of 2022. The improvement plan was not yet available at the time of this report.

Advisory and Training Services

10-Mar-23	Advisory meeting	To identify the root cause of the last assessment findings and validate pending issues related to OSH
14-Nov-22	Virtual advisory meeting	Meeting with Compliance Officer to update information about OFATMA and ONA payments, attendance sheet and OSH elements.
19-Aug-22	Virtual Bipartite committee meeting	Advisory meeting to talk about OSH elements to resolve:1)OSH Assessment2) Worker protection (Health check)

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment November 2022						
Nov-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory is not accurate.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.	Responsibilities have been assigned and chemical management procedure is updated.	21
Nov-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals.	Define who control the chemical container on receipt from supplier and control the label checks)	The factory has assigned responsibility and developed a Chemicals Management procedure.	21
Nov-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS not available for all hazardous chemicals.	Keep chemical MSDS for all hazardous chemicals used in the workplace. Then, specify who is in charge of receiving MSDS from supplier.		21
Nov-22	Occupational Safety and Health	Chemicals and Hazardous Substances	During the assessment visit, the assessors noticed that the employer did not take action to limit access to areas where chemicals were used.	Improve isolation from the chemical such as separate room for spot cleaning.		21

Nov-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The assessors noticed that eye wash not available in the mechanic workshop and chemical warehouse where chemicals are used and stored.	Provide eye wash bottle. Specify who will conduct regular checks of the functioning of the eyewash.		7
Nov-22	Contracts and Human Resources	Contracting Procedures	Interview revealed that the security guards were not compensated for overtime although they are working 12 hours on a daily basis based on Undercharged, obstructed and missing fire extinguishers were missing, in several areas of the workplace	Ensure that the payroll of security guards complies with the law.		7
Nov-22	Occupational Safety and Health	Emergency Preparedness	Assessors noticed that emergency exits and routes are not clearly marked.	Install firefighting equipment in the warehouse building.	The factory has assigned responsibility and reviewed the weekly checks.	21
Nov-22	Occupational Safety and Health	Emergency Preparedness	Emergency exit and escape routes were obstructed during the working hours.	Paint yellow lines on the floor to show the exit pathway.	The factory specified who conducts additional daily weekly checks and include this in the system of daily weekly checks	21
Nov-22	Occupational Safety and Health	Emergency Preparedness	The employer did not investigate violations of HR policies and procedures, identifies weaknesses and make necessary adjustments to prevent recurrence.	Provide additional space for storing goods. Give instruction to security and staff not to close gates in case of fire.		21
Nov-22	Contracts and Human Resources	Employment Contracts	Develop HR performance indicator and set measurable objectives.			7
Nov-22	Occupational Safety and Health	Health Services and First Aid	Worker interviews across the factory confirmed they did not receive the health cards within the first 3 months of hiring.	Pay the health cards and request OFATMA to conduct the health checks.		21
Nov-22	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Conduct the health checks twice a year.		21

Nov-22	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that annual medical checks were provided to workers. Worker interviews also confirmed that such medical checks were not performed.	1. Pay the health cards. 2. Ensure that OFATMA conduct the health checks for workers		140
Nov-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Increase the number of Medical staff as required by law.		140
Nov-22	Occupational Safety and Health	Health Services and First Aid	Access to first aid box number 2 was obstructed by boxes.	Ensure first-aid boxes to be always accessible to workers.		21
Nov-22	Working Time	Leave	According to workers' interview the employer provides less than 15 days for annual leave.	Provide 15 days of annual leave to workers after 1 year of service.		7
Nov-22	Occupational Safety and Health	OSH Management Systems	During the assessment visit, management didn't provide any structural safety certificate, certifying the structure of the buildings meets the safety requirements for an industrial structure.	Request an inspection from the city council or an engineering firm.		7
Nov-22	Occupational Safety and Health	OSH Management Systems	Management did not show evidence that the employer investigates monitors and measures OSH issues.	Conduct a management review meeting on measurable objectives and targets. Keep record of the meeting minutes.		7
Nov-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH policy that is signed by top management and developed in consultation with workers and their representatives.	Develop the policy in consultation with workers and their representatives which include measurable objectives and improvement targets.		7
Nov-22	Compensation	Paid Leave	The employer pays workers for annual leave however the lunch break payment is not included in the calculation of the average salary.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	21

Nov-22	Compensation	Paid Leave	Documentation review revealed that payment for sick leave calculation does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	21
Nov-22	Compensation	Paid Leave	The eligible workers are receiving 6 weeks instead of 12 weeks of maternity leave payment from the factory.	Discuss legal requirements with the General Manager. Pay the lunch break		21
Nov-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Discuss legal requirements with the General Manager. Pay the lunch break		21
Nov-22	Compensation	Paid Leave	Documentation review revealed that payment for annual leave, sick leave, maternity leave and the daily break are not accurate.	Discuss legal requirements with the General Manager. Pay the lunch break		21
Nov-22	Compensation	Regular Hours	The regular working hours are from 7:00 AM to 5:00 PM including a 1 hour daily break, 6 days a week, which is equivalent to 10 regular hours per day and 60 hours per week.	Discuss the regular working hours with the General Manager and workers' representative. Review the internal work rules to ensure the regular working hour do not exceed 48 hours per week.		21
Nov-22	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work related accident. Factory provided 2 receipts of payment for the fiscal year 2021-2022.	Discuss legal requirements with the General Manager. Send accurate salary statement to OFATMA Make the payment on time for work related accident as required by OFATMA Pay the health cards		82
Nov-22	Compensation	Social Security and Other Benefits	Workers are entitled to full payment of annual salary supplement. However, the calculation for the bonus payment does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	21
Nov-22	Compensation	Social Security and Other Benefits	Factory failed to provide evidence of pay slips sent to OFATMA for payment of maternity leave and sick leave.	Send workers' pay slips to OFATMA for payment of maternity leave and sick leave.		21

Nov-22	Compensation	Social Security and Other Benefits	The factory collects and forward workers' and employers' contribution to ONA. However, the payments are made late.	Discuss legal requirements with the General Manager. Pay the lunch break Pay ONA within the first 10 business days of the next month for the previous month		82
Nov-22	Compensation	Social Security and Other Benefits	The employer collects and forward workers' and employers' contribution to OFATMA for maternity and health insurance. However, the payments are made late.	Discuss legal requirements with the General Manager. Pay the lunch break Pay OFATMA within the first 10 business days of the next month for the previous month		82
Nov-22		Termination	The employer provides the payment for the applicable notice period. However, the calculation of the average daily salary does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Nov-22	Compensation	Termination	The employer compensates workers for unused paid annual leave upon termination. However, the calculation of the average daily salary does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Nov-22	Compensation	Termination	The employers pays workers their annual salary supplement or bonus upon termination. However, the calculation of the average daily salary does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Nov-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Increase the number of toilets as required by law.		73
Nov-22	Occupational Safety and Health	Welfare Facilities	During the assessment workers did not complain about the quality of water. However, the factory management conducted the water test only for the month of February, April, May and June 2022	Defines who organize monthly test about the quality of the drinking water.	The factory has assigned responsibility and water test has been conducted monthly.	21
Nov-22	Occupational Safety and Health	Welfare Facilities	The factory has an eating area. At the time of the assessment, assessors observed that it was not well maintained and also serves as fabric storage area.	Provide an adequate eating area to workers.		21

Nov-22	Occupational Safety and Health	Worker Protection	The employer did not provide dust mask to workers exposed to fabric dust in the sewing lines.	Provide appropriate mask and PPE to workers in the workplace.		21
Nov-22	Occupational Safety and Health	Worker Protection	The assessors noticed that electrical installations are not properly maintained, 1 electrical cover was missing in the mezzanine.	Properly support the electrical cable; Insulate the exposed electrical wires, Make sure that the door of the electrical panel is closed.	The electrical cover has been installed and a training has been provided on electrical safety.	21
Nov-22	Occupational Safety and Health	Worker Protection	The factory did not check all workers and visitors body temperature upon entry in a systematic way.	Check all workers and visitors body temperature upon entry in a systematic way.		21
Nov-22	Occupational Safety and Health	Worker Protection	During the assessment visit, assessors noticed that standing mats are not available to all standing workers in the spot cleaning section.	Provide standing mats are not available to all standing workers in the workplace. Add this aspect in the daily and weekly checks.		21
Nov-22	Occupational Safety and Health	Working Environment	Lux level is insufficient in the workplace.	Increase the lux level with additional light. Specify who is in charge of regular maintenance of the lights and conduct regular measurement of temperature & compare with threshold value.		7
Nov-22	Occupational Safety and Health	Working Environment	Temperature level exceed 30 C in the workplace.	Increase the ventilation with additional fans. Specify who is in charge of regular maintenance of the fans and conduct regular measurement of temperature & compare with threshold value.		7
Nov-22	Occupational Safety and Health	Working Environment	The assessors noticed that the factory floor was full of dust and fabric scrap.	Hire additional cleaners.	The factory has developed a cleaning plan and assigned responsibility.	7
Assessment October 2021						
Nov-21	Working Time	Regular Hours	The regular working hour exceed the legal limit.	Revise the internal regulations and make sure that the regular hours do not exceed 48 hours per week.		14

Nov-21	Occupational Safety and Health	Emergency Preparedness	Assessors observed obstructed aisles in the factory floor.	Provide additional training for supervisors and workers. Provide additional space for storing goods.	Additional training for supervisors and worker has been done. Daily weekly checks has been done.	14
Nov-21	Occupational Safety and Health	Emergency Preparedness	The escape routes are not clearly marked in all the building.	Paint evacuation arrows and yellow lines on the floor to show the exit pathway. Conduct regular comprehensive OSH assessment and identify whether the markings are faded.		14
Nov-21	Occupational Safety and Health	Emergency Preparedness	Obstructed fire extinguishers	Set up of additional workshop for workers. Remind supervisors about their responsibility to enforce OSH in their area.		14
Nov-21	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff to have at least 4 nurses for the current workforce.		133
Nov-21	occupational Safety and Health	Health Services and First Aid	Management did not share evidence that annual medical checks were provided to workers.	Pay the health cards and ensure workers received their health cards and annual health check.		133
Nov-21	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that medical checks were provided to workers exposed to work related hazards.	Develop an health check plan for workers who are exposed to work-related hazards.		14
Nov-21	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that medical checks were provided to workers in their first three months of hiring.	Pay the health cards. Develop an health check plan for workers in their first three months of hiring.		14
Nov-21	Occupational Safety and Health	Welfare Facilities	The eating area was not well maintained and also serves as fabric storage area.	Develop a cleaning plan to ensure that the eating area is properly maintained and can accommodate the workforce.		14

Nov-21	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Increase the number of toilet to have at least one toilet for every 25 men and one toilet for every 15 women.		66
Nov-21	Occupational Safety and Health	Working Environment	Lux level is insufficient in all sections.	Increase the light level to reach 300 lux in Pressing section, 500 lux in Sewing, cutting, packing. 750 lux in trimming, Inspection section.		14
Nov-21	Occupational Safety and Health	Worker Protection	The factory does not keep a registry for all persons who present a temperature of 38C and above.	Check all workers and visitors temperature at the entrance keep a registry for people presenting a temperature of 38 C and above.	The factory kept a registry for people presenting a temperature of 38 C and above.	14
Nov-21	Occupational Safety and Health	Worker Protection	The social distance is not respected on the floor during working hours as well during entry and leaving.	Review and update the COVID-19 procedure. Ensure the social distance is respected during working hours.		14
Nov-21	Occupational Safety and Health	Worker Protection	The batteries terminals in the generator were not covered.	Add this aspect in the daily and weekly checks.	The batteries terminals in the generator has been properly insulated and this aspect is included in the daily checklist.	14
Nov-21	Occupational Safety and Health	Worker Protection	Several sewing machines were observed without eye guards and pulley guards.	Review and update the internal audit procedure. Develop a maintenance plan for the sewing machines.		14
Nov-21	Occupational Safety and Health	Worker Protection	It was observed that chairs in the sewing areas are missing backrest.	Provide chairs with backrest to workers.	Factory has provided chairs with backrest to workers.	14
Nov-21	Occupational Safety and Health	Worker Protection	60 percent of workers do not use their mask to prevent the risks of exposure to COVID-19.	Ensure that all workers in the workplace use their mask to prevent the risks of exposure to COVID-19.		14

Nov-21	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate and did not include the name of all chemicals used in the workplace.	Develop a chemical management procedure and update the inventory accordingly.		14
Nov-21	Contracts and Human Resources	Employment Contracts	The factory's internal work rules is not posted in the workplace.	Display the internal work rules in the workplace.	The internal rules has been posted in the workplace.	14
Nov-21	Compensation	Social Security and Other Benefits	Worker's contribution to OFATMA is calculated on the minimum salary, and the calculation does not include the lunch break payment.	Include the lunch break in worker's contribution to OFATMA. Ensure payment are done within the first 10 business days of the next month for the previous month.	The factory is paying their debt based on an agreement with OFATMA. The factory has forwarded Worker's contribution to OFATMA from June 2021 to November 2021 except for the month of October 2021.	75
Nov-21	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA is calculated on the minimum salary. The factory made two payments in September 2021, representing 25.50% of the debt at the time of the assessment visit.	Include the lunch break in the employer contribution to OFATMA. Ensure payment are done within the first 10 business days of the next month for the previous month.	The factory is paying their debt based on an agreement with OFATMA. The factory has made regular payments from June 2021 to November 2021 except for the month of October 2021.	75
Nov-21	Compensation	Social Security and Other Benefits	The factory failed to provide the notice of payment they received from OFATMA for the fiscal year 2020/2021. The employer salary statement sent to OFATMA was less than the total amount effectively paid.	Keep record of the invoice sent by OFATMA. Share the right statement of the salary statement. Pay OFATMA work related accident on time.		75
Nov-21	Compensation	Social Security and Other Benefits	The employer collects but do not forwards 6 percent of workers' contribution to ONA on time.	Pay the lunch break. Collect and Forward worker's contribution to ONA within the first 10 business days of the next month for the previous month.		75
Nov-21	Compensation	Social Security and Other Benefits	The employer contribution to ONA is calculated on the minimum salary, and the calculation does not include the lunch break payment.	Pay the lunch break and Forward employer contribution to ONA within the first 10 business days of the next month for the previous month.		75

Nov-21	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave and maternity leave correctly because the payment of the lunch break is not included in the calculation.	Pay the lunch break. Include the payment in the calculation of the average daily salary for sick leave and annual leave.		14
Nov-21	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.		14
Nov-21	Compensation	Paid Leave	Maternity leave payments are based on an average earnings which does not include the lunch break payment.	Include the payment in the calculation of the average daily salary.		14
Nov-21	Compensation	Paid Leave	The calculation for sick leave payments does not include the lunch break payment.	Pay the lunch break. Include the payment in the calculation of the average daily salary.		14
	Compensation	Paid Leave	The calculation for the annual leave payment does not include the lunch break payment.	Pay the lunch break. Include the payment in the calculation of the average daily salary.		14

May-23	Occupational Safety and Health	OSH Management Systems	The factory did not submit accident reports to OFATMA on a monthly basis.	Submit the accidents reports to OFATMA on a monthly basis.	Fixed, the accidents reports are being sent to OFATMA on a monthly basis. Company will look for any other alternative in case of non-functioning of the regional offices of OFATMA.	24
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals and hazardous substances was not accurate and did not include all chemicals used in the workplace.	Keep the inventory of chemical accurate and ensure it includes that all chemicals used in the workplace.	This issue has been fixed. All chemicals are now included in the inventory. The compliance team will maintain close communication with the chemical purchasing team so that new chemicals can be marked off the inventory list as soon as they enter the company.	14
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several chemicals and hazardous substances without labelling indicating the classification, hazards and safety precautions.	Ensure to identify and label all chemical in a local language.	This issue has been resolved, all chemicals are now labeled in a local language. All workers who use and handle chemicals now know how to label chemical containers. Compliance will continue to monitor this situation to prevent this from happening again.	48
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that MSDS are available for all chemicals used and stored in the workplace.	This issue has been fixed, all MSDS are now available for all chemicals used and stored in our workplace. Periodic inspection will be carried out for compliance to ensure this process.	14
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper conditions to prevent unnecessary exposure of workers to chemicals.	Repair the vacuum machine that were not functioning properly in the spot cleaning.	This issue has been fixed, all vacuum machines are now repaired and in good usable condition.	1
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash facility in the stock area of module 4 and pad paint area of module 3.	Install an eye washing facility in the stock area of module 4 and pad paint area of module 3 where chemicals are used.	This issue has been fixed, an eye wash station has been installed for all areas where chemical are using the company.	88

May-23	Occupational Safety and Health	Worker Protection	The factory did not provide all the necessary personal protective equipment to workers to perform their duties.	Provide the following personal protective equipment : - Earplugs for workers in the small compressor room module 6 and some workers in pressing section module 3 and 4. - Safety shoes for workers in the boiler room between module 1 and 6. - Safety belt for heavy lifting module 1 and warehouse 1. - Goggles for workers in welding shop outside module 2 and 4. - Helmet for workers working at height in maintenance.	This issue has been resolved, all corresponding PPEs have been issued to workers based what they need to perform their job. Inspections will be carried out to replace old PPE with new ones when necessary.	82
May-23	Occupational Safety and Health	Worker Protection	One pipe with boil water was broken in the boiler between module 3 & 4	Ensure that proper maintenance is done on the boiler.	This problem is fixed, the broken pipe is removed and replaced with a new one. The maintenance department will periodically inspect and maintain the boiler equipment.	1
May-23	Occupational Safety and Health	Worker Protection	The electrical installation was not properly maintained.	Ensure that electrical installation is properly maintained.	This problem is fixed, all electrical installations are now properly maintained. inspection will be held to ensure the proper maintenance on the electrical installations.	42
May-23	Occupational Safety and Health	Worker Protection	Assessors observed that one electrical box was missing hazard sign.	Post the hazard sign on the electrical box.	Fixed, the hazard sign has been posted, compliance team and maintenance will periodically conduct inspection to avoid being in non-compliance	8
May-23	Occupational Safety and Health	Working Environment	The workplace temperature levels exceeded 30 C in all sections.	Maintain the temperature in the workplace to a maximum of 30 C.	This problem was fixed, maintenance department will keep checking the air cooling system so that the temperature can be stable a of 30 C.	14
May-23	Occupational Safety and Health	Working Environment	The noise levels are inadequate in the quality section 93 db.	Maintain the noise level under 90 db.		88

May-23	Occupational Safety and Health	Welfare Facilities	Soap and paper were not available in several toilets.	Provide soap and toilet papers in the toilets.	This problem has been resolved, the company has installed new paper dispensers and the quantity delivered daily has also been increased. Likewise for liquid soap.	1
May-23	Occupational Safety and Health	Health Services and First Aid	Three first aids boxes in the dormitories are missing items.	Ensure that first aid boxes have all necessary items.	This problem has been corrected during the audit, FCOs and nurses will periodically inspect the first aid kit so that the medicine can be always available.	58
May-23	Occupational Safety and Health	Worker Accommodation	Exposed electrical/internet wires on all floors.	Ensure that the electrical wire was properly safeguarded.	This issue was fixed during the audit, all internet and electrical cables are now well covered and the entire system is regularly maintained. The compliance team department will periodically inspect the facilities to maintain the safety of the panels.	1
May-23	Occupational Safety and Health	Worker Accommodation	Improper maintenance of fire extinguishers in the dormitories.	Ensure that the fire extinguishers in the dormitories are properly maintained.	This problem has been fixed, all fire extinguishers and all fire equipment have been replaced and regularly checked. Logs are maintain for all activities. The compliance team will continue to monitor this to ensure the safety of all dormitories.	1
May-23	Occupational Safety and Health	Emergency Preparedness	No smoke detector installed in module 8 and the packing area of module 6.	Install smoke detector where needed.	This problem has been corrected. Multiple smoke detectors have been installed in the appropriate areas of Module 8 and the Module 6 packing area. The Compliance Team has verified all areas requiring smoke detectors to be installed to prevent this issue from occurring.	13
May-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers in the factories.	Ensure that fire fighting equipment are maintained in a regular basis and checked everyday.	This problem has been corrected. In all factories, the compliance team insists that fire extinguishers are checked twice a day rather than once a week.	20

May-23	Occupational Safety and Health	Emergency Preparedness	The stock area of module 4 needs to be remarked; the evacuation plans need to be updated and replaced in various areas.	Ensure that stock area of module 4 is remarked and all aisles remained obstructed. Ensure that all evacuation are accurate.	This issue has been resolved. The floor was re-marked, and the maintenance department will continue to review it. Any changes will be re-marked immediately according to the plant layout.	61
May-23	Occupational Safety and Health	Emergency Preparedness	The floor of module 8 did not have any door identified as an exit.	Ensure that exit doors are properly identified.	This issue has been corrected. All exit doors have been clearly identified with the " EXIT " sign. Compliance will check all exit doors in all factories to ensure that they have the " EXIT " sign.	1
May-23	Occupational Safety and Health	Emergency Preparedness	The aisles in the packing section of module 2, 3 and the warehouse were obstructed.	Ensure that the aisles in the packing section remained unobstructed in packing section of module 2,3.	This problem has been corrected. All aisles have been cleared of obstructions. The compliance team will conduct new training sessions on the importance of keeping evacuation routes clear.	1
May-23	Occupational Safety and Health	OSH Management Systems	The management has not posted names of OSH committee members.	Post the names of OSH committee members.	Fixed, all the names with picture of the OSH committee members are posted on all the floors.	14
May-23	Occupational Safety and Health	OSH Management Systems	The emergency preparedness procedure does not include all the necessary elements.	Ensure that the emergency preparedness procedure include: Evacuating employees to a designated assembly location, and - Accounting for all employees after an evacuation.	The procedures is in place and this content all mentioned elements. A copy of this will be sent to Better Work so that this issue can be marked as corrected.	14
May-23	Occupational Safety and Health	OSH Management Systems	The OSH policy does not include all the necessary elements.	Ensure that the OSH policy includes measurable objectives and improvements targets and was not developed through consultation with workers representatives.	Compliance is working on developing a procedure which will include all missing parts.	1
Assessment May 2022						
May-22	Forced Labor	Coercion	Foreign workers are prohibited from leaving the industrial park after working time	Remove the prohibition for foreign workers to leave the industrial park on their free time.	Foreign workers can leave the park after the working hours.	

May-22	Forced Labor	Coercion	The foreign workers did not receive a copy of the contract prior to their arrival in Haiti. Contract term do not adhere to legal requirements.	Share a written contract with the foreigners workers before they travel in Haiti to fulfil their contract. Remove the clause that states the foreign workers must reimburse the ticket upon arrival and the return is at their own charge if they failed to complete terms of the contract.	Factory has updated the contract of the foreign workers and submitted it to headquarters for approval.	
May-22	Compensation	Overtime Wages	Employer did not show evidence that foreign workers were paid properly for overtime hours worked.	Indicate in the payroll the overtime payment.		
May-22	Compensation	Paid Leave	The annual leave payment does not include the lunch break payment.	Include the lunch break in the calculation of the annual leave.		
May-22	Compensation	Paid Leave	Inaccurate payment of sick leave.	The sick leave is paid on a prorated basis, depending on their term of service while the labor code stated that workers employed for more than one year are entitled to full pay. Pay full sick leave payment after one year of service.		
May-22	Compensation	Paid Leave	The maternity leave payment does not include the lunch break payment.	Include the lunch break in the calculation of monthly salary.		
May-22	Compensation	Paid Leave	Lunch break is not compensated in the payroll.	Pay the lunch break.		
May-22	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus does not include the lunch break payment.	Include the lunch break in the calculation of the annual leave.		
May-22	Compensation	Social Security and Other Benefits	The workers' and employers' contribution to ONA are inaccurate because the calculation does not include the lunch break payment.	Include the lunch break payment in the worker's monthly earnings.		
May-22	Compensation	Social Security and Other Benefits	The workers' and employers' contribution to OFATMA are inaccurate because the calculation does not include the lunch break payment.	Include the lunch break payment in the worker's monthly earnings.		
May-22	Contract and Human Resources	Employment Contracts	Contract for foreign workers do not specify the working hours and provides less than 15 days annual leave.	Specify working conditions in the contracts.	Factory updated the foreign contract to provide the 15 days of annual leave.	

May-22	Occupational Safety and Health	OSH Management Systems	The factory did not submit accident report on a monthly basis to OFATMA.	Submit the accident reports on a monthly basis to OFATMA.	Factor will be submitting the reports on a monthly basis even when there is no incident.	
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Several chemical product containers that were not properly labelled.	Label all chemicals stored and used in the workplace.	Management corrected the issues during the assessment visit.	
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical safety data sheets were missing. for several chemicals and hazardous products.	Have all chemical data sheets for chemical used and stored in the workplace.	Management corrected the issue and placed MSDS for all these products, in the location where they are being used.	
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Vacuum machines in the spot cleaning do not functioning properly. No eyewash station installed where chemical products are used.	Repair or replace the vacuum machines. Install eyewash facilities where chemicals are used and stored.	Vacuum machine is fixed. Eyewash are installed in the mixing rooms.	
May-22	Occupational Safety and Health	Worker Protection	The employer has not been provided proper PPE to all workers.	Provide proper personal protective equipment to workers in the workplace.	Management provided the protective equipment during the assessment visit.	
May-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical wiring.	Secure all possible sources of hazard.	Managed corrected the issue during the assessment visit.	
May-22	Occupational Safety and Health	Worker Protection	Electrical boxes in module 2 was missing the hazard sign.	Post the hazard sign where necessary.	Managed corrected the issue during the assessment visit.	
May-22	Occupational Safety and Health	Working Environment	The temperature levels exceeded the recommended 30 C in packing, section and quality sections.	Maintain the temperature level to 30 C and below in all sections.	Cooling system is fixed and monitoring put in place.	
May-22	Occupational Safety and Health	Working Environment	Noise levels are unacceptable in the packing, sewing and inspection sections.	Maintain the noise level up to 90 db.	Management trained the compliance and issued note to keep the	
May-22	Occupational Safety and Health	Welfare Facilities	Workers complained about the location of drinking water stations which are very close to the toilets.	Identify other location to install the drinking water stations.		
May-22	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire seven more nurses.		
May-22	Occupational Safety and Health	Health Services and First Aid	Obstructed first aid boxes. First aids missing inventory checklist.	Post the inventory list of supplies on the first aid box. Ensure that it is accessible.	All these issues were corrected during the assessment visit.	

May-22	Occupational Safety and Health	Emergency Preparedness	Alarm systems not working properly. Smoke detector missing in the stockroom area.	Regularly maintain the fire fighting equipment.	All these issues were corrected during the assessment visit.	
May-22	Occupational Safety and Health	Emergency Preparedness	Obstructed and improper maintenance of fire extinguishers.	Regularly maintain the fire fighting equipment.	All these issues were corrected during the assessment visit.	
May-22	Occupational Safety and Health	Emergency Preparedness	Inaccurate evacuation plans. Evacuation routes not properly identified on the factory floor.	Paint the floor of module 2 and 4. Update the evacuation plan to add the meeting point.	Floor was repainted and the evacuation plan is updated.	
May-22	Working Time	Regular Hours	The employer did not post the factory's working hours in module 9.	Post the working hours in module 9.	Management posted the working hours in Module 9.	
May-22	Working Time	Overtime	Contracts for foreign workers do not specify the amount of overtime required.	Include the effective time of overtime performed in the payroll.	Factory has updated the contract of the foreign workers and submitted it to headquarters for approval.	
May-22	Working Time	Leave	Contract for foreign workers states that they are entitled to less than fifteen days of annual leave.	Provide 15 days of annual leave to foreign workers.	Factory has updated the contract for the foreign and submitted it to headquarters for approval.	
May-22	Occupational Safety and Health	OSH Management Systems	OSH committee has organized two meetings for the past 12 months.	Maintain meeting for the OSH committee on a monthly basis.	Factory held a meeting in November 2022.	
May-22	Occupational Safety and Health	OSH Management Systems	Management has not posted names of OSH committee members.	Post names of the OSH committee members.	Name of OSH committee members are now posted where all workers can see.	
May-22	Occupational Safety and Health	OSH Management Systems	Emergency preparedness procedure that does not include all the necessary elements.	The following steps are missing: - Evacuating employees to a designated assembly location, and - Accounting for all employees after an evacuation. Include missing element in the emergency preparedness procedures.	Procedure is updated and include the missing criteria.	
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate and did not include the name of all chemicals used in the workplace.	Keep an inventory for all the chemicals used and stored in the workplace.	Management updated the inventory to include the name of all chemicals used.	

Notes: Factory was closed from September 18 to November 11. The closure was due to civil unrest at first and electricity shortage totally prevent the factor from operating.

15-May-23	Advisory meeting	Meeting with management to discuss several complaints received from workers and union such as harassment, terminations. Management will follow up on specific cases. Review of ONA and OFATMA payment status.
10-May-23	Training	Supervisory Skills (SST)
8-May-23	Training	Negotiation Skills
24-Apr-23	Training	GBVH Cluster Training (Introduction, Grievance Mechanism, Gap Analysis & PFA)
19-Apr-23	Advisory meeting	- Conduct OSH tour: Emergency preparedness, worker protection - Bipartite meeting - Conduct survey on Purchasing practices - Review improvement from the last visit
1-Feb-23	Training	Purchasing Practices Training
1-Feb-23	Advisory meeting	Advisory summary session:- OHS assessment tour with the factory compliance officer- Reviewed several documents to identify the improvement made by the factory. Delivered the purchasing practices training. Meeting Bipartite committee to get an update on the factory situation.
29-Nov-22	Virtual advisory meeting	Review of the IP point by point to advise on status and follow up steps and finalize PR1.Planning of training to be provided before the end of the year.
15-Sep-22	Virtual Bipartite committee meeting	Review of the improvement Plan. Discussion was on Forced Labor NC issues and review of the new foreign workers contracts. Discussion was also about the civil unrest that impacted attendance the factory. Discussion with the Union members also on security situation that affects negatively the workers.
25-Aug-22	Training	Respectful Workplace Program for Workers.
25-Aug-22	Training	Respectful Workplace Program for Supervisors & Middle Management
22-Jul-22	Virtual advisory meeting	Discussion on the improvement and PR2. Factory to send PR1 and update the improvement plan. Discussion were also on Forced labor NC. Factory to do the required follow up and send the evidence.

Assessment	Compliance Cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Assessment May 2023						

May-23	Occupational Safety and Health	OSH Management Systems	The OSH policy does not include all the necessary elements. by the plant manager	Include the missing elements in the OSH policy such as measurable objectives and improvements targets and was not developed through consultation with workers representatives.	Compliance team is working on developing a procedure which will include all missing parts	14
May-23	Occupational Safety and Health	OSH Management Systems	The emergency preparedness procedure does not include all the necessary elements.	Ensure the missing element in the emergency preparedness procedures such as: -Evacuating employees to a designated assembly location, and - Accounting for all employees after an evacuation.	The procedure is in place and this content all mentioned elements. a copy of this will be sent to better work so that this issue can be marked as corrected.	14
May-23	Occupational Safety and Health	OSH Management Systems	Management has not posted names of OSH committee members.	Post the names of the OSH committee members.	Fixed, all the names with picture of the OSH committee members are posted on all the floors.	14
May-23	Occupational Safety and Health	Emergency Preparedness	One fire extinguisher was obstructed in the boiler room located next to the washing building and fire extinguisher #5 was undercharged.	Ensure that the fire fighting equipment is checked within the workplace on a daily basis.	This problem has been fixed, all fire extinguishers and all fire equipment have been replaced and regularly checked. logs are maintained for all activities. The compliance team will daily check the fire fighting equipment to prevent this issue from repeating.	21
May-23	Occupational Safety and Health	Worker Accommodation	Improper maintenance of fire extinguishers. Smoke detectors missing on the floors.	Ensure that fire fighting equipment is regularly checked in the dormitories.	This problem has been fixed, all fire extinguishers and all fire equipment have been replaced and regularly checked. logs are maintained for all activities. The compliance team will continue to monitor this to ensure the safety of all dormitories.	21
May-23	Occupational Safety and Health	Worker Accommodation	In the dormitory, there were exposed electrical/internet wires on all floors.	Ensure the electrical system is maintained regularly in the dormitories.	This issue was fixed during the audit, all internet and electrical cables are now well covered and the entire system is regularly maintained. The compliance team and the maintenance department will periodically inspect the facilities to maintain the safety of the people.	1

May-23	Occupational Safety and Health	Health Services and First Aid	Three first aids boxes in the dormitories are missing items.	Ensure to check the first aid boxes in a regular basis.	Factory replaced the missing element within the first aid boxes.	1
May-23	Occupational Safety and Health	Working Environment	The temperature levels exceeded 30 C is several section of the workplace.	Maintain the workplace temperature at a maximum of 30 C.		14
May-23	Occupational Safety and Health	Worker Protection	One electrical wire found hanging from the ceiling in the boiler room next to the Washing Building.	Safeguard all sources of ignition.	This issue has been fixed, all electrical cables and sources of ignition are in safety condition. Periodic check will be held by compliance team to ensure the secure of these materials.	14
May-23	Occupational Safety and Health	Worker Protection	The employer has not provided earplugs for workers in the small compressor room.	Provide earplugs to workers in the small compressor room.	This issue has been fixed , all necessities EPPS has been provided to the workers. Compliance team will keep monitoring to make sure that workers are using the EPPS.	14
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that all MSDS are available for chemical used and stored in the workplace.	All the MSDS this issue as been fixed, all chemicals are well stored and properly labeled. Compliance team will keep monitoring this situation throughout his weekly self-audit to prevent this from repeating.	48
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	A gallon of gasoline was stored in an area directly exposed to the sun.	Ensure that chemical and hazardous substances are properly stored.	This issue has been resolved, all chemicals are well stored and properly labeled. Compliance team will keep monitoring this situation throughout his weekly self audit to prevent this from repeating.	1
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unidentified containers of chemical substances and improper labelling.	Ensure that the chemical and hazardous substances are identified and labelled in a proper way.	This issue has been solved, all the chemical and hazardous substances are identified and labelled in a proper way. Meeting and training has been held with all workers who has access with chemical products on "use and handle chemical products.	48

May-23	Occupational Safety and Health	OSH Management Systems	The factory did not submit accident reports to OFATMA on a monthly basis.	Submit accident reports to OFATMA on a monthly basis.	This situation has been fixed, the reports are been sent on a monthly basis to OFATMA. Other offices will be used to communicate the accidents reports to OFATMA in case of any closure of the regional offices.	14
May-23	Discrimination	Gender	One sexual harassment case under hostile work environment.	Address the situation by planning awareness on respectful workplace for workers as well.	This situation has been fixed by applying the company's regulation regarding cases of sexual harassment. The following steps have been carried out for the company to resolve this case and prevent this situation from happening again: *Corrective actions Appropriate measures were taken against the person who initiated this situation. *Preventive action The compliance team will keep closely monitoring all the modules by having frequent meetings and interviews with the workers in order to address on time any similar situation. *Preventive actions Training on harassment has been carried out for all company personnel, sexual harassment policy has been reviewed and updated, new anti harassment	1
Assessment May 2022						
May-22	Occupational Safety and Health	Working Environment	Temperature levels exceeded the recommended 30 C in pressing, sewing and inspection sections.	Maintain the temperature level to 30 C and below in all sections.	Planning for air Cooling system regular maintenance and service each 3 months.	
May-22	Occupational Safety and Health	OSH Management Systems	The written OSH policy does not include all the necessary elements.	Update the OSH policy in consultation with workers representatives and include objectives and improvements targets.	OSH policy is updated in consultation with workers representatives.	

May-22	Occupational Safety and Health	OSH Management Systems	The factory has an emergency preparedness procedure that does not include all the necessary elements.	Include the following missing elements in the emergency preparedness procedures: Evacuating employees to a designated assembly location, and accounting for all employees after an evacuation.	Emergency preparedness in updated with the missing criteria.	
May-22	Occupational Safety and Health	OSH Management Systems	Management has not posted names of OSH committee members on the factory floor.	Post names of the OSH committee members.	List of OSH committee members is updated.	
May-22	Occupational Safety and Health	OSH Management Systems	The OSH committee is not effectively functioning.	Organize meeting for the OSH committee on a monthly basis and keep minutes of meetings.	Meeting held on November 2022.	
May-22	Working Time	Leave	Contract for foreign workers states that they are entitled to less than fifteen days of annual leave.	Provide 15 days of annual leave to foreign workers.	Factory has updated the contract for the foreign and submitted it to headquarters for approval.	
May-22	Working Time	Overtime	Foreign workers Contract do not specify the amount of overtime required.	Include the effective time of overtime performed in the payroll.	Factory has updated the contract for the foreign and submitted it to headquarters for approval.	
May-22	Working Time	Regular Hours	Factory's working hours for all shifts, including break time is not posted in all buildings.	Post the working hours in building 7.	Management fixed the issue during the assessment visit.	
May-22	Occupational Safety and Health	Emergency Preparedness	Locked emergency exits during working hours and several obstructed aisles observed.	Keep evacuation route unobstructed. Ensure the exits remain accessible during the working hours	Management unlocked the exits during the assessment visit.	
May-22	Occupational Safety and Health	Emergency Preparedness	Inaccurate evacuation maps.	Update the evacuation map to reflect the floor layout. Ensure that the meeting point is accessible.	Management fixed the issue during the assessment visit.	
May-22	Occupational Safety and Health	Emergency Preparedness	Obstructed and missing fire extinguisher.	Ensure that fire extinguisher remained accessible during the working hours.	Management fixed the issue during the assessment visit.	
May-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire two additional nurses.		

May-22	Occupational Safety and Health	Welfare Facilities	The factory did not provide any facility for workers to change their clothes after work.	Provide appropriate space where workers can change their clothes after work.	The area was cleaned and is available for workers to change their clothes after work.	
May-22	Occupational Safety and Health	Working Environment	Slippery floor due to water spillage. No warning signs posted in the area.	Post warning sign in the area and take appropriate measures to fix the pipe.	Management removed workers from the area until the problem get solved.	
May-22	Occupational Safety and Health	Working Environment	Noise level exceeded 90 dB in several sections.	Ensure that the noise level is under 90 dB in all sections.	Monitoring system put in place.	
May-22	Occupational Safety and Health	Worker Protection	No safety belts were provided to workers in the packing and warehouse area for lifting heavy loads.	Provide safety belt to workers.	Safety belts are available for the workers.	
May-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical boxes.	Ensure that electrical equipment are properly maintained.	Management fixed the issue during the assessment visit.	
May-22	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide appropriate protective equipment to workers.	Management corrected these issues during the assessment visit.	
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper conditions to prevent unnecessary exposure of workers to chemicals.	Ensure the spot cleaning have proper condition to prevent unnecessary exposure of workers to chemicals.	Management fixed the issue during the assessment visit.	
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that the chemical data sheets are available for all the chemicals used in the workplace.	Chemical data sheets are available for all chemicals used in the workplace.	
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals and hazardous substances were not properly labelled in the workplace.	Label all hazardous and chemicals substances used in the workplace.	Management ensured that the chemicals are adequately labelled.	
May-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate.	Keep the inventory updated and include all the chemicals used.	Inventory is update and includes all the chemicals used in the workplace.	
May-22	Occupational Safety and Health	OSH Management Systems	The factory did not submit work related accident report to OFATMA on a monthly basis.	Submit the accident reports on a monthly basis to OFATMA.	In charge are informed to send the report even when no incident is reported.	
May-22	Contracts and Human Resources	Employment Contracts	Contract for foreign workers do not specify the working hours and provides less than 15 days annual leave.	Specify working conditions in the contracts.	Factory has updated the foreign workers' contract and submitted it to headquarters for approval.	

May-22	Compensation	Social Security and Other Benefits	The workers' and employers' contribution to OFATMA are inaccurate because the calculation does not include the lunch break payment.	Include the lunch break payment in the worker's monthly earnings.		
May-22	Compensation	Social Security and Other Benefits	The workers' and employers' contribution to ONA are inaccurate because the calculation does not include the lunch break payment.	Include the lunch break payment in the worker's monthly earnings.		
May-22	Compensation	Paid Leave	The maternity leave and sick leave payment register and payroll records do not include the lunch break payment.	Include the lunch break payment in the worker's monthly earnings.		
May-22	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus does not include the lunch break payment.	Include the lunch break in the calculation of the annual leave.		
May-22	Compensation	Paid Leave	Annual leave, sick leave and maternity leave payments are not.	Include the lunch break payment in the calculation of the annual, sick and maternity leaves.		
May-22	Compensation	Paid Leave	Lunch break is not compensated in the payroll.	Pay the lunch break.		
May-22	Compensation	Paid Leave	The sick leave is paid on a prorated basis, depending on the term of service.	Pay full sick leave payment after one year of service.		
May-22	Compensation	Paid Leave	The annual leave payment does not include the lunch break payment.	Include the lunch break payment in the calculation of the annual leave.		
May-22	Compensation	Overtime Wages	Employer did not show evidence that foreign workers were paid properly for overtime hours worked.	Indicate in the payroll the overtime payment.	Factory has updated the contract of the foreign workers and submitted it to headquarters for approval.	

May-22	Forced Labor	Coercion	The foreign workers did not receive a copy of the contract prior to their arrival in Haiti.	Share a written contract with the foreigners workers when before they travel in Haiti to fulfil their contract. Remove the clause that states the foreign workers must reimburse the ticket upon arrival and the return is at their own charge if they failed to complete terms of the contract.	Factory has updated the contract of the foreign workers and submitted it to headquarters for approval.	
May-22	Forced Labor	Coercion	Foreign workers are prohibited from leaving the park even on weekends and holidays.	Remove the prohibition for foreign workers to leave the industrial park on their free time.	Foreign workers can leave the park after the working hours.	

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: Sewing International S.A.
Location: Port-au-Prince
Number of workers: 1,736
Date of registration: Oct-09
Date of last two Better Work assessments: Sep-21 Aug-22

Advisory and Training Services

27-Jun-23	Bipartite Committee Meeting	Meeting to validate emergency preparedness issues and medical checks for workers
27-Jun-23	Advisory meeting	Virtual OSH tour on Worker Protection and documentation review such as OSH management systems.
27-Feb-23	Bipartite Committee Meeting	Meeting on Self diagnosis and training needs.
27-Feb-23	Advisory meeting	To validate pending issues on the improvement plan, session on OSH performance indicator and provide guidance on the procedure for pregnant women
30-Nov-22	Bipartite Committee Meeting	Communication on poor water management at the factory, water pipes to be replaced, identification of gas Tank.
28-Oct-22	Bipartite Committee Meeting	Meeting on the need for Improvement in the mechanic workshop and replacement of the factory gate.
27-Oct-22	Virtual advisory meeting	Session on 1 first progress report, Follow up on the last assessment report and explain the Grievance mechanism procedure.
30-Aug-22	Bipartite Committee Meeting	Plan a meeting with the sellers for the cleaning of the space, reminder on the electrical panels not accessible.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment August 2022						
Aug-22	Compensation	Wage Information, Use and Deduction	The overtime hours were not registered for the supervisors and the non-production workers.	Revise employee contracts by clearly specifying the salary for normal hours and salary that will be allocated in the event of factory needs for these categories of workers.		10
Aug-22	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings, because the factory does not compensate workers for the lunch break.	Pay the lunch break and Calculate the annual leave payment based on worker's daily average earnings.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27

Aug-22	Compensation	Paid Leave	The calculation of the sick leave payment does not include the lunch break payment.	Pay the lunch break and send workers' pay slip and documents to OFATMA for sick leave payment.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27
Aug-22	Compensation	Paid Leave	The lunch break payment is not included in the calculation of the maternity leave.	Pay the lunch break and send workers' pay slip and documents to OFATMA for maternity leave payment.	Documents for maternity leave payment have been sent to OFATMA. The factory paid 6 weeks and OFATMA 12 weeks.	27
Aug-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Discuss legal requirements with the General Manager. Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27
Aug-22	Compensation	Paid Leave	Payment for annual leave, Sick leave, maternity leave and the daily break are not accurate.	Discuss legal requirements with the General Manager. Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27
Aug-22	Compensation	Social Security and Other Benefits	The factory completed 30 percent of the payment for the fiscal year 2021-2022, for OFATMA work related accident insurance.	Pay the lunch break and pay OFATMA work related accident on time.		27
Aug-22	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break and Include the lunch break payment in the calculation of annual salary supplement or bonus.		88
Aug-22	Compensation	Social Security and Other Benefits	The factory did not share any proof that workers' pay slip for the last 3 months were sent to OFATMA for sick leave and maternity leave payment	Send workers' pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment. Keep records of acknowledgments	The records of all acknowledgments are kept.	88
Aug-22	Compensation	Social Security and Other Benefits	ONA calculation does not include the lunch break payment. At the time of assessment visit, the last three recent payments were late.	Pay the lunch break, then forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.	Last ONA payment was made for the month of September 2022.	88

Aug-22	Compensation	Social Security and Other Benefits	Employers' contribution to OFATMA for maternity and health insurance does not include the lunch break payment.	Pay the lunch break, then Forward worker's and employers' contribution to OFATMA within the first 10 business days of the next month for the previous month.	Last OFATMA payment was made for the month of May 2023.	88
Aug-22	Contracts and Human Resources	Employment Contracts	The internal work rules are less favorable than the law.	Amend the internal regulations and make the necessary adjustments.		10
Aug-22	Compensation	Termination	The calculation for the payment of the applicable notice period does not include the lunch break payment.	Include the lunch break payment in the calculation for the applicable notice period.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break	10
Aug-22	Compensation	Termination	The calculation of the average daily salary for annual leave upon termination does not include the lunch break payment.	Include the lunch break payment in the calculation of unused paid annual leave upon termination.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	10
Aug-22	Compensation	Termination	The calculation of the annual salary supplement upon termination does not include the lunch break payment.	Include the lunch break payment in the calculation of annual salary upon termination.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	10
Aug-22	Occupational Safety and Health	OSH Management Systems	The employer was not able to provide the required structural safety certificates	Request a structural safety certificate from the city council.		10
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate .	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.	The health and safety officer and the OSH members are responsible to update inventories of hazardous substances in the various locations where they are stored or used.	10
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	No chemical data sheets for Acid muriatic found in the mechanic shop.	Keep chemical MSDS for all hazardous chemicals used in the workplace.	MSDS for all chemical products are posted in the workplace.	10
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer has not limited workers 'exposure to hazardous substances.	Isolate the use of chemical products on the floor.	The maintenance manager has already defined a maintenance plan.	10

Aug-22	Occupational Safety and Health	Worker Protection	Management has not provided support belt to workers doing heavy lifting work.	Provide the safety belt to workers. Add this aspect in the system of daily-weekly checks.	All workers that are doing heavy lifting works have received the safety belt.	54
Aug-22	Occupational Safety and Health	Worker Protection	25 percent of the sewing machines are missing pulley guards.	Define who is in charge of installing & regularly maintaining the machine guards (preventive maintenance).	The mechanic manager is in charge of installing and regularly maintaining the machine guards.	10
Aug-22	Occupational Safety and Health	Working Environment	Temperature exceed BW recommended limit.	Take action to reduce the temperature such as opening in the roof, water curtain or additional fans.		88
Aug-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as required by law.		104
Aug-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff based on the total workforce.		95
Aug-22	Occupational Safety and Health	Emergency Preparedness	The fire alarm in building 2 was not working in.	Have a fire detection and alarm system suitable for the factory conditions.		10
Aug-22	Occupational Safety and Health	Emergency Preparedness	A rechargeable light bulb was found charging wrapped in a piece of fabric. Management said that this practice is forbidden in the workplace.	Train supervisors and workers about fire hazards and the need to report hazards for reparation.	The direction has already trained all workers, supervisors about fire hazards and the need to report hazards reparation.	10
Aug-22	Working Time	Regular Hours	The regular working hours are exceed the legal limit.	Amend the internal work rules Ensure that the weekly regular working hours which include the daily break do not exceed 48 hours per week.		21
Aug-22	Working Time	Regular Hours	The administrative staff. Supervisors confirmed that even though they are working significant amount of overtime , it is not recorded and therefore not paid.	Review the contract of these categories of workers.		10
Aug-22	Working Time	Leave	Management did not provide 15 consecutive days of annual leave.	Provide at least 15 days of annual leave to workers after 1 year of service.	15 days of annual leave has been provided to workers.	10

Aug-22	Working Time	Leave	Assessors found two cases where the workers were sent home before their seventh month of pregnancy without any medical prescription.	Develop a procedure for maternity leave.	The factory has developed a procedure for maternity leave with a consistent content.	10
Aug-22	Contracts and Human Resources	Employment Contracts	The disciplinary procedure does not include: Clear specification of unacceptable behaviors or performance.	Include in the procedure the following actions: Clear specification of unacceptable behaviors or performance.	The factory management has reviewed the termination and disciplinary procedures, the missing steps of the procedure have been added.	10
Aug-22	Contracts and Human Resources	Employment Contracts	The grievance procedure does not include clear options for submitting grievances and disputes that ensure anonymity and non-retaliation.	Include clear options for submitting grievances and disputes that ensure anonymity and non-retaliation.	The factory has made the updates in the procedure such as clear options for submitting grievances and disputes that ensure anonymity and non-retaliation.	10
Aug-22	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of: Regular management review of effectiveness of management system including performance on measurable objectives and targets.	Hold a management review meeting of effectiveness of management system including performance on measurable objectives and targets. - Keep records when accident investigations are followed by an actual change in procedure.		10
Aug-22	Occupational Safety and Health	OSH Management Systems	No. The factory does not have an adequate accident investigation procedure.	includes the following actions in the procedure: - Root cause analysis - Focus on sustainable solutions - Implementation of changes in order to avoid reoccurrence.		10
Aug-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedure.	Develop a hazard/risk management and control procedure that includes: - A systematic approach to identifying hazards - A structure to prioritize risks based on potential impact and likelihood - A hierarchy of controls that is used to select effective controls - A risk register that drives the implementation of controls.		10

Assessment September 2021

Sep-21	Working Time	Regular Hours	The employer does not keep working time records that reflect the hours actually worked.	Ensure that working time records is accurate.		
Sep-21	Working Time	Regular Hours	One worker was not automatically granted breastfeeding breaks after her return from maternity leave.	Develop a procedure for the HR staff when worker return from maternity leave.		
Sep-21	Working Time	Regular Hours	The regular working hours are from 7 AM to 4 PM (including a 1 hour daily break), 6 days per week, which is equivalent to 9 working hours per day and 54 hours per week.	Revise the internal regulations and make sure that the regular hours do not exceed 48 hours per week.		
Sep-21	Occupational Safety and Health	Emergency Preparedness	The total number of workers trained in fire-fighting is less than 10 percent of the workforce.	Include the training in fire fighting in the training plan. Ensure that at least 10 percent of the workforce is trained.		
Sep-21	Occupational Safety and Health	Emergency Preparedness	The last fire drill was conducted on June 22nd 2021, and the one before that on 30th August 2020.	Conduct at least one emergency drill every 6 months including full evacuation of the workforce. Insert the drills in the OSH annual training plan.	The Factory has planned 3 Fire Drill per year and conducted 2 fire drills for this year.	
Sep-21	Occupational Safety and Health	Emergency Preparedness	The aisles were obstructed in both buildings of the factory during working hours.	Provide additional training for supervisors and worker. Provide additional space for storing goods.		
Sep-21	Occupational Safety and Health	Emergency Preparedness	The escape routes in both floor of the factory are not clearly marked.	Paint evacuation arrows and yellow lines on the floor to show the exit pathway.		
Sep-21	Occupational Safety and Health	Emergency Preparedness	The fabric warehouse does not have adequate fire-fighting equipment.	Install adequate fire-fighting equipment in this area.	Management has installed adequate fire-fighting equipment in this area and trained workers on electrical hazards.	
Sep-21	Occupational Safety and Health	Emergency Preparedness	The fabric storage does not have a fire detection and alarm systems.	Install a smoke detector in this area. Provide additional training on electrical hazards.	Management has installed some smoke detectors in this area and trained the workers on electrical hazards.	

Sep-21	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less than 10 percent of the workforce.	Include First Aid training in the training plan. Ensure that at least 10 percent of the workforce is trained in first aid.	More than 10 percent of the workforce has been trained. The factory has an internal training plan and a training Monitoring system in place.	
Sep-21	Occupational Safety and Health	Health Services and First Aid	The factory is in compliance with the labor code regarding the doctor services. However, the number of nurses is insufficient.	Hire additional medical staff to have at least 7 nurses for the current workforce.		
Sep-21	Occupational Safety and Health	Health Services and First Aid	Annual medical checks for workers are not in line with legal requirements.	Discuss the legal requirements with the General Manager. Pay the health card.	The compliance team have discussed about the legal requirements with the general manager. The factory has paid the CDS.	
Sep-21	Occupational Safety and Health	Health Services and First Aid	Health checks for workers who are exposed to work-related hazards are not in line with legal requirements.	Discuss the legal requirements with the General Manager. Develop a health check plan for workers who are exposed to work-related hazards.	The Factory has paid the health card. Management has a plan for workers that are exposed to work-related hazards to receive the health checks every six months.	
Sep-21	Occupational Safety and Health	Health Services and First Aid	The factory did not paid the CDS. As a result OFATMA did not provide any medical checks for workers upon hiring and workers did not receive the health card.	Discuss the legal requirements with the General Manager. Pay the health card.	The factory has paid the CDS and has sent a request to OFATMA to provide the medical checks.	
Sep-21	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Discuss the legal requirements with the General Manager. Increase the number of toilet to have at least one toilet for every 25 men and one toilet for every 15 women.		
Sep-21	Occupational Safety and Health	Working Environment	Lux level is insufficient in sewing, packing and cutting section.	Increase the light level to reach 300 lux in Pressing section, 500 lux in Sewing, cutting, packing. 750 lux in trimming, Inspection section. Add this aspect in the daily and weekly checks.		

Sep-21	Occupational Safety and Health	Working Environment	Workplace temperature exceed 30 C in cutting section.	Increase the ventilation with additional fans. Conduct regular measurement of temperature & compare with threshold value		
Sep-21	Occupational Safety and Health	Worker Protection	No support belts have been provided to workers doing heavy lifting work.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		
Sep-21	Compensation	Paid Leave	The annual salary supplement or bonus does not include the lunch break payment.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the annual salary supplement.		
Sep-21	Compensation	Social Security and Other Benefits	Workers' contributions to OFATMA is late and does not include the lunch break payment.	Discuss legal requirements with the General Manager. Include the lunch break in worker's contribution to OFATMA. Ensure that payments are done within the first 10 business days of the next month for the previous month.		
Sep-21	Compensation	Social Security and Other Benefits	Employer's contributions to OFATMA for maternity and health insurance is late.	Include the lunch break in the employer contribution to OFATMA. Ensure payment are done within the first 10 business days of the next month for the previous month.		
Sep-21	Compensation	Social Security and Other Benefits	Employer's contribution to OFATMA for work-related accident insurance is late.	Include the lunch break in the contribution sent to OFATMA. Pay the health cards.	The factory made a first payment for the fiscal year 2021/2022 which includes the health cards.	
Sep-21	Compensation	Social Security and Other Benefits	The employer did not collect and forward workers' contributions to ONA on time and the lunch break is not compensated.	Pay the lunch break and Forward worker contribution to ONA within the first 10 business days of the next month for the previous month.		
Sep-21	Compensation	Social Security and Other Benefits	The employer contribution to ONA is late and does not include the lunch break payment.	Pay the lunch break and Forward employer contribution to ONA within the first 10 business days of the next month for the previous month.		

Sep-21	Contracts and Human Resources	Paid Leave	The factory did not pay annual leave, Sick leave, maternity leave and the daily break correctly as the lunch break is not compensated.	Pay the lunch break and include it in the calculation of sick leave, maternity leave and annual leave.		
Sep-21	Contracts and Human Resources	Paid Leave	The lunch breaks is not compensated in the payroll.	Pay the lunch break.		
Sep-21	Contracts and Human Resources	Paid Leave	The eligible workers are receiving 12 week of maternity leave payment from OFATMA. However, the calculation does not include the lunch break payment.	Pay the lunch break and include it in the declaration sent to OFATMA.		
Sep-21	Contracts and Human Resources	Paid Leave	The factory has not paid some workers their sick leave because management lost workers' sick leave certificate.	Have a system to monitor the requests for sick leave. Pay the lunch break and include it in the calculation of sick leave.	All workers have received the sick leave payment.	
Sep-21	Contracts and Human Resources	Paid Leave	The annual leave payment is not calculated on worker's daily average earnings.	Pay the lunch break and include it in the calculation of average daily earnings, when paying the annual leave.		
Sep-21	Compensation	Minimum Wages/Piece Rate Wages	Workers are not getting the minimum wage for the days when they get sent home early for not making good progress on the production.	Review and update the internal regulations.	Based on factory internal regulations approved by MAST, workers received the minimum wage.	

Advisory and Training Services

Assessment	Compliance Cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Assessment May 2023						

May-23	Occupational Safety and Health	OSH Management Systems	the OSH policy was not developed in consultation with workers and their representatives.	The factory should discuss the policy with worker representative, including the OSH committee members, gather their inputs and include them in the policy. Workers should also be made aware of the policy either through training or during induction		33
May-23	Occupational Safety and Health	OSH Management Systems	No. The factory has not posted policies and work instructions around the workplace.	The factory needs to post the names of all committee members on the floor. If possible, post the pictures of the members as well. Post the policy.		33
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigate, monitor and measure OSH issues	Management needs to: Perform regular test, survey and inspections. Logging and analysis of violations of procedures- Regularly review of effectiveness of management system including performance on measurable objectives and targets		33
May-23	Contracts and Human Resources	Employment Contracts	The factory's disciplinary and termination procedures does not include all the necessary steps.	Update the procedure to include: The right to defend oneself prior to termination and to representation during the disciplinary process.		33
May-23	Contracts and Human Resources	Employment Contracts	The Internal work rules Has not been approved by MAST.	The factory needs to follow up with MAST to make sure that the internal work rules document is approved.		33
May-23	Contracts and Human Resources	Employment Contracts	The normal working hour in the Dominican contracts is different from the working time in the internal work rules.	Update the internal work rules.		2
May-23	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	The factory should respect the law and send pregnant workers on maternity leave six weeks before delivery		33
May-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several areas of the workplace	The factory should make sure that aisles and evacuation routes remain unobstructed at all times during work hours. Training should be provided to production managers and supervisor about the dangers of obstructed aisle	The factory corrected the issue. However, a visit is required to make sure that the improvement is consistent.	33
May-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted every six months, as recommended.	Fire drills should be conducted every six months, as recommended.	The factory conducted a fire drill in July. They should schedule another drill for January 2024.	33

May-23	Occupational Safety and Health	Emergency Preparedness	The assessors noticed a light bulb wrapped with fabric in plotter area.	Workers should be trained in fire safety, let them know about the dangers this action present. Factory can analyze to install phone charging stations for workers.	The factory took measure to correct the issue. They have charging station available for workers to charge their phones.	2
May-23	Occupational Safety and Health	Emergency Preparedness	The evacuation plan did not reflect the actual layout of the floor in building 3. In addition, the evacuation arrow does not lead to emergency exit.	Update the evacuation map to reflect the layout of the floor and mark the arrows to show the emergency routes.	Evacuation plan has been updated. Evidence has been shared.	33
May-23	Occupational Safety and Health	Emergency Preparedness	Unidentified fire extinguishers found in building 3	The factory should assign a person or persons to verify all fire extinguishers on a monthly basis, to make sure that they are properly identified, and with sufficient charge.		33
May-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first aid	The factory should provide first aid training to at least 10% of workforce as recommended.	Factory has train new workers on September and October, evidence has been sent	33
May-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical Staff.	The factory needs to increase the number of nurses and add 1 medical visit at least 3 times per week.	The factory has its onsite medical facility and staff. Evidence has been shared. There is only one nurse.	33
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards.	The factory must include in its policy to provide medical checks twice a year for workers who are exposed to work related hazards or chemical products. The factory can also request such medical checks from OFTAMA when they are contributing to OFATMA maternity and health insurance and pay regularly.	A medical report and a list of workers who received the tests was sent by the factory. However further investigation is needed to verify if the workers received the test.	33
May-23	Occupational Safety and Health	Welfare Facilities	The employer does not have its own eating area, instead workers use the communal eating areas shared with other factories within CODEVI (industrial park); however, according to assessors' observation, those eating areas do not have the capacity to accommodate all workers even if the factories have different lunch schedules to decrease agglomeration of workers.			

May-23	Occupational Safety and Health	Welfare Facilities	The water test is not conducted on a monthly basis by a certified laboratory.	The factory should establish a policy to test the drinking water on a monthly basis. They should conduct the water test on a monthly basis. Water samples should be gathered at the exit source.	The water test was conducted on . Factory will continue with monthly basis by a certified laboratory.	33
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	The factory should discuss with the park's administration to see how they can increase the number of toilets for women.		33
May-23	Occupational Safety and Health	Welfare Facilities	Assessors noticed that soap was not available during the assessment visit in men toilets of building 3.	The factory should designate a person or persons to regularly check the bathroom for cleanliness and to make sure that supplies are always available for the workers.	The factory took measures to always have soap in stock. They have a person who is responsible to verify the toilets periodically.	2
May-23	Occupational Safety and Health	Working Environment	Workplace temperature exceed the recommended limit of 30C	The factory should ensure that the temperature level is maintained below at of below 30C. Cooling systems or extractors can be installed as needed.		33
May-23	Occupational Safety and Health	Worker Protection	Unidentified circuit breakers found in building 3.	Circuit breakers should be inspected regularly to make sure that they are properly identify and maintained.		2
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer did not take any action to limit the exposure of employees to chemical vapors.	The employer should take actions to limit the exposure of employees to chemical vapors. The spot cleaning area should be isolated or extractors should be installed.		33
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS' were available for several chemical products used in the workplace.	Have MSDS in all places where chemical and hazardous products are used and stored.	Issue was addressed. MSDS and label has been added to al chemical products. Evidence has been shared.	33
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous products found in several areas of the workspace.	The factory should a dedicated a person or persons to be responsible to keep, update and manage their the chemical inventory. The person should keep track of the chemical containers to ensure that they are properly labelled.		33

May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory does not list all the products used in the workplace.	The factory should a dedicated person to be responsible to keep and update the chemical inventory system. A computerized system can be established to ensure that the chemical inventory is updated daily.	Chemical inventory is now accurate and updated. Verification done every week to keep accuracy. Evidence has been shared.	33
May-23	Freedom of Association	Collective Bargaining	Several articles of the labor code are not implemented.	The unions should work with CODEVI to review the collective bargaining agreement and to work on an implementation plan for the articles that are not currently being implemented.		2
May-23	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance. The employer does not pay 3% of workers' basic salary to OFATMA.	he factory needs to register for OFATMA maternity and health insurance as required by law. The factory need to contribute 3% of workers basic/ average daily salary to OFATMA. Contributions should be submitted monthly, with the first 10 working of the current month, for the previous month's payment.		33
May-23			The employer collects and forward workers' contribution to ONA late.	ONA payment should be made on time, within the first 10 working days of the current month for the previous month's payment. Worker's and employer's contributions should be calculated on the basic/ average daily salary which includes all earnings except for overtime payments. If there is an agreement for partial payments. the factory should keep a copy of the agreement.		33
May-23	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance. The factory does not collect and forward the workers' contribution to OFATMA.	The factory needs to register for OFATMA maternity and health insurance as required by law. The factory need to contribute 3% of workers basic/ average daily salary to OFATMA. Contributions should be submitted monthly, with the first 10 working of the current month, for the previous month's payment.		14

May-23	Compensation	Social Security and Other Benefits	The employer does not forward employer's contribution to ONA on time.	ONA payment should be made on time, within the first 10 working days of the current month for the previous month's payment. Worker's and employer's contributions should be calculated on the basic/ average daily salary which includes all earnings except for overtime payments. If there is an agreement for partial payments. the factory should keep a copy of the agreement.		33
May-23	Compensation	Social Security and Other Benefits	Workers' pay slip for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	The factory needs to register for OFATMA maternity and health insurance, make the payments regularly as required by law. Once the factory is duly registered, they can send the worker's pay slip to OFATMA so OFATMA can make the required payment for sick leave and maternity leave.		33
May-23	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work related accident and the factory has not completed the payment for the fiscal year 2021-2022.	The factory needs to pay OFATMA for work related accident on time, including the CDS payment. If there is an agreement with OFATMA, the factory should keep a copy of the written agreement and adhere to the payment conditions.		33
May-23	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	Pay the lunch break	The Lunch break payment is no longer required. The June 13th decree suspended the 3 rd law.	33
May-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	The factory needs to register all workers for OFATMA Maternity and health insurance and pay regularly. For pregnant workers, the factory needs to send their last pay slip to OFATMA, so OFATMA can pay them for 12 weeks of maternity leave as mandated by law.		33
Assessment June 2022						
Jun-22	Compensation	Paid Leave	The calculation of annual leave payments does not include the lunch break payment.	Pay the lunch break and include it in the calculation of annual leave payments.		21

Jun-22	Compensation	Paid Leave	The calculation of sick leave payments does not include the lunch break payment.	Pay the lunch break and include it in the calculation of sick leave payments.		21
Jun-22	Compensation	Paid Leave	The calculation of maternity leave payments does not include the lunch break payment.	Pay the lunch break and include it in the calculation of maternity leave payments.		21
Jun-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Comply with the 3*8 law and pay the lunch break.		21
Jun-22	Compensation	Social Security and Other Benefits	The factory has not completed the payment for OFATMA work related accident for the fiscal year 2021-2022.	Factory must pay the lunch break and include it in the calculation of the average daily salary and send the salary statement to OFATMA.	Management said that they are contesting the amount on the invoice.	21
Jun-22	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus payment does not include the lunch break payment.	Pay the lunch break and include it in the calculation of annual salary supplement or bonus.		21
Jun-22	Compensation	Social Security and Other Benefits	Workers' pay slip for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	Send worker's pay slips to OFATMA for the last three months, for the calculation of sick leave and maternity leave payments.	The factory makes the payments and pay 6 weeks of maternity leaves.	21
Jun-22	Compensation	Social Security and Other Benefits	Workers' and employer's contribution to ONA is calculated on the minimum wage and does not include the lunch break payment.	Workers' and employer's contribution to ONA must be calculated on the average daily earnings and must include the lunch break payment.		21
Jun-22	Compensation	Social Security and Other Benefits	The factory only pays the employer's portion of the contribution to OFATMA for maternity and health insurance.	Workers' and employer's contribution to OFATMA must be calculated on the average daily earnings and must include the lunch break payment.	Management explained that there is an agreement between the administration of CODEVI and OFATMA for all the factories inside of the industrial park, but the factory's management could not share any agreement with the assessors during the assessment visit.	6
Jun-22	Contracts and Human Resources	Employment Contracts	The internal work rules are less favorable than the labor law because it does not provide the payment of the lunch break.	Lunch break payment must be included in the internal work rules.	Management is discussing the legal requirements with CODEVI administration.	21

Jun-22	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period does not include the lunch break payment.	Pay the lunch break and include it in the calculation for the applicable notice period.	The factory management stated they will contact CODEVI administration for follow up.	21
Jun-22	Contracts and Human Resources	Termination	The calculation for unused paid annual leave upon termination does not include the lunch break payment.	Pay the lunch break and include it in the calculation of average daily earnings.	The factory management stated they will contact CODEVI administration for follow up.	21
Jun-22	Contracts and Human Resources	Termination	The calculation for workers their annual salary supplement upon termination does not include the lunch break payment.	Pay the lunch break and include it in the calculation of average daily earnings.	The factory management stated they will contact CODEVI administration for follow up.	21
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory did not conduct a general OSH assessment monthly.	Conduct a general OSH assessment on a monthly basis.	General OSH assessment monthly has been done. Excel format used for the last one has been shared.	21
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory did not share any list of health committee members and meeting minutes for the last 12 months.	Establish an OSH bipartite committee, conduct regular meeting and keep minutes of meetings.	OSH committee has been created. First meeting has been done on November 11; Evidence has been shared.	21
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have a system to record accidents on a regular basis and send them to OFATMA monthly.	Work related accident must be recorded and sent to OFATMA on a monthly basis.	Correction has been made. Factory has shared evidence for August, September and October. System is now in place	21
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory did not provide any structural safety certificate.	Request a structural safety certificate from CODEVI administration.		21
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous product was not accurate and updated.	Develop an inventory management system and update the inventory on a regular basis.	Chemical inventory is now accurate and updated. Verification done every week to keep accuracy. Evidence has been shared.	21
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous products found in several areas of the workspace.	Label all chemical and hazardous materials.	All the containers have been labelled. Follow up is done with the worker to not used unlabeled containers.	21
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The assessors noticed that chemicals storage areas are not adequately ventilated.	Ensure that the storage area for chemical product is isolated and properly ventilated. Place eye wash station where chemical products are used and stored.	Correction has been made. The chemicals storage areas have been adequately ventilated. Evidence has been shared	21

Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS's were not available for all chemical and hazardous products used in the workplace.	Keep MSDS for all chemical and hazardous products used in the workplace.	Issue was addressed. MSDS and label has been added to al chemical products. Evidence has been shared.	21
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer did not take any action to limit the exposure of employees to chemical vapors.	The spot cleaning area should be isolated and should be properly ventilated. Add extractors to machines as necessary.		21
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Training has not been provided to workers were using chemical and hazardous substances.	Train all workers that are using chemical and hazardous substances.	Training has been done for workers were using chemical and hazardous substances.	6
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	An eye wash station was not available where chemicals are used and stored.	Install eye wash stations in all areas where chemical and hazardous products are used.	Correction has been made and evidence has been shared. Eye wash station available where chemicals are used	6
Jun-22	Occupational Safety and Health	Worker Protection	During the assessment visit no evidence of training was available.	Train all workers on PPE.	Factory has planned some training for the workers. One about chemical product is already done. Evidence has been shared.	21
Jun-22	Occupational Safety and Health	Worker Protection	The factory did not check the body temperature of all workers as well as visitors'.	Check workers body temperature and keep a record for those who present a temperature level above 38 degrees.		6
Jun-22	Occupational Safety and Health	Working Environment	Temperature level is not acceptable.	Install a cooling system or fan to keep the temperature level at or below 30 degrees.		21
Jun-22	Occupational Safety and Health	Working Environment	Insufficient light levels in several section of the workspace.	Increase the light level in all sections of the workspace		21
Jun-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Ensure that the factory has sufficient number of toilets as required by the labor code.		21
Jun-22	Occupational Safety and Health	Welfare Facilities	Water test is not conducted on a monthly basis by a certified laboratory.	Water test must be conducted from the exit point on a monthly basis.	The water test was conducted on . Factory will continue with monthly basis by a certified laboratory.	21
Jun-22	Occupational Safety and Health	Welfare Facilities	The eating areas do not have the capacity to accommodate all workers.	Talk to the park administration to increase the capacity of the eating areas.		21

Jun-22	Occupational Safety and Health	Health Services and First Aid	Workers did not receive the medical checks within the first 3 months of hiring and they do not have a health card.	Request the health card from OFATMA. Request the medical checks for all new workers.		21
Jun-22	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Provide a medical check twice a year, to workers who are exposed to chemical and hazardous products.		21
Jun-22	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Request an annual medical check for all workers.		21
Jun-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff as required by art. 478 and 479 of the labor code.	Hire the proper amount of nurses and doctors.	The factory has his onsite medical facility and staff. Evidence has been shared.	21
Jun-22	Occupational Safety and Health	Health Services and First Aid	Expired products found in several first aid boxes.	Keep a checklist for first aid boxes. Review regularly and remove expired products.	all first aid boxes have been actualized and completed. Evidence has been shared.	6
Jun-22	Occupational Safety and Health	Health Services and First Aid	Less than 10% of the workforce is trained in first aid, as recommended by Better Work.	Train at least 10% of the workforce in first aid.	Factory has train new workers on September and October, evidence has been sent	
Jun-22	Occupational Safety and Health	Emergency Preparedness	The factory did not share a fire fighting maintenance report conducted by a certified company.	Maintenance for all fire extinguishers must be done by a certified company every year.	The factory sent monthly report conducted by their team. A certified company has conducted an evaluation for this year and evidence has been shared.	21
Jun-22	Occupational Safety and Health	Emergency Preparedness	The evacuation plan did not reflect the actual layout of the factory floor.	Update the evacuation plan to reflect the layout of the floor. Post evacuation plan where necessary.	Evacuation plan has been updated. Evidence has been shared.	21
Jun-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles and evacuation routes.	Aisles should remain clear of obstructions.	All the aisles in building 1, the evacuation route in the fabric warehouse of building 2, have been cleared.	21
Jun-22	Occupational Safety and Health	Emergency Preparedness	Fire drill are not conducted every six months, as recommended by Better Work.	Conduct regular fire drills.	Factory has plan to do the fire drill every 6 months. The last one was on December 9. Evidence has been shared.	21
Jun-22	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of workers were trained in fire-fighting equipment.	Train at least 10% of the workers in fire fighting.	Factory has done 2 sessions of training on September 28 and 29, and evidence has been sent.	21

Jun-22	Working Time	Regular Hours	The regular working hours exceed the legal limit.	Regular work hours are 48 hours per week.		21
Jun-22	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Pregnant workers should receive 6 weeks of leave prior to giving birth and 6 weeks after, for a total of 12 weeks.		21
Jun-22	Contracts and Human Resources	Employment Contracts	The factory's disciplinary and termination procedures does not include all the necessary steps.	The factory's disciplinary and termination procedures does not include all the necessary steps.		21
Jun-22	Occupational Safety and Health	OSH Management Systems	Management has not assigned accountability at the level of management and OSH committee for carrying out Health and Safety responsibilities.	Ensure effective functioning of the OSH committee Define authority for OSH officer and top management to perform OSH responsibilities Appoint an OSH officer with sufficient expertise	OSH Committee has been created Training has been done for the members	6
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	the employer needs to : - Train all joint OSH committee members. - Post policies and work instructions around the workplace. - Post the names of OSH committee members.		21
Jun-22	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigate, monitor and measure OSH issues.	The employer should investigate, monitor and measure OSH issues through: - Regular test, survey and inspections - Logging and analysis of violations of procedures - Regular management review of effectiveness of management system including performance on measurable objectives and targets - Follow-up on accident investigations that leads to a change in procedures/practices where required		21
Jun-22	Occupational Safety and Health	OSH Management Systems	The employer does not have the proper accident investigation procedure.	The accident investigation procedure should includes: -Root cause analysis -Focus on sustainable solutions -Implementation of changes in order to avoid reoccurrence	Factory is reviewing the accident investigation procedure to include: -Root cause analysis -Focus on sustainable solutions -Implementation of changes in order to avoid reoccurrence	21

Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have the proper emergency preparedness procedure.	The emergency preparedness procedure must include: Reporting fires and other emergencies Alerting all employees to evacuate Evacuating employees to designated assembly location Accounting for all employees after an evacuation	Factory is working on the emergency preparedness procedure to include: Reporting fires and other emergencies Alerting all employees to evacuate Evacuating employees to designated assembly location Accounting for all employees after an evacuation	21
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard and risk procedure that includes all the necessary steps.	The hazard and risk procedure should include: - A systematic approach to identifying hazards - A structure to prioritize risks based on potential impact and likelihood - A hierarchy of controls that is used to select effective controls - A risk register that drives the implementation of controls	Factory in working on the procedure to include: - A systematic approach to identifying hazards - A structure to prioritize risks based on potential impact and likelihood - A hierarchy of controls that is used to select effective controls - A risk register that drives the implementation of controls	21

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: Top Choice Apparel Corp
Location: Ouanaminthe
Number of workers: 1,653
Date of registration: Jan-20
Date of last two Better Work assessments: Jun-22 May-23

Advisory and Training Services

19-Apr-23	Training	Chemical Management System
19-Apr-23	Training	Respectful Workplace Program
19-Apr-23	Advisory meeting	Advisory Visit to conduct an OSH tour of the factory and to conduct training on chemical management for members of the OSH committee.
19-Apr-23	Training	GBVH Cluster training
11-Apr-23	Training	PNC & Management System
14-Mar-23	Bipartite Committee	Advisory visit to Meet the OSH/Bipartite committee in Building 3.
14-Mar-23	Advisory Visit	Advisory visit to Meet the OSH/Bipartite committee in Building 3 Meet with Union Members in Building 3 Review Improvement plan Discuss PRI
3-Feb-23	Advisory Visit	Advisory Visit to conduct: Factory Tour Review improvement plan Discuss training plan Interview with union leader
17-Nov-22	Advisory meeting	1.-Meeting to do Interview with HR about FOA case 2.- Advisory meeting to review improvement plan
29-Aug-22	Training	BWH-TNG HIV/AIDS
31-May-22	Training	Virtual Financial Literacy.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2023						
May-23	Occupational Safety and Health	OSH Management Systems	No. The factory has an OSH policy that is not signed by top management. In addition, the policy is written in Spanish.	Management needs to discuss the OSH policy with workers, have their input and then sign it. The sign policy should also be posted on the floor.		28
May-23	Occupational Safety and Health	OSH Management Systems	No structural safety certificate, certifying the structure of the building meets the safety requirements for an industrial structure.	The factory needs to request the certificate from the CODEVI administration.		28

May-23	Occupational Safety and Health	OSH Management Systems	The factory does not record work related accidents on a monthly basis and does not submit them to OFATMA.	The factory needs to record all work related accidents and submit them to OFATMA on a monthly basis.		28
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigate, monitor and measures OSH issues.	Them employer need to do the following: -Log and analyze of violations of procedures; -Regular management review of effectiveness of management system including performance on measurable objectives and targets; - Accident investigations are followed by an actual change in procedure/ practice where required.		28
May-23	Occupational Safety and Health	OSH Management Systems	Management has not posted the name of OSH committee members in the workspace.	Post the names and pictures of committee members.		2
May-23	Contracts and Human Resources	Employment Contracts	No. The factory does not have an appropriate recruitment procedure.	The factory need to review its recruitment procedure to includes:- Hiring criteria that are applied equally to all job applicants- Verifying the age of workers prior to hiring- Ensuring compliance with legal requirements for workers under age 18- Ensuring that workers retain ID documents.		28
May-23	Contracts and Human Resources	Employment Contracts	The factory does not a have disciplinary and termination procedure.	The factory should develop a disciplinary and termination procedures that includes a clear specification of unacceptable behaviors or performance, a step-by-step warning system and procedures related to legal notice periods and termination payments. The time frame between warnings. The right to defend oneself prior to termination and to representation during the disciplinary process.		28
May-23	Contracts and Human Resources	Employment Contracts	The factory does not has an appropriate grievance handling and dispute resolution procedures.	The grievance handling and dispute resolution procedures should includes : Clear options for submitting grievances and disputes that ensure anonymity and non-retaliation, communication of changes made or resolution, fair review and appeal process.		28

May-23	Contracts and Human Resources	Employment Contracts	The employer does not properly investigate violations of HR policies and procedures.	The factory needs to develop a procedure to investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence. The procedure should include how such investigation will proceed and who will be responsible to perform the investigation.		28
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor. Management had no comment.	The internal work rules should be submitted to OFATMA for Approval. Internal work rules should be in French or Creole. Once approved, it should be shared with workers or posted on the floor.		28
May-23	Contracts and Human Resources	Employment Contracts	The employer does not adequately communicate and implement HR policies.	The employer needs to review its HR policies that include: Induction training for workers and staff; Staff training on how to carry out policies and procedures; Policies and internal regulations posted in the factory; Worker representatives and/or worker-management committees.		28
May-23	Contracts and Human Resources	Employment Contracts	The HR policy that defines accountability and responsibility for HR issues to HR staff is in Spanish	Translate the document from Spanish to French or Creole. Update reporting lines and job duties.		28
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy that is signed by top management and includes all the necessary elements.	The factory should develop an HR policy that is signed by top management which includes: Mandatory minimum age requirements Non-utilization of child labor Equal treatment and non-discrimination Prevention of sexual harassment Legal requirements in relation to termination Freedom of association Working hours and compensation.		28
May-23	Freedom of Association and Collective Bargaining	Collective Bargaining	The employer failed to implement the following provisions of the CBA	The unions, factory management and CODEVI administration should meet to discuss a plan to implement all the articles in the CBA.		2
May-23	Contracts and Human Resources	Contracting Procedures	A review of worker contracts revealed that the apprentice contracts were not approved as legally mandated.	The contracts for apprentice should be submitted to MAST for Approval.		2
May-23	Working Time	Leave	Employer provides less than 12 weeks of maternity leave to pregnant workers.	Provide pregnant women with 12 weeks of maternity leave as mandated by law.		28

May-23	Working Time	Regular Hours	The regular working hours are exceed the legal limit.	The June 13 decree puts the 3*8 law on pause. The factory has a CBA which allows it to work a regular day of 9h plus the lunch break.		28
May-23	Occupational Safety and Health	Emergency Preparedness	less than 10 percent of workers were trained in fire-fighting equipment.	Schedule training to cover at least 10% of the workforce.		28
May-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted on twice a year as recommended by Better Work.	Conduct a fire drill every six months.		28
May-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several areas of the building.	They need to organize the factory floor properly to ensure that aisles remain unobstructed		2
May-23	Occupational Safety and Health	Emergency Preparedness	The evacuation plan does not reflect the layout of the floor. Evacuation routes need to be marked. The emergency exit doors are missing the emergency light.	The factory needs to paint the escape routes on the floor, prepare the evacuation plan and post it on the factory floor. Install emergency lights in the emergency exits.		28
May-23	Occupational Safety and Health	Emergency Preparedness	Improper Maintenance of fire extinguisher.	Inspect the fire extinguishers regularly and place the proper inspection tag.		28
May-23	Occupational Safety and Health	Emergency Preparedness	There is no alarm install in building 2.	Install an alarm system and smoke detectors in the building.		18
May-23	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less than 10 percent of the workforce as recommended by Better Work.	The factory needs to provide training to at least 10% of the workers. The should develop a training plan to provide the training gradually until they reach or exceed 10% of the workforce.		28
May-23	Occupational Safety and Health	Health Services and First Aid	The assessors did not notice any first aid box on the floor of the building Top Choice 2.	The factory needs install first aid boxes, as appropriate, implement a system to make sure that first aid boxes are checked regularly. Make sure to have a product checklist posted on or near the first aid boxes to ensure that all the medical item are available at all times.		2
May-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Management needs to discuss their needs CODEVI administration.	Management expressed that workers have access to use the medical facilities of the industrial park.	28
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	The factory should pay OFATMA on time and include the payment of the CDS. The factory should request that OFATMA performs the medical exam and provide the health card to the workers.		28

May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	The factory should pay OFATMA on time and include the payment of the CDS. The factory should request that OFATMA performs the medical exam and provide the health card to the workers.		28
May-23	Occupational Safety and Health	Health Services and First Aid	Worker interviews across the factory confirmed they did not receive the health cards within the first 3 months of hiring.	The factory should pay OFATMA on time and include the payment of the CDS. The factory should request that OFATMA performs the medical exam and provide the health card to the workers.		28
May-23	Occupational Safety and Health	Welfare Facilities	The employer does not have its own eating area, instead workers use the communal eating areas shared with other factories within CODEVI (industrial park).	The factory needs to discuss with CODEVI administration to find additional spaces to accommodate the workers during lunch.		28
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	The factory need to discuss with the administration of CODEVI to finds ways to increase the number of toilets.		28
May-23	Occupational Safety and Health	Working Environment	The assessors noticed that the packing area was not clean and tidy.	The factory need to have a system where the factory floor is cleaned on a regular basis.		2
May-23	Occupational Safety and Health	Working Environment	Insufficient light level in several areas of the workspace.	The factory needs to ensure that the light level is appropriate in all sections of the factory floor.		2
May-23	Occupational Safety and Health	Worker Protection	Improper maintenance of machinery.	The factory needs to make sure that all machines have the proper guards for worker protection. They should train the workers in the proper use of the guards and implement a system to ensure that workers use them.		28
May-23	Occupational Safety and Health	Worker Protection	The employer does not provide all the necessary PPE to all workers.	Provide appropriate PPE to all workers. Implement a system to ensure that PPE are used when necessary.		18
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash station has been installed where chemicals are used and stored.	Install an eye wash facility in the compressor room of the second building Top Choice 2.	Management they are training a new compliance officer to check and report these issues.	2
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The vacuum machine observed in the spot cleaning of the building Top Choice 1, is not working.	Make sure that the vacuum machine is functioning to prevent worker exposure to chemical products.		2

May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS's are missing for several chemical and hazardous products.	Define who is responsible to acquire and keep the MSDS for all products. Keep MSDS in all area where products are being used. Keep a separate folder with all the MSDS in the office. Ensure that users of chemical product are aware and have read the MSDS so they can be knowledgeable about the products.		28
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous substances found in the workspace.	The factory should assign a person to be in charge of the inventory; ensure that all product are properly labelled.		28
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inaccurate inventory of chemical and hazardous substances.	The factory should review its inventory management system to include quantity received, quantity delivered, actual quantity and the location where chemicals are stored in all building. They should assign a person to keep track of the inventory.		28
May-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of the annual salary supplement upon termination does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	28
May-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of the unused paid annual leave upon termination does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	28
May-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of the applicable notice period does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	28
May-23	Compensation	Social Security and Other Benefits	The employer does not pay the required employer contributions to ONA.	The factory needs to submit employer's contributions to ONA within the first 10 working days of the following month for the previous month's payment. Calculate deductions based on average daily salary (BASIC SALARY). Exclude overtime payment in the calculation.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	28
May-23	Compensation	Social Security and Other Benefits	The factory is not register for OFATMA maternity and health insurance.	The factory needs to register all workers for OFATMA maternity and health insurance		28
May-23	Compensation	Social Security and Other Benefits				

May-23	Compensation	Social Security and Other Benefits	The employer collects but does not forward workers' to ONA on time.	The factory needs to submit payment to ONA within the first 10 working days of the following month for the previous month's payment. Calculate deductions based on average daily salary (BASIC SALARY). Exclude overtime payment in the calculation.		
May-23	Compensation	Social Security and Other Benefits	Workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	Factory needs to register for OFATMA and make the necessary contributions regularly.		28
May-23	Compensation	Social Security and Other Benefits	The calculation of the average salary for the annual salary supplement does not include the lunch break payment.	Pay the lunch break	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	28
May-23	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work related accident and the factory has not completed the payment for the fiscal year 2022-2023.	The factory needs to pay OFATAMA for work related accident insurance on time. Should they have an agreement with OFATMA for partial payment, they should have a copy of the agreement and make payments as requested.		28
May-23	Compensation	Paid Leave	Sick leave payments are not based on average daily earnings. Furthermore, the calculation does not include the lunch break payment.	Pay the lunch break and include all earning in the calculation of the average daily salary.	The calculation of the average daily salary must include all earnings, except the lunch break payment, which is no longer required. Overtime does not need to be included.	28
May-23	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	Pay the lunch break.	The 3*8 Law stated that the lunch break is an integral part of the eight-hour day and should be compensated. The June 13 decree suspends the 3*8 law, the payment of the lunch break is no longer required.	28
May-23	Compensation	Paid Leave	The factory compensated workers for 6 weeks of maternity leave. In addition, the calculation does not include the lunch break payment.	The factory needs register all workers with OFATMA for maternity and health insurance, deduct the proper amount and submit it to OFATMA on a monthly basis. For pregnant workers, the factory should send their last pay slips to OFATMA for their maternity leave payments.	The calculation of the average daily salary must include all earnings, except the lunch break payment, which is no longer required. Overtime does not need to be included.	28
May-23	Compensation	Paid Leave	The calculation of the average salary for the annual leave payment does not include the lunch break payment.	Pay the lunch break	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	28
Assessment June 2022						
Jun-22	Working Time	Leave	Employer provides less than 12 weeks of maternity leave to pregnant workers.	The factory needs to register for OFATMA maternity and health insurance and provide workers with twelve weeks of maternity leave.		16

Jun-22	Working Time	Regular Hours	Regular hours exceed the legal limit.	Factory must revised its regular hours so it can comply with the legal limit of 48 hours per week.		16
Jun-22	Occupational Safety and Health	Emergency Preparedness	One Fire extinguisher was not accessible in the spot cleaning. Several fire extinguishers were not identified in the packing section.	Fire extinguishers should be identified and be accessible at all time.	Correction has been made. Evidence was shared.	6
Jun-22	Occupational Safety and Health	Emergency Preparedness	The last fire drill was conducted on February 2022, and the one before that on March 2021.	The factory must perform a fire drill once every six months.	1.- Last fire drill has been done on February 22, 2022	16
Jun-22	Occupational Safety and Health	Emergency Preparedness	The assessors observed rechargeable light bulbs wrap with fabric in packing section which represents a fire hazards.	Sources of ignition must be safeguarded. Train workers to recognize risk and dangers related to sources of ignitions	Factory has taken measure to prevent workers to put light bulbs in charge. Information is posted on the floor. Evidence has been shared.	6
Jun-22	Occupational Safety and Health	Emergency Preparedness	The evacuation plan does not reflect the layout of the floor.	Update and post the evacuation plan on the floor. Repaint the floor to indicate evacuation routes.	Evacuation plan has been updated and the evacuation routes clearly marked. Evidence has been sent.	6
Jun-22	Occupational Safety and Health	Emergency Preparedness	the factory has an alarm system. However, there was no smoke detector in the packing area.	Install Smoke detector	Smoke detector in the packing area was added. Evidence has been sent.	6
Jun-22	Occupational Safety and Health	Health Services and First Aid	Unidentified container of product found in first aid box and alcohol that was stored in soda container.	All first aid products must be properly stored and identified.		6
Jun-22	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	The factory must provide health checks to all workers on a yearly basis.		16
Jun-22	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Factory operate at night also. The factory must have medical staff onsite for all shift.	Management expressed that workers have access to use the medical facilities of the industrial park.	16
Jun-22	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in workers' files.	The factory must provide health checks twice a year to all workers exposed to chemical products.	Medical checks for workers exposed to work-related hazards were performed by the CODEVI medical staff.	16
Jun-22	Occupational Safety and Health	Health Services and First Aid	Workers were not provided a free medical check within the first 3 months of hiring and they did not receive the health cards within the first 3 months of hiring.	The factory must ensure that medical checks are provided to all workers within the first three months of employment.		16

Jun-22	Occupational Safety and Health	Welfare Facilities	The employer does not have its own eating area, instead workers use the communal eating areas shared with other factories within CODEVI.	The factory must work with the park in order to have enough space in the eating area.		16
Jun-22	Occupational Safety and Health	Welfare Facilities	Drinking water has not been tested by a certified laboratory on a monthly basis.	The factory need to ensure that the drinking water is tested on a monthly basis.		16
Jun-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets	The factory needs to increase the number of toilets in the workplace.		16
Jun-22	Occupational Safety and Health	Worker Protection	The factory does not keep a registry for all persons who present a temperature of 38C and above.	They factory must keep a register for workers with a temperature of 38c and above.		16
Jun-22	Occupational Safety and Health	Worker Protection	Several sewing machines were missing finger guards, eye guards, belt guards and pulley guards.	Install the proper guards on all sewing machines.	Management say that they are aware of the problem and that they constantly fixing the guards but the workers are removing them	16
Jun-22	Occupational Safety and Health	Worker Protection	The assessors observed several chairs without backrest in sewing floor and several others in very poor conditions.	Provide ergonomic chairs to all workers.	Chairs with backrest has been bought to replace those without backrest. Evidence has been sent	6
Jun-22	Occupational Safety and Health	Worker Protection	The employer has provided proper PPE to all workers.	The factory must provide the proper PPE to all workers: - Mask against chemical vapor for workers working in the spot cleaning area. - Support belt for workers doing heavy lifting work.	All the PPE were provided to the workers. Training has been done for them. Evidence has been shared.	6
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station has not been installed in all areas where chemicals are used and stored.	The factory must install eye wash stations in all locations where chemical products are being used.	Management said they will address this issue shortly.	16
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Training was not provided to workers' using chemical and hazardous substances.	Provide training to all workers who have access to chemical and hazardous substances.	Management said that the CODEVI training on managing chemicals was postponed to July 2022.	16
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have proper conditions to prevent unnecessary exposure of workers to chemicals.	The factory needs to ensure that the Spot Cleaning area is isolated form the general population. They must provide the proper PPE to workers using chemical products. Extractors must function properly. Limit worker's access to the spot cleaning area.		16

Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	chemical safety data sheets are not available for all products used in the workspace.	The factory must ensure that all chemical product in the workplace have the MSDS posted where they are being used. ALL MSDS must be in French or Creole.		16
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The storage area is not adequately ventilated and all chemicals were stored together.	The factory must keep chemical products in a storage area that is properly ventilated.		16
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of sewing oil and 1 container of blow out in the Mechanic area.	The factory must ensure all chemical product containers are properly labelled.		16
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not keep a proper inventory of all chemical and hazardous substances used in the workplace.	The factory needs to develop an inventory management system and keep track of all product location.		16
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not submit records of work related accidents to OFATMA on a monthly basis.	The factory needs develop a detailed OSH policy, designate a person with the responsibility to record work related accident and to submit them to OFATMA on a monthly basis.		16
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory did not share evidence of assessment performed on general occupational safety and health on a monthly basis.	The factory need to develop a detailed OSH policy, including an internal OSH assessment plan.	Factory has shared evidence of assessment performed on general occupational safety and health in the factory for the month March, Abril and May 2022	6
Jun-22	Contracts and Human Resources	Termination	The calculation of the annual salary supplement or bonus upon termination does not include the lunch break payment.	The factory must pay the lunch break and include the payment in the calculation of the average daily salary.	The factory's management stated they will follow up on that with their legal department.	16
Jun-22	Contracts and Human Resources	Termination	The calculation unused paid annual leave payment upon termination does not include the lunch break payment.	The factory must pay the lunch break and include the payment in the calculation of the average daily salary.	The factory's management stated they will follow up on that with their legal department.	16
Jun-22	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period upon termination does not include the lunch break payment.	The factory must pay the lunch break and include the payment in the calculation of the average daily salary.	The factory's management stated they will follow up on that with their legal department.	16
Jun-22	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor.	The factory needs to develop an internal work rule and ensure that it is approve by the Ministry of Labor (MAST).		16

Jun-22	Compensation	Social Security and Other Benefits	The calculation annual salary supplement or bonus does not include the lunch break payment.	The factory must pay the lunch break and include the payment in the calculation of for the average daily salary.	Management explained that they will follow up with their legal department.	16
Jun-22	Compensation	Social Security and Other Benefits	The factory has not collected and forwarded workers contributions to OFATMA for maternity and health insurance.	The factory needs to register for OFATMA maternity and health insurance and forward the payment each month, on a regular basis.		16
Jun-22	Compensation	Social Security and Other Benefits	Workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	The factory must send workers' pay slips to OFATMA for the payment of sick leave and maternity leave.	The factory makes the payments and pays 6 weeks of maternity leave payment.	16
Jun-22	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work related accident and the factory has not completed the payment for the fiscal year 2021-2022.	The factory must pay the must be OFATMA for the accident insurance on time .		16
Jun-22	Compensation	Social Security and Other Benefits	The employer collects but did not forwards workers' contributions to ONA on a monthly basis.	The employer must forward ONA contribution on time, by the 10th working day of the following month to cover the payment for the previous month.		16
Jun-22	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave, maternity leave and the daily break correctly.	The factory must pay the lunch break and include the payment in the calculation of the average daily salary	Management explained that they will follow up with their legal department.	16
Jun-22	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	The factory must compensate the workers for the lunch break, as required by the 3-8 law.	Management explained that they will follow up with their legal department.	16
Jun-22	Compensation	Paid Leave	Maternity leave payments are based on the minimum wages.	The factory must register for OFATMA maternity and health insurance, pay workers for the lunch break, include the lunch break payment in the calculation of the average daily salary.	Management explained that they will follow up with their legal department.	16
Jun-22	Compensation	Paid Leave	Sick leave payments are not based on average daily earnings. In addition, the calculation does not include the lunch break payment.	The factory must compensate the workers for the lunch break and include the payment in the calculation of the average daily salary. The factory must pay the sick leave based on the average daily salary.	Management explained that they will follow up with their legal department.	16
Jun-22	Compensation	Paid Leave	The annual leave payment is not calculated on worker's daily average earnings	The factory must compensate the workers for the lunch break and include the payment in the calculation of the average daily salary. The factory must calculate the payment for annual leave based on the average daily salary.	Management explained that they will follow up with their legal department.	16

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: Uniwell Apparel, LLC.
Location: Ouanaminthe
Number of workers: 683
Date of registration: Jan-20
Date of last two Better Work assessments: Jun-22 May-23

Advisory and Training Services

13-Apr-23	Training	Chemical Management System
13-Apr-23	Advisory meeting	To conduct OSH tour and identify hazards on emergency preparedness, chemical and electrical safety. Session on management systems gap analysis.
11-Apr-23	Training	PNCs & Management System
22-Mar-23	Advisory meeting	Bipartite meeting to present a template on OSH objectives. Virtual OSH tour on obstructed aisles and PPE. Meeting with the HR team to validate pending issues in the Improvement plan.
1-Feb-23	PICC Meeting	To identify the training needs and elaborate a training plan.
1-Feb-23	Advisory meeting	Factory tour: emergency preparedness, chemical management. Management meeting to follow up on Social security.
15-Nov-22	Advisory meeting	Virtual OSH tour on emergency preparedness, worker protections. Session with the bipartite committee to present the last assessment findings. Meeting with management to discuss about the improvements plan.
28-Oct-22	Training	Virtual Introduction to Workers Rights & Responsibilities
1-Sep-22	Training	Bipartite Committee training
29-Aug-22	Training	Supervisory Skills (SST)
29-Aug-22	Training	BWH-TNG HIV/AIDS

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2023						
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is incomplete.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		27
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals.	Define who control the chemical container on receipt from supplier and control the label.		27
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals are not properly stored.	Issue instruction on proper storage.		2

May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS not available for all chemicals product.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		27
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Workers in the surrounding areas of the spot cleaning are exposed to chemical vapors and aerosol sprays.	Relocate the spot cleaning section or ensure it is in an isolated area.		27
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory did not show evidence of chemicals and hazardous substances training in the last 12 months.	Provide training to workers on chemical management.	A training has been conducted in July 2023 on PPE and chemical handling.	27
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash stations are not available in all areas where chemical products are used.	Install eye wash facilities where chemicals are used Include this aspect in the daily and weekly checks.		27
May-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Discuss legal requirements with the factory Manager and register all workers for maternity and Health Insurance.		27
May-23	Occupational Safety and Health	Emergency Preparedness	There is no smoke detector installed in the garbage warehouse, where combustion materials such as cardboard boxes and plastic are stored, .	Install smoke detector in the garbage warehouse,		27
May-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Request an annual fire fighting maintenance report conducted by a certified company.		27
May-23	Occupational Safety and Health	Emergency Preparedness	Emergency exits are not accessible.	Provide additional training for supervisors and remind supervisors about their responsibility to enforce OSH in their area.	The fabric has been transferred to another location.	27
May-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted twice a year as recommended.	Conduct at least 2 emergency drill per calendar year with the authorities (incl. full evacuation of the workforce).	The last fire drill was conducted in July 2023.	27
May-23	Occupational Safety and Health	Emergency Preparedness	Combustible materials are not properly stored.	Store cardboard boxes and wood in other area away welding and grinding activities.		2

May-23	Occupational Safety and Health	Emergency Preparedness	A significant amount of fabric pieces were observed stored beneath electrical panels.	Provide additional training for workers and supervisors on electrical safety.	The fabric has been removed and warning signs are posted on the factory floor.	2
May-23	Occupational Safety and Health	Emergency Preparedness	The employer did not show evidence of fire-fighting training for workers in the last 12 months.	Train at least 10 percent of the workforce. Develop a monitoring log.		27
May-23	Contract and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Review the internal work rules. Send the document to MAST for approval. Ensure that all the pages are stamped.		27
May-23	Contract and Human Resources	Employment Contracts	The factory does not have an HR policy that is signed by top management with a clear commitment to meet all legal requirements.	Develop an HR policy that is signed by top		27
May-23	Occupational Safety and Health	Employment Contracts	Management did not define accountability and/or responsibilities for OSH officer as well as top management.	Define accountability and/or responsibilities for OSH officer as well as top management.		
May-23	Contract and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include Induction all the necessary steps.	Conduct Induction training for workers. Provide Staff training on how to carry out policies and procedures. Display policies and internal regulations in the factory.		27
May-23	Contract and Human Resources	Employment Contracts	HR job descriptions, reporting lines, description of job duties and authority and performance evaluations are not available.	Define responsibility in writing such as job descriptions, reporting lines, description of job duties and authority and performance evaluations		27
May-23	Contract and Human Resources	Employment Contracts	Disciplinary and termination procedures not adequate.	Include the following points in the procedure such as: - The right to defend oneself prior to termination, and to representation during disciplinary processes; - Timeframes for warnings and payments.		27
May-23	Contract and Human Resources	Employment Contracts	The factory applies CODEVI's recruitment procedure.	Develop a recruitment procedure that include: Hiring criteria that are applied equally to all job applicants.		27

May-23	Occupational Safety and Health	Health Services and First Aid	Worker interviews across the factory confirmed they did not receive the health cards within the first 3 months of hiring.	Pay the health cards and request OFATMA to conduct the health checks.		27
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Conduct the health checks twice a year.		27
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Pay the health cards and request OFATMA to conduct the health checks.		27
May-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Set up a clinic approved by the Authorities or Hire the required medical staff.		27
May-23	Occupational Safety and Health	Health Services and First Aid	Some first-aid box are obstructed and some are missing the checklist to ensure proper supply.	Provide training to workers to ensure that the first-aid boxes remain unobstructed.		27
May-23	Occupational Safety and Health	Health Services and First Aid	The number of workers trained in first aid is less than 10% as recommended by BWH.	Train at least 10 percent of the workforce Develop a monitoring log.		27
May-23	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Send workers on maternity leave 6 weeks before giving birth.		27
May-23	Occupational Safety and Health	OSH Management Systems	OSH assessments have not been conducted during the past twelve months. The factory did not share any reports with assessors.	Conduct monthly OHS risk assessments in all the various sections of the factory including preventive and remediation action.		27
May-23	Occupational Safety and Health	OSH Management Systems	The factory did not share any list of health committee members and meeting minutes for the last 12 months.	Establish an OSH committee. Then inform workers about its existence.		27

May-23	Occupational Safety and Health	OSH Management Systems	The factory did not share any structural safety certificate with assessor.	Request a structural safety certificate from the city hall.		27
May-23	Occupational Safety and Health	OSH Management Systems	Management did not define accountability and/or responsibilities for OSH officer as well as top management.	Define accountability and/or responsibilities for OSH officer as well as top management.	The factory appointed a new OSH officer and the OSH committee has been implemented.	27
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not effectively communicates and implements OSH policies.	Display OSH policies and work instructions in the workplace. Post of evacuation plans in all buildings		
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not investigates monitors and measures OSH issues.	Investigates monitors and measures OSH issues through: Regular test, survey and inspections.		27
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Develop an accident investigation procedure that includes: Implementation of changes in order to avoid reoccurrence.	The factory assigned an OSH officer and the procedure has been developed and validated.	27
May-23	Occupational Safety and Health	OSH Management Systems	The factory did not share a hazard/risk management procedure with the assessors.	Develop a risk management procedure that include: A systematic approach to identifying hazards, a risk register, a structure to prioritize risks and a hierarchy of controls .	The risk procedure include: A systematic approach to identifying hazards, a structure to prioritize risks and a hierarchy of controls .	27
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH policy that is signed by top management.	Develop the policy in consultation with workers and their representatives which include measurable objectives and improvement targets.		27
May-23	Compensation	Paid Leave	The calculation of the average salary for the payment of annual leave does not include the payment of the lunch break.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	27
May-23	Compensation	Paid Leave	The factory did not submit the sick leave payment records to assessors, to allow them to verify the if sick leave payments are made correctly.	Register with OFATMA for maternity and health insurance. Send workers' pay slip to OFATMA for sick leave payment.		27

May-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payments.	Register with OFATMA for maternity and health insurance. Send workers' pay slip to OFATMA for maternity leave payment.		27
May-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	27
May-23	Working Time	Regular Hours	The regular working hours are from 6:30 AM to 4:30 PM including a 1 hour daily break , 5 days a week, which is equivalent to 10 hours per day and 50 hours per week.	Ensure that regular hour do not exceed 48 hours per week.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer an integral part of the work day.	27
May-23	Working Time	Regular Hours	During the assessment visit, assessors noticed that the employer has not posted the factory's working hours for all shifts including break time.	Post the factory's working hours for all shifts including break time.		27
May-23	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work related accident and the factory has not completed the payment for the fiscal year 2022-2023.	Keep record of the salary statement send to OFATMA. Pay OFATMA work related accident on time.		27
May-23	Compensation	Social Security and Other Benefits	The calculation of the average salary for the payment of the annual salary supplement does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	27
May-23	Compensation	Social Security and Other Benefits	The last payment made to ONA was done in September of 2022.	Calculate ONA deduction on Workers' basic salary Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		27
May-23	Compensation	Social Security and Other Benefits	The factory is registered with OFATMA for maternity and health insurance. Management share proof of payment for the employer's portion made for the month of February 2022.	Register with OFATMA for maternity and health insurance. Send worker's and employer's contributions to OFATMA, for maternity and health insurance.		27

May-23	Compensation	Social Security and Other Benefits	The last payment made to ONA was done in September of 2022.	Calculate ONA deduction on Workers' basic salary Forward employers' contribution to ONA within the first 10 business days of the next month for the previous month		27
May-23	Compensation	Social Security and Other Benefits	The factory is registered with OFATMA for maternity and health insurance. Management share proof of payment for the employers portion made for the month of February 2022.	Register with OFATMA for maternity and health insurance. Collect and forward contributions from workers salary for maternity and health insurance		27
May-23	Compensation	Social Security and Other Benefits	The factory does not send workers' pay slip to OFATMA for maternity or sick leave payments.	Register with OFATMA for maternity and health insurance. Send workers' pay slip to OFATMA for maternity or sick leave payments.		27
May-23	Compensation	Termination	The employers pays workers their unused paid leave upon termination.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	27
May-23	Compensation	Termination	The calculation of the average salary for the payment of the annual salary supplement upon termination does not include the lunch break.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	27
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilet.	Discuss legal requirements with the General Manager. Increase the number of toilets as required by law.		27
May-23	Occupational Safety and Health	Welfare Facilities	The water test is not conducted on a monthly basis by a certified laboratory.	Conduct the water test monthly.		27
May-23	Occupational Safety and Health	Welfare Facilities	The eating areas do not have the capacity to accommodate all workers even if the factories have different lunch schedules to decrease agglomeration of workers.	Provide an eating Area that can accommodate all the workers		27

May-23	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		27
May-23	Occupational Safety and Health	Worker Protection	The employer representative did not provide records of PPE training sessions for the workers in the last 12 months.	Develop a training plan and conduct training on PPE.		27
May-23	Occupational Safety and Health	Worker Protection	During the factory tour, the assessors noticed there is no warning signals and safety precautions where chemicals containers are stored.	Post warning signals and safety precautions where chemicals containers are stored.		27
May-23	Occupational Safety and Health	Worker Protection	Shock absorbing mats are not available for all standing workers at Heat Transfer section.	Provide anti fatigue mats for standing workers.		27
May-23	Occupational Safety and Health	Working Environment	Lux level is insufficient in the workplace.	Increase the lux level with additional light. Specify who is in charge of regular maintenance of the lights and conduct regular measurement of temperature & compare with threshold value.		27
May-23	Occupational Safety and Health	Working Environment	Temperature level exceed 30 C in the workplace.	Increase the ventilation with additional fans. Specify who is in charge of regular maintenance of the fans and conduct regular measurement of temperature & compare with threshold value.		27
May-23	Occupational Safety and Health	Working Environment	Most of the aisles in the fabric and trims warehouse were obstructed by bundles of fabric and trim boxes.	Provide additional space for storing goods, rearranging the storage room.		27
Assessment June 2022						
Jun-22	Freedom of Association	Collective Bargaining	Violation of the CBA.	Register all employees to OFATMA for work related Accidents, maternity and health insurance. Provide chairs with back rest to all workers and allocate chair for standing workers.		20

Jun-22	Compensation	Wage Information, Use and Deduction	Assessors were not able to confirm if the payroll include the exact working hours performed by the workers.	Keep working time records for at least 12 months.		20
Jun-22	Compensation	Paid Leave	The calculation for annual leave payment does not include the lunch break payment.	Pay the lunch break and include it in the calculation of annual leave.		20
Jun-22	Compensation	Paid Leave	The calculation of sick leave payments are not based on average daily earnings and does not include the lunch break payment.	Pay the lunch break and include it in the calculation of sick leave.		20
Jun-22	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	Pay the lunch break. Ensure that workers are registered with OFATMA for maternity and Health insurance.		20
Jun-22	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Discuss legal requirements with the General Manager and Pay the lunch break.		20
Jun-22	Compensation	Paid Leave	The payment for annual leave, Sick leave, maternity leave and the daily break are not accurate.	Discuss legal requirements with the General Manager and Pay the lunch break.		20
Jun-22	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work related accident and the factory has not fully completed the payment for the fiscal year 2021- 2022.	Pay OFATMA work related accident on time.		20
Jun-22	Compensation	Social Security and Other Benefits	The calculation for the bonus payment does not include the lunch break payment.	Pay the lunch break and include it in the calculation of annual salary supplement.		20
Jun-22	Compensation	Social Security and Other Benefits	Management interview revealed that workers' pay slip for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	Pay the lunch break. Send workers' pay slip for the last 3 months to OFATMA for payment of sick and maternity leave.		20
Jun-22	Compensation	Social Security and Other Benefits	Management did not provide proof of payment of employer and workers' contributions to ONA, although deductions are deducted from workers' payroll on a monthly basis.	Pay the lunch break Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		20

Jun-22	Compensation	Social Security and Other Benefits	The factory does not collect and forward the employee's contribution to OFATMA.	Pay the lunch break. Forward worker's and employers' contribution to OFATMA within the first 10 business days of the next month for the previous month.		20
Jun-22	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor.	Review the internal work rules. Send the document to MAST for approval. Ensure that all the pages are stamped.		20
Jun-22	Compensation	Termination	The calculation of the payment for the applicable notice period does not include the lunch break payment.	Pay the lunch break and include the payment in the calculation of the notice period.		20
Jun-22	Compensation	Termination	The calculation of the annual salary supplement upon termination does not include the lunch break payment.	Pay the lunch break and include the payment in the calculation of annual salary supplement upon termination.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory did not conduct a general OSH assessment monthly.	Conduct monthly OHS risk assessments in all the various sections of the factory including preventive and remediation action.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory did not share any list of health committee members and meeting minutes for the last 12 months.	Establish an OSH committee.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory has a system in place to record accidents on a regular basis. However, work injuries reports are not sent to OFATMA monthly.	Declare accidents to OFATMA monthly.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	Management didn't provide any structural safety certificate.	Request a structural safety certificate from the city hall.		20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not keep an inventory of chemical products during the assessment visit.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous substances found in several areas of the workplace.	Define who control the chemical container on receipt from supplier and control the label.		20

Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The assessors noticed that chemicals storage areas are not adequately ventilated.	Ensure all chemicals and hazardous substances used in the factory are stored properly.		20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS were available for chemicals used in the workplace .	Keep chemical MSDS for all hazardous chemicals used in the workplace.		20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer did not take any action to limit the exposure of employees to chemical vapors.	Improve isolation from the chemical (e.g. separate room for spot cleaning).		20
Jun-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Workers were not trained in using chemical and hazardous substances.	Provide training to workers on chemical management.		20
Jun-22	Occupational Safety and Health	Worker Protection	Management has not provided metal gloves to all workers in the cutting department.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		20
Jun-22	Occupational Safety and Health	Worker Protection	No evidence of training was available.	Provide training to workers on PPE.	Management explained they will arrange training for workers shortly.	20
Jun-22	Occupational Safety and Health	Worker Protection	15 percent of sewing machines were missing finger guards and eye guards.	Define who is in charge of installing and regularly maintaining the machine guards.		20
Jun-22	Occupational Safety and Health	Worker Protection	The factory did not check the body temperature of all workers as well as visitors.	Check the body temperature of all workers as well as visitors.		20
Jun-22	Occupational Safety and Health	Worker Protection	The assessors observed several chairs without backrest and in poor condition in the sewing floor.	Provide chairs with backrest for all workers. Add this aspect in the daily or weekly checks.		20
Jun-22	Occupational Safety and Health	Working Environment	Temperature exceed Better Work recommended maximum limit of 30 C.	Take action to reduce the temperature (opening in the roof, water curtain, additional fans).		20
Jun-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilet.	Increase the number of toilets as required by law.		20

Jun-22	Occupational Safety and Health	Welfare Facilities	During the assessment visit Soap and Paper were not available in men and women restrooms.	Define who will check that soap and paper is available (and include this in the system of daily-weekly checks).		20
Jun-22	Occupational Safety and Health	Welfare Facilities	The water test is not conducted on a monthly basis by a certified laboratory.	Defines who organize monthly test about the quality of the drinking water.		20
Jun-22	Occupational Safety and Health	Welfare Facilities	The eating areas do not have the capacity to accommodate all workers.	Ensure the factory has it own eating area that can accommodate all the workers.		20
Jun-22	Occupational Safety and Health	Health Services and First Aid	Workers did not receive the health cards within the first 3 months of hiring.	Request health cards to OFATMA within the first 3 months of hiring.		20
Jun-22	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Provide health checks at not cost for the workers as required by law. Take action based on the results.		20
Jun-22	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Provide health checks at not cost for the workers.		20
Jun-22	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Hire the required medical staff.		20
Jun-22	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less than 10 percent of the workforce as recommended by Better Work.	Train at least 10 percent of the workforce Develop a monitoring log.		20
Jun-22	Occupational Safety and Health	Emergency Preparedness	The factory did not share a fire fighting maintenance report conducted by a certified company.	Request an annual fire fighting maintenance report conducted by a certified company.		20
Jun-22	Occupational Safety and Health	Emergency Preparedness	Aisles were obstructed in several areas of the workplace.	Provide additional space for storing goods. Specify who conduct daily weekly checks (and include this in the system of daily-weekly checks).		20
Jun-22	Occupational Safety and Health	Emergency Preparedness	Emergency drill are not conducted every 6 months.	Conduct at least 2 emergency drill per calendar year with the authorities (incl. full evacuation of the workforce).		20

Jun-22	Occupational Safety and Health	Emergency Preparedness	During the evaluation visit, the assessors noticed a rechargeable lamp wrapped in a piece of fabric which represents a fire hazard. lb.	Display picture of electrical hazards. Factory electrician to conduct more regularly checks (include this aspect in the system of daily-weekly checks).		20
Jun-22	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of workers were trained in fire-fighting equipment.	Train at least 10 percent of the workforce. Develop a monitoring log.		20
Jun-22	Working Time	Regular Hours	Pregnant women are not provided with 2 additional breaks of 30 minutes.	Develop a procedure for pregnant women.		20
Jun-22	Working Time	Regular Hours	The working time records are not accurate because regular hours and overtime are not displayed.	Use a form to request overtime from workers which includes the number of hours required and a space for worker signature.		20
Jun-22	Working Time	Leave	Workers revealed that they had not received 15 days of annual leave.	Give workers the required time for annual leave.		20
Jun-22	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Pregnant workers should receive 6 weeks of maternity leave before giving birth and 6 weeks after.		20
Jun-22	Contracts and Human Resources	Employment Contracts	The employer did not investigate violations of HR policies and procedures.	Develop a procedure on HR performance indicators. Have in place a monitoring systems to identify weaknesses and make necessary adjustments to prevent recurrence.		20
Jun-22	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate disciplinary and termination procedures.	Develop a disciplinary and termination procedures that include: A clear specification of unacceptable behaviors or performance.		20
Jun-22	Contracts and Human Resources	Employment Contracts	The grievance procedure does not ensure anonymity. In addition, the grievance procedures were not available in a local language.	Review the grievance procedure to ensure anonymity and translate it in local language.		20
Jun-22	Contracts and Human Resources	Employment Contracts	Recruitment procedure is not adequate.	Develop a recruitment procedure that include: Hiring criteria that are applied equally to all job applicants.		20

Jun-22	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of: Appointing an OSH officer with sufficient expertise, ensuring effective functioning of OSH committee.	Appoint an OSH officer with sufficient expertise and ensure effective functioning of the OSH committee.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory did not effectively communicates and implements OSH policies.	Post names of OSH committee members, policies and work instructions.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	The employer does not adequately investigates monitors and measures OSH issues.	Investigates monitors and measures OSH issues through: Regular management review of effectiveness of management system including performance on measurable objectives and targets.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not has an accurate accident investigation procedure.	Develop an accident investigation procedure that includes: Implementation of changes in order to avoid reoccurrence.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedure.	Develop a hazard/risk management and control procedure that includes: A systematic approach to identifying hazards.		20
Jun-22	Occupational Safety and Health	OSH Management Systems	The factory has an OSH policy that is not signed by top management.	Develop the policy in consultation with workers and their representatives, Include measurable objectives and improvement targets.		20

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: The Willbes Haitian 2A S.A.
Location: Port-au-Prince
Number of workers: 1,081
Date of registration: Sep-10
Date of last two Better Work assessments: Oct-21 Oct-22

Notes: Factory was temporarily closed in September and October

Advisory and Training Services

26-Apr-23	Training	Emergency preparedness: Blocked aisles.
21-Apr-23	Advisory meeting	Advisory meeting on Improvement point. Review of OSH non compliance points from the last assessment. OSH meeting on emergency preparedness.
20-Feb-23	Advisory meeting	Advisory visit to review Improvement plan and factory corrective action plan. Review of the PRI guidelines. HR manager expressed concerns and challenge

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment October 2022						
Oct-22	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns health and safety responsibilities to HR and Top management.	Management should assigned accountability at the level of OSH committee for carrying out Health and Safety responsibilities by ensuring effective functioning of the OSH committee. Hold regular meeting and document the meeting.		9
Oct-22	Occupational Safety and Health	OSH Management Systems	The employer does not adequately investigate and monitor OSH issues.	The employer need to investigate and monitor OSH issues through: did not show evidence of that the employer investigates monitors and measures OSH issues through: Regular test, survey and inspections Logging and analysis of violations of procedures Regular management review of effectiveness of management system including performance on measurable objectives and targets.		9

Oct-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedure.	The employer should review the procedure to include: A systematic approach to identifying hazards. A structure to prioritize risks based on potential impact and likelihood. A hierarchy of controls that is used to select effective controls. A risk register that drives the implementation of controls.		9
Oct-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH Policy.	The OSH policy should be signed by top management. It should establish measurable objectives and improvement targets.		9
Oct-22	Contracts and Human Resources	Termination	The annual salary supplement upon termination is not accurate.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	17

Oct-22	Contracts and Human Resources	Termination	The payment for annual leave upon termination is not accurate.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	17
Oct-22	Contracts and Human Resources	Termination	The payment for the applicable notice period upon termination is not accurate.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	17
Oct-22	Contracts and Human Resources	Employment Contracts	The internal work rules do not have all the necessary elements.	Update the internal rules to cover the break times, different categories of workers and their wages, date and time for wage payment.		17

Oct-22	Working Time	Regular Hours	The employer has not posted the factory's working hours for all shifts including break time on the floor.	Post the working hours for all shifts on the factory floor.	Facility will ensure to post the working hours including the break time.	17
Oct-22	Child Labor	Child Laborer	The total number of workers trained in fire-fighting is less than 10 percent of the workforce as recommended by Better Work.	Train the appropriate number of workers in fire fighting.	This issue was reported by mistake. Fire fighting trainings are always conducted with the 10% of the workforce. List of participants from the last training has been shared. The total is more than 10%	17
Oct-22	Occupational Safety and Health	Emergency Preparedness	Obstructed emergency exits.	Clear all emergency exits of obstruction.	During video tour, advisor noticed all emergency exit were cleared.	17
Oct-22	Occupational Safety and Health	Emergency Preparedness	Inaccurate evacuation plan. Evacuation plan is not posted in all building.	Review the evacuation plan to include all the sections in the factory and post it in all the buildings.	Evacuation plan for the mezzanine of building 43 is posted. Facility will ensure to post evacuation plan for the mezzanine of building 42.	39
Oct-22	Occupational Safety and Health	Emergency Preparedness	Insufficient number of fire extinguishers.	Ensure that all fire extinguisher are present on the floor. Perform regular checks of all fire extinguishers.	Facility ensured to install one fire extinguisher at cutting section and properly maintain all of them.	39
Oct-22	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less than 10 percent of the workforce as recommended by Better Work.	Train the appropriate number of workers in first aid.	This issue was reported by mistake. First aid trainings are always conducted with the 10% of the workforce. Factory has sent list of participants from last training. the number total is more than 10%.	17
Oct-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Have adequate number of nurses.		124
Oct-22	Occupational Safety and Health	Welfare Facilities	Factory has not conducted a water test on a monthly basis.	Conduct a water test on a monthly basis to ensure that drinking water provided to worker is safe.		17
Oct-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilet for women.	Increase the number of toilet for the workforce, as required by law.		39
Oct-22	Occupational Safety and Health	Working Environment	Level of lighting was insufficient in several sections.	Increase light level in the sewing, pressing and cutting section.		47

Oct-22	Occupational Safety and Health	Working Environment	The noise levels was inadequate in the pressing section of building 43.	Keep noise level below 90 db.		39
Oct-22	Occupational Safety and Health	Working Environment	Temperature exceeded 30C in all working sections.	Keep the temperature level at 30C or lower.		47
Oct-22	Occupational Safety and Health	Worker Protection	The factory does not check all workers and visitors body temperature upon entry in a systematic way.	Systematically check all workers and visitors body temperature upon entry and keep a registry for all persons who present a temperature of 38C and above.	This measure adopted for the Covid period is no longer a requirement.	17
Oct-22	Occupational Safety and Health	Worker Protection	The distance is not respected on the floor.	Ensure that 1.5 meter of social distance is observed in the workplace.	This measure adopted for the Covid period is no longer a requirement.	17
Oct-22	Occupational Safety and Health	Worker Protection	Electrical panel and circuit breaker are not properly identified.	Identify all electric panel and circuit breaker in all buildings. Label all circuit breakers to identify their purpose.	Electrical panels and breakers are properly identified.	17
Oct-22	Occupational Safety and Health	Worker Protection	Several sewing machines were missing eye guards and finger guards.	Install adequate guards on all sewing machines.	Facility ensured to have all sewing machines with its respective guards installed.	17
Oct-22	Occupational Safety and Health	Worker Protection	Several standing workers were not provided with foot rests or shock absorbing mats.	Provide foot rests or shock absorbing mats to all the standing workers.	Facility provided standing mats to all workers in standing working position.	17
Oct-22	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide adequate personal protective equipment to workers.	Facility provided all workers with the corresponding PPE.	102
Oct-22	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash station installed in the mechanic workshop and chemical warehouse.	Installs eye wash station the mechanic workshop of building 36 and chemical warehouse.	Facility has eye wash station installed where chemicals are used. It is not necessary to install an eye wash station at the mechanic workshop.	34
Oct-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Provide MSDS with complete information where the chemical products are used and stored.	Compliance team ensured to have MSDS available for all chemical substances.	39
Oct-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals found in the workplace.	Label all containers of chemical products used in the factory.	Cleaning guns in the spot cleaning of building 37 and building 42 was properly labelled.	39

Oct-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory was not accurate and did not include all chemicals used in the workplace.	Update the inventory of chemical accordingly.	Compliance team ensured to have all chemical substances include in the inventory.	17
Oct-22	Contracts and Human Resources	Employment Contracts	Contractual workers do not understand the terms and condition of employment. In addition, their files are missing a written contract.	Ensure that workers have a copy of a copy of the written contract and are informed of the internal work rules.	Human Resources manager will ensure that Terns and condition of employment are properly explained to contract workers . Files will be properly kept.	17
Oct-22	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	17

Oct-22	Compensation	Social Security and Other Benefits	The workers' contributions to OFATMA does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	32
Oct-22	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	32

Oct-22	Compensation	Social Security and Other Benefits	The workers' contributions to ONA does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	32
Oct-22	Compensation	Social Security and Other Benefits	The employer contribution to ONA does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	32

Oct-22	Compensation	Paid Leave	Annual leave and sick leave payments do not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	17
Oct-22	Compensation	Paid Leave	Lunch breaks are not compensated in the payroll.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	17

Oct-22	Compensation	Paid Leave	Sick leave payment does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	17
Oct-22	Compensation	Paid Leave	Maternity leave payment does not include the lunch break payment.	Ensure that maternity leave include the lunch break payment,	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	17

Oct-22	Compensation	Paid Leave	Annual leave payment does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	The June 13 decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	17
Assessment October 2021						
Oct-21	Working Time	Regular Hours	Factory's working hours are not posted on the floor.	Post working hours for all shift including break time.	Facility has posted the working hours including the break time. Management has clear to post working hours in all the premises.	
Oct-21	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of the workforce is trained in fire-fighting.	Ensure that 10 percent of the workforce is trained in fire-fighting training.	The trainings are always conducted with the 10% of the workforce and management will ensure to share the evidence to Better Work since the evidence were not made available at the time of the visit.	
Oct-21	Occupational Safety and Health	Emergency Preparedness	Obstructed emergency exits.	Ensure all exits remain unobstructed.		
Oct-21	Occupational Safety and Health	Emergency Preparedness	Inaccurate or missing evacuation plan.	Update post the evacuation plan for all buildings.	Evacuation plan for the mezzanine of building 43 is posted. Facility will ensure to post evacuation plan for the mezzanine of building 42.	

Oct-21	Occupational Safety and Health	Emergency Preparedness	Missing fire extinguisher in the cutting section and another one in the packing section was missing the inspection tag.	Install missing extinguishers and the missing inspection tag. Ensure that extinguisher are checked on a daily basis.	Facility will ensure to install one fire extinguisher at cutting section and properly maintain all of them.	
Oct-21	Occupational Safety and Health	Health Services and First Aid	Less than 10 percent of the workforce is trained in first-aid training.	Ensure that 10 percent of the workforce is trained in first-aid training.	The trainings are always conducted with the 10% of the workforce and management will ensure to share the evidence to Better Work since the evidence were not made available at the time of the visit.	
Oct-21	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Have adequate number of nurses.		
Oct-21	Occupational Safety and Health	Welfare Facilities	Factory has not conducted a water test on a monthly basis.	Conduct a water test on a monthly basis to ensure that drinking water provided to worker is safe.		
Oct-21	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilet for women.	Have adequate number of toilet for the workforce, as required by law.		
Oct-21	Occupational Safety and Health	Working Environment	Level of lighting was insufficient in several sections.	Increase light level in the sewing, pressing and cutting section.		
Oct-21	Occupational Safety and Health	Working Environment	The noise levels was inadequate in the pressing section of building 43.	Keep noise level below 90 db.		
Oct-21	Occupational Safety and Health	Working Environment	Temperature exceeded 30C in all working sections.	Keep the temperature level at 30C or lower.		
Oct-21	Occupational Safety and Health	Worker Protection	The factory did not check all workers and visitors body temperature upon entry in a systematic way. The factory does not keep a registry for all persons who present a temperature of 38C and above.	Systematically check all workers and visitors body temperature upon entry and keep a registry for all persons who present a temperature of 38C and above.	Workers and visitors body temperature will be check upon entry in a systematic way.	
Oct-21	Occupational Safety and Health	Worker Protection	The social distance is not respected on the floor in the workplace.	Ensure that 1.5 meter of social distance is observed in the workplace.	Facility will take the necessary measures to respect workers' physical and social distance.	

Oct-21	Occupational Safety and Health	Worker Protection	Unidentified electrical panels and circuit breakers.	Identify all electrical panels and circuit breakers.	Electrical panels and breakers will be properly identified.	
Oct-21	Occupational Safety and Health	Worker Protection	Several sewing machines were missing eye guards and finger guards.	Install adequate guards on all sewing machines.	Facility will ensure to have all sewing machines with its respective guards installed.	
Oct-21	Occupational Safety and Health	Worker Protection	Several standing workers were not provided with foot rests or shock absorbing mats.	Provide foot rests or shock absorbing mats to all the standing workers.	Facility will provide standing mats to all workers in standing working position.	
Oct-21	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide adequate personal protective equipment to workers.	Facility will provide all workers with the correspondent PPE.	
Oct-21	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash station installed in the mechanic workshop and chemical warehouse.	Installs eye wash station the mechanic workshop of building 36 and chemical warehouse.	Facility has eye wash station installed where chemicals are used. It is not necessary to install an eye wash station at the mechanic workshop.	
Oct-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Provide MSDS with complete information where the chemical products are used and stored.	Facility will ensure to have MSDS available for all chemical substances.	
Oct-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals found in the workplace.	Label all containers of chemical products used in the factory.	Cleaning guns in the spot cleaning of building 37 and building 42 will be properly labelled.	
Oct-21	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory was not accurate and did not include all chemicals used in the workplace.	Update the inventory of chemical accordingly.	Facility will ensure to have all chemical substances include in the inventory.	
Oct-21	Occupational Safety and Health	OSH Management Systems	The record of accident for the month of October 2020 was unavailable.	Submit the record of work related accident to OFATMA on a monthly basis.	Facility ensured to send to OFATMA records work related accidents on a monthly basis.	
Oct-21	Contracts and Human Resources	Termination	The annual salary supplement upon termination does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Oct-21	Contracts and Human Resources	Termination	The payment for annual leave upon termination. does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	

Oct-21	Contracts and Human Resources	Termination	The payment for the applicable notice period upon termination does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Oct-21	Contracts and Human Resources	Employment Contracts	The internal work rules do not cover the break times, different categories of workers and their wages, date and time for wage payment.	Update the internal rules to add the missing information.	Corrective action is being discussed with Korea office.	
Oct-21	Contracts and Human Resources	Employment Contracts	Contractual workers do not understand the terms and condition of employment.	Ensure that workers have a copy of a copy of the written contract and are informed of the internal work rules.	Human Resources manager will ensure that Terms and condition of employment are properly explained to contract workers . Files will be properly kept.	
Oct-21	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Oct-21	Compensation	Social Security and Other Benefits	The workers' contributions to OFATMA does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Oct-21	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Oct-21	Compensation	Social Security and Other Benefits	The workers' contributions to ONA does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Oct-21	Compensation	Social Security and Other Benefits	The employer contribution to ONA does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Oct-21	Compensation	Paid Leave	Annual leave and sick leave payments do not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Oct-21	Compensation	Paid Leave	Lunch breaks is not compensated in the payroll.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	

Oct-21	Compensation	Paid Leave	Sick leave payment does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Oct-21	Compensation	Paid Leave	Annual leave payment does not include the lunch break payment.	Pay the lunch break payment and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Oct-21		Interference and Discrimination	Wrongful termination of 6 union leaders.	Reinstate the 6 union leaders terminated on unjustified ground		
Oct-21		Interference and Discrimination	The factory suspended for union activities on October 1st, 2021. Management claimed they did not know those 2 workers were part of the union.	Compensate the workers for the lost days and ensure to have clear and regular communication with union committee in the factory.		

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: The Willbes Haitian S.A (HT-2B)
Location: Port-au-Prince
Number of workers: 544
Date of registration: Feb-18
Date of last two Better Work assessments: Sep-21 Aug-22

Advisory and Training Services

26-Apr-23	Advisory meeting	Advisory meeting on Improvement point. Review of OSH non compliance points from the last assessment. OSH meeting on OSH priorities.
26-Apr-23	Training	Emergency preparedness: Blocked aisles.
20-Feb-23	Advisory meeting	Advisory visit to review Improvement plan and factory corrective action plan. Review of the PrI guidelines. HR manager expressed concerns and challenges of the fact
7-Nov-22	Virtual Advisory meeting	Meeting with OSH officer to update the Improvement plan and submit the PrI. Discussion was also on an incident regarding a act of aggression and violence that occurred to a female worker during commute. Recommendation was made to keep an incident report and refer the victim to competent authority.
28-Oct-22	Virtual Advisory meeting	Discussion with HR officer on pregnant women benefit. Recommendation were made to follow up on a specific complaint. Discussion was also on factory status with regards with upcoming retrenchment due to economic crisis and decrease of the order.
28-Jul-22	Virtual Advisory meeting	Meeting with Head of HR and compliance officer on factory current updates. Factory informed regarding mass dismissal and send proper document to MAST. Advisory shared retrenchment guidance. Follow up on Improvement plan.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment August 2022						
Aug-22	Occupational Safety and Health	OSH Management Systems	The OSH policy does not have all the necessary elements.	Include the missing criteria in the OSH policy. Establish measurable objectives and improvement targets.		11
Aug-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedure.	Include the missing criteria for an adequate Hazard/risk management and control procedure.		11
Aug-22	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of that the employer investigates, monitors and measures OSH issues.	Submit and record actions and procedures to investigate, monitor and measure OSH issues.		11
Aug-22	Occupational Safety and Health	OSH Management Systems	Management has not assigned accountability at the level of OSH committee for carrying out Health and Safety responsibilities.	Update the OSH procedures to assign clear responsibility to the OSH committee members.		11

Aug-22	Contracts and Human Resources	Employment Contracts	The factory's disciplinary and termination procedures do not include all the necessary elements:	Include the missing criteria in the disciplinary and termination procedures. Timeframes for warnings and payments Legal notice periods and termination payments.		11
Aug-22	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of HR policies and procedures.	Submit and record actions and procedures to investigate, monitor and measure violations of HR policies.		11
Aug-22	Contracts and Human Resources	Employment Contracts	The employer does not clearly assign accountability at all levels of management for Human Resources management responsibilities.	Assign accountability at all levels for Human Resources management.		11
Aug-22	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate an HR policy.	Include the missing criteria for an adequate HR policy.		11
Aug-22	Working Time	Regular Hours	Supervisors do not allow pregnant women to take advantage of the additional breaks.	Train supervisor on the legal benefits for the pregnant women.	Facility ensured to have all supervisors aware of this policy and its compliance.	11
Aug-22	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Pregnant women should go on leave 6 weeks prior to giving birth.		11
Aug-22	Occupational Safety and Health	Health Services and First Aid	First aid boxes were missing several products listed on the checklist	Ensure that first aid boxes are readily accessible in case of emergency treatment. Check first aid boxes regularly, remove and replace expired products.	It was corrected during the assessment visit.	11
Aug-22	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire adequate number of nurses.		54
Aug-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for the women.	Increase the number of toilets according to the workforce.		54

Aug-22	Occupational Safety and Health	Working Environment	The light level is insufficient in several sections.	Increase the light level to comply with Better Work's recommended level.		54
Aug-22	Occupational Safety and Health	Working Environment	Temperature level exceeds Better Work's recommended level of 30C, in all sections.	Increase the ventilation with additional fans. Conduct regular measurement of temperature & compare with threshold value.		54
Aug-22	Occupational Safety and Health	Worker Protection	The Factory did not provide proper PPE to all workers.	Provide proper masks and gloves to workers using chemical and hazardous products.	Proper masks and gloves are provided to all workers using chemicals.	11
Aug-22	Occupational Safety and Health	Worker Protection	Battery terminals on the generator are not insulated.	Perform regular maintenance of the generator. Make sure that the battery terminals are insulated.	Maintenance team fixed the issue.	11
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS were not available for several chemical and hazardous products found in the workplace.	Keep MSDS for all chemical and hazardous products used in the workplace.	Compliance team ensured that MSDS were available for all the products stored in the workplace.	20
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemical and hazardous substances is inaccurate.	Regularly check the inventory to make sure it is accurate. Ensure locations of products are listed on the inventory sheet.	Compliance team ensured the inventory of chemicals was updated to include all the chemical storage areas.	20
Aug-22	Contracts and Human Resources	Termination	The annual salary supplement payment or bonus upon termination does not include the lunch break payment	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January	20

Aug-22	Contracts and Human Resources	Termination	The unused annual leave upon termination does not include the lunch break payment. .	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20
Aug-22	Contracts and Human Resources	Termination	The payment for the applicable notice period does not include the lunch break payment.	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20
Aug-22	Contracts and Human Resources	Employment Contracts	The internal work rules do not cover the break times, different categories of workers and their wages, date and time for wage payment.	Include the missing information in the internal work rules.		20

Aug-22	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus does not include the lunch break payment.	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20
Aug-22	Compensation	Social Security and Other Benefits	The workers' contributions to OFATMA does not include the lunch break payment.	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20

Aug-22	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA does not include the lunch break payment.	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20
Aug-22	Compensation	Social Security and Other Benefits	The workers' contribution to ONA does not include the lunch break payment.	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20

Aug-22	Compensation	Social Security and Other Benefits	The employer contribution to ONA does not include the lunch break payment.	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20
Aug-22	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave and the daily break correctly.	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20

Aug-22	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20
Aug-22	Compensation	Paid Leave	The calculation of sick leave payments does not include the lunch break payment.	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20

Aug-22	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings.	Include the lunch payment in the calculation of the daily average salary.	The June 13 decree suspends all provisions of the 3rd law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3rd Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	20
Assessment September 2021						
Sep-21	Working time	Regular Hours	Supervisors do not allow pregnant women to take their additional break.	Provide two additional breaks of 30 minutes each to pregnant women, as required by the labor code.	Facility will train all supervisors on the policy and its application.	
Sep-21	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of the workforce is trained on the use fire fighting equipment.	Provide fire fighting training to at least 10 percent of the workforce.	This issue was reported by mistake. Fire fighting trainings are always conducted with 10% of the workforce.	
Sep-21	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Develop a OSH assessment policy which includes the monitoring of fire extinguishers on a regular basis. Assign a person responsible to check the fire extinguishers on a monthly basis. Have an certified company provide maintenance to all fire fighting equipment on an annual basis.	Facility will ensure that all fire extinguishers are properly maintained.	
Sep-21	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first aid.	Train at least 10 percent of the workforce in first aid.	This issue was reported by mistake. First aid trainings are always conducted with 10% of the workforce.	
Sep-21	Occupational Safety and Health	Health Services and First Aid	First aid boxes were not accessible in a timely manner for emergency treatment.	Assign a person who is responsible to open the first aid boxes. Post the name and picture of the person next to the first aid boxes.	Facility will establish a procedure to have all first aid kits accessible in a timely manner. Expired items will be replaced promptly.	

Sep-21	Occupational Safety and Health	Health Services and First Aid	Insufficient number of licensed nurses.	Hire more nurses. To comply with the Haitian Labor Code; a factory of this size must have a permanent onsite medical service, with at least 4 licensed nurses and 3 doctor's visits per week.		
Sep-21		Welfare Facilities	The factory does not have a water test conducted by a certified laboratory on a monthly basis.	Contract a certified laboratory to perform monthly water tests.		
Sep-21	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for the size of the workforce.	Increase the number of toilets. With its current workforce, the factory should have 48 functioning toilets for women.		
Sep-21	Occupational Safety and Health	Working Environment	The light level is insufficient in all sections.	Increase the light level to comply with Better Work's recommended level.		
Sep-21	Occupational Safety and Health	Working Environment	Temperature level exceeds Better Work's recommended level of 30C, in all sections.	Increase the ventilation with additional fans. Conduct regular measurement of temperature & compare with threshold value.		
Sep-21	Occupational Safety and Health	Worker Protection	The factory did not check all workers and visitors body temperature upon entry in a systematic way. The factory does not keep a registry for all persons who present a temperature of 38C and above.	Check all workers and visitors temperature at the entrance. keep a registry for people presenting a temperature of 38 C and above.	All workers and visitors body temperature upon entry will be check in a systematic way.	
Sep-21	Occupational Safety and Health	Worker Protection	The factory did not take the appropriate measures to respect workers' physical and social distance recommendations.	Implement the necessary steps to make sure that social distancing measures are respected.	Facility will take the appropriate measures to respect workers' physical and social distance.	
Sep-21	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical wiring system.	Repair all damaged electrical wires. Have the maintenance department perform regular checks of electrical system. Label all circuit breakers.	Facility will remove damage electrical cable, The electrical panel will be properly covered and breakers will be properly labelled.	

Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash stations are not functioning properly in all sections where chemicals and hazardous substances are used and stored.	Install functioning eye wash stations or eye wash bottles where chemicals and hazardous substances are used and stored.	Facility will ensure that the eye wash stations are installed and functioning during the working hours.	
Sep-21	Occupational Safety and Health	OSH Management Systems	The employer records work related accidents but does not submit them to OFATMA on a monthly basis.	Keep monthly records of work related accident and submit them to OFATMA on a monthly basis.	Facility will send work related accident records to OFATMA on a monthly basis.	
Sep-21	Contract and Human Resources	Termination	The calculation for the annual salary supplement upon termination does not include the lunch break payment.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Sep-21	Contract and Human Resources	Termination	The calculation for unused paid annual leave upon termination does not include the lunch break payment.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Sep-21	Contract and Human Resources	Termination	The calculation for the payment of the applicable notice period does not include the lunch break payment.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Sep-21	Contract and Human Resources	Employment Contracts	The internal work rules do not cover the break times, different categories of workers and their wages, date and time for wage payment.	Update the internal work rules to include the break time, workers' wages, date and time for wage payment. Have the internal work rules approved by MAST.		
Sep-21	Compensation	Social Security and Other Benefits	The calculation for the payment of annual salary supplement or bonus does not include the lunch break payment.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Social Security and Other Benefits	The amount collected for OFATMA maternity and health does not include the lunch break payment.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Social Security and Other Benefits	The amount collected for OFATMA maternity and health does not include the lunch break payment.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Social Security and Other Benefits	The workers' contributions to ONA does not include the lunch break payment.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	

Sep-21	Compensation	Social Security and Other Benefits	The employer contribution to ONA does not include the lunch break payment.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave and the daily break correctly.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Paid Leave	Sick leave calculation does not include the lunch break payment.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Paid Leave	The payment of paid annual leave does not include the lunch break payment.	Pay the Lunch break and include it in the calculation of the average daily salary.	Corrective action is being discussed with Korea office.	

BETTER WORK HAITI - 26TH SYNTHESIS REPORT



Factory: The WILLBES Haitian III S.A
Location: Port-au-Prince
Number of workers: 589
Date of registration: Sep-10
Date of last two Better Work assessments: Sep-21 Aug-22

Advisory and Training Services

26-Apr-23 Training Emergency preparedness: Blocked aisles.
 20-Apr-23 Advisory meeting Advisory meeting on Improvement point. Review of OSH non compliance points from the last assessment. OSH meeting on OSH priorities based on last internal OSH meeting..
 21-Feb-23 Advisory meeting Advisory visit to review Improvement plan and factory corrective action plan. Review of the PrI guidelines. HR manager expressed concerns and challenges of the factory.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment August 2022						
Aug-22	Occupational Safety and Health	OSH Management Systems	OSH policy is not signed by top management and did not have all the necessary elements.	Include missing criteria in the OSH policy. Establish measurable objectives and improvement targets.		11
Aug-22	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedures.	Include missing criteria in the hazard/risk management and control procedures.		11
Aug-22	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of that the employer investigates monitors and measures OSH issues.	Submit and record actions and procedures to investigate, monitor and measure OSH issues.		11
Aug-22	Occupational Safety and Health	OSH Management Systems	Management has not assigned accountability at the level of OSH committee for carrying out Health and Safety responsibilities.	Update the OSH procedures to assign clear responsibility to the OSH committee members.		11
Aug-22	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures are not adequate.	Include the missing criteria in the disciplinary and termination procedures.		11

Aug-22	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and procedures.	Submit and record actions and procedures to investigate, monitor and measure violations of HR policies.		11
Aug-22	Contracts and Human Resources	Employment Contracts	The employer does not clearly assign accountability at all levels of management for Human Resources management responsibilities.	Assign accountability at all levels for Human Resources management.		11
Aug-22	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate an Human Resources policy.	Include the missing criteria for an adequate HR policy.		11
Aug-22	Working Time	Regular Hours	Attendance records for temporary workers were not available during the assessment visit .	Have a reliable attendance system for temporary workers to record accurate working time.	Facility will keep attendance records for temporary workers.	11
Aug-22	Working Time	Regular Hours	Additional breaks are not provided to pregnant women.	Ensure that the pregnant workers can take their additional breaks.	Facility will inform all supervisors about the additional breaks for pregnant women. This break will be respected.	11
Aug-22	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Have a number of nurse compatible with the workforce.		131
Aug-22	Occupational Safety and Health	Welfare Facilities	Factory has not conducted a water test on a monthly basis by a certified laboratory.	Conduct the water test on a monthly basis.		25
Aug-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for women.	Have a sufficient number of toilets for women.		140
Aug-22	Occupational Safety and Health	Working Environment	The level of lighting was insufficient in several sections.	Ensure that light level are appropriate in all sections		73
Aug-22	Occupational Safety and Health	Working Environment	The temperature level exceeded 30C in several sections.	Ensure the workplace temperature does not exceed the recommended 30 C.		47

Aug-22	Occupational Safety and Health	Worker Protection	The factory did not check all workers and visitors body temperature upon entry in a systematic way.	Ensure to check all workers and visitors body temperature upon entry in a systematic way. Ensure to keep a registry for all persons who present a temperature of 38C and above.	The measure is no longer a requirement.	25
Aug-22	Occupational Safety and Health	Worker Protection	The social distance is not respected on the floor in the preparation section, as well as during entry and leaving.	Ensure that the 1.5 meter of distance is respected in the preparation section as well during entry and leaving.	The measure is no longer a requirement.	25
Aug-22	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system.	Ensure that proper maintenance are conducted for electrical installation on a regular basis. Electrical wires should not be exposed.	Issue was corrected immediately. Facility will properly maintain all electrical installation.	21
Aug-22	Occupational Safety and Health	Worker Protection	Standing workers in the sewing floor and packing area were not provided with foot rests or shock absorbing mats.	Provide foot rest or shock absorbing mats to all standing workers.	Shock absorbing mats were purchased.	25
Aug-22	Occupational Safety and Health	Worker Protection	The employer has not been provided the support belt for workers doing heavy lifting work.	Provide support belt for workers doing heavy lifting work.		47
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not installed in all areas where chemical and hazardous products are used and stored.	Install an eye wash facility in the mechanic shop, spot cleaning area and chemical warehouse where chemicals are used and stored.	Facility has eye wash station installed in the spot cleaning room and the chemical warehouse. It is not necessary to install an eye wash station at the mechanic shop.	25
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that all chemical have their safety data sheets available where they are used and stored.	Compliance team ensured that missing data safety sheets were added where the chemicals are used and stored.	73
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Containers of chemical and hazardous products were not properly labelled. .	Ensure that all chemicals and hazardous products are properly labelled.	The issue was fixed during the evaluation visit.	62
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products was not available.	Ensure that all chemicals used the workplace are included in the inventory of chemicals.	Factory registered new products as soon as they are stored.	52

Aug-22	Contracts and Human Resources	Termination	The annual salary supplement upon termination does not include the lunch break payment.	Include the lunch break payment in the calculation of the annual salary supplement or bonus upon termination.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25
Aug-22	Contracts and Human Resources	Termination	The annual leave payment upon termination does not include the lunch break payment.	Include the lunch break payment in the calculation of annual leave upon termination.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25

Aug-22	Contracts and Human Resources	Termination	The payment for the applicable notice period does not include the lunch break payment.	Include the lunch break in the calculation of the notice period payment.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25
Aug-22	Contracts and Human Resources	Employment Contracts	The internal work rules do not cover the break times, different categories of workers and their wages, date and time for wage payment.	Specify terms and conditions for the different categories of workers in the internal work rules.		25
Aug-22	Contracts and Human Resources	Employment Contracts	The written employment contracts do not specify the hours of work and the nature of the work to be performed as required by law.	Specify the hours of work and the nature of the work to be performed in the employment contracts.		25
Aug-22	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus does not include the lunch break payment.	Include the lunch break payment in the calculation of the annual salary supplement or bonus.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25

Aug-22	Compensation	Social Security and Other Benefits	The employer did not forward workers' last 3 months pay slips to OFATMA for workers for sick or maternity leave payments.	Forward last 3 months pay slips to OFATMA for workers for sick or maternity leave payments.		25
Aug-22	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA for work related accident does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25
Aug-22	Compensation	Social Security and Other Benefits	The workers contributions to ONA does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25

Aug-22	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA for maternity and health insurance does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25
Aug-22	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave and the daily break correctly.	Pay the lunch break.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25

Aug-22	Compensation	Paid Leave	Lunch breaks is not compensated in the payroll.	Pay the lunch break.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25
Aug-22	Compensation	Paid Leave	The maternity leave payment does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	

Aug-22	Compensation	Paid Leave	Sick leave payments do not include the lunch break payment.	Ensure that lunch break is included in the calculation of the sick leave payment.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25
Aug-22	Compensation	Paid Leave	The annual leave payment does not include the lunch break payment.	Include the lunch break in the annual leave payment.	The June 13 decree suspends all provisions of the 3*8 law. The lunch break payment is no longer required. The decree also reinstates Labor Code Articles 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 120, 121, and 122, which were abrogated under the 3*8 Law. In order to allow factories time to effectively implement the reinstated provisions in the Labor Code, Better Work Haiti will not find noncompliance for the requirements in these articles during the current cycle, and will begin to apply them starting in January 2024.	25
Aug-22	Compensation	Wage Information, Use and Deduction	The factory does not have an accurate payroll for temporary workers.	Ensure that payroll form for the temporary workers includes all necessary information such as hours worked and overtime.		25
Aug-22	Compensation	Minimum Wages/Piece Rate Wages	No time record was available for temporary workers.	Ensure to have a time record system for temporary workers.		25

Aug-22	Child Labor	Documentation and Protection of Young Workers	Three employment records were missing their identification cards or birth certificate.	All workers' file should include an identification card to prove that are above age minimum.		25
Assessment September 2021						
Sep-21	Working time	Regular Hours	Attendance records were not available for temporary workers.	Have a reliable attendance system for temporary workers to record accurate working time.		
Sep-21	Working time	Regular Hours	Pregnant workers are not allowed to take their additional breaks.	Ensure that the pregnant workers can take their additional breaks.		
Sep-21		Health Services and First Aid	Insufficient number of medical staff.	Have a number of nurse compatible with the workforce.		
Sep-21	Occupational Safety and Health	Welfare Facilities	Factory has not conducted a water test on a monthly basis by a certified laboratory.	Conduct the water test on a monthly basis.		
Sep-21	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for women.	Have a sufficient number of toilets for women.		
Sep-21	Occupational Safety and Health	Working Environment	The level of lighting was insufficient in several sections.	Ensure that light level are appropriate in all sections.		
Sep-21	Occupational Safety and Health	Working Environment	The temperature level exceeded 30C in several sections.	Keep the temperature level at or below 30C.		
Sep-21	Occupational Safety and Health	Worker Protection	The factory did not check all workers and visitors body temperature upon entry in a systematic way.	Check all workers and visitors body temperature upon entry in a systematic way. Keep a registry for all persons who present a temperature of 38C and above.		
Sep-21	Occupational Safety and Health	Worker Protection	Social distance is not respected on the floor in the preparation section, as well as during entry and leaving.	Ensure that the 1.5 meter of distance is respected in the preparation section as well during entry and leaving.		
Sep-21	Occupational Safety and Health	Worker Protection	Exposed electrical wire in the boiler room.	Perform proper maintenance on the electrical installation on a regular basis.	Issue was corrected immediately. Facility will ensure to properly maintain all electrical installation.	

Sep-21	Occupational Safety and Health	Worker Protection	Shock absorbing mats were not provided to all standing workers.	Provide foot rest or shock absorbing mats to all standing workers.		
Sep-21	Occupational Safety and Health	Worker Protection	Support belt were not provided to workers doing heavy lifting work.	Provide support belt for workers doing heavy lifting work.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station has not been installed in all areas where chemical and hazardous products are used and stored.	Install an eye wash facility in the mechanic shop, spot cleaning area and chemical warehouse where chemicals are used and stored.	Facility has eye wash station installed at the spot cleaning room and the chemical warehouse. The mechanic shop does not yet have an eyewash station.	
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that all chemical have their safety data sheets available where they are used and stored.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	One container of sewing oil and a box of detergent that were not properly labelled in the mechanic workshop.	All chemicals must be properly labelled.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory for chemical products is not accurate.	Ensure that the chemical inventory includes all chemicals used in the workplace.		
Sep-21	Contract & Human Resource	Termination	The annual salary supplement upon termination does not include the lunch break payment.	Include the lunch break payment in the calculation of the annual salary supplement or bonus upon termination.	Corrective action is being discussed with Korea office.	
Sep-21	Contract & Human Resource	Termination	The annual leave upon termination does not include the lunch break payment.	Include the lunch break payment in the calculation of annual leave upon termination.	Corrective action is being discussed with Korea office.	
Sep-21	Contract & Human Resource	Termination	The applicable notice period payment does not include the lunch break payment.	Include the lunch break in the calculation of the notice period payment.	Corrective action is being discussed with Korea office.	
Sep-21	Contract & Human Resource	Employment Contracts	The internal work rules do not cover the break times, different categories of workers and their wages, date and time for wage payment.	Specify terms and conditions for the different categories of workers in the internal work rules.	Corrective action is being discussed with Korea office.	

Sep-21	Contract & Human Resource	Employment Contracts	The written employment contracts do not specify the hours of work and the nature of the work to be performed as required by law.	Specify the hours of work and the nature of the work to be performed in the employment contracts.		
Sep-21	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus does not include the lunch break payment.	Include the lunch break payment in the calculation of the annual salary supplement or bonus.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Social Security and Other Benefits	The amount collected as workers' contributions to OFATMA is made late and does not include the lunch break payment.	Pay OFATMA contribution on time and include the lunch break payment in the calculation.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA is made late and does not include the lunch break payment.	Pay OFATMA contribution on time and include the lunch break payment in the calculation.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Social Security and Other Benefits	The amount collected as workers' contributions to ONA does not include the lunch break payment.	Pay ONA contribution on time and include the lunch break payment in the calculation.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Social Security and Other Benefits	The employer contribution to ONA does not include the lunch break payment.	Pay ONA contribution on time and include the lunch break payment in the calculation.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Paid Leave	The factory did not pay annual leave, Sick leave and the daily break correctly.	Pay the lunch break.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Paid Leave	Lunch break is not compensated in the payroll.	Pay the lunch break.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Paid Leave	Sick leave payment does not include the lunch break payment.	Include lunch break payment in the calculation of the sick leave payment.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Paid Leave	Annual leave payment does not include the lunch break payment.	Include the lunch break in the annual leave payment.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Wage Information, Use and Deduction	The factory does not have an accurate payroll for temporary workers.	The payroll form for the temporary workers should include all necessary information such as hours worked and overtime.		

Sep-21	Compensation	Minimum Wages/Piece Rate Wages	No time record was available for temporary workers.	Keep a time record system for temporary workers.		
Sep-21	Child Labor	Documentation and Protection of Young Workers	Three employment records were missing their identification cards or birth certificate.	Include an identification card in all worker's file to prove that are above age minimum.		

BETTER WORK HAITI – 26TH SYNTHESIS REPORT



Factory: The Willbes Haitian S.A (HT - Print Shop)
Location: Port-au-Prince
Number of workers: 41
Date of registration: Feb-18
Date of last two Better Work assessments: Sep-21 Aug-22

Advisory and Training Services

16-Feb-23	Bipartite Committee Meeting	Meeting to identify the training needs.
16-Feb-23	Advisory meeting	To verify employee contract, follow up on social security, OSH management systems.
11-Nov-22	Virtual bipartite meeting	Virtual OSH Tour to validate pending issues, Session on BW portal and Follow up on the first Progress report, Review of the improvement plan and Bipartite.
5-Aug-22	Bipartite Committee Meeting	Meeting with the committee on the improvements made and validate pending issues on the improvement plan.on annual leave and payroll.
5-Aug-22	Advisory meeting	FV 3 1) Meeting with the committee on the improvements made and validate pending issues on the improvement plan.2) Virtual OSH tour: electrical safety and workers protection3) Session on risk assessment, COVID-19 guidance, follow up on annual leave and payroll.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment August 2022						
Aug-22	Occupational Safety and Health	OSH Management Systems	The factory does not have emergency preparedness procedure.	Develop a written procedure in case of emergency.		9
Aug-22	Contracts and Human Resources	Employment Contracts	The factory does not investigate violation of HR procedures and policies..	Define HR indicator performance and develop a procedure to identify HR weaknesses and make necessary adjustments.		21
Aug-22	Working Time	Regular Hours	The attendance record is not accurate.	Have an accurate attendance recording system.		21
Aug-22	Working Time	Regular Hours	The regular working hours exceed the legal limit.	Ensure that the weekly regular working hours which include the daily break do not exceed 48 hours per week.		21
Aug-22	Occupational Safety and Health	Emergency Preparedness	A rechargeable light bulb was found charging in a cardboard box.	Train supervisors and workers about fire hazards and the need to report hazards for reparation.		9

Aug-22	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Provide adequate firefighting equipment. Specify who conducts regular checks to make sure that the equipment is in place and functioning.	The undercharged fire extinguisher has been replaced.	59
Aug-22	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire detection system.	Install and maintain smoke alarm in the mechanic room and generator room.	Smoke detectors have been installed in the missing locations.	9
Aug-22	Occupational Safety and Health	Health Services and First Aid	Inventory of products in first aid boxes is not accurate.	Equip first aid box and define responsibility for refilling them.	Management Refilled the first aid Box.	9
Aug-22	Occupational Safety and Health	Welfare Facilities	Water test is not conducted monthly.	Defines who organise monthly test about the quality of the drinking water. Keep result of the water test.		21
Aug-22	Occupational Safety and Health	Welfare Facilities	Assessors did not observe soap and paper inside the women and men restrooms.	Provide soap dispenser. Define who will check that soap and paper are available.	Management has provided soap and paper in the workplace.	9
Aug-22	Occupational Safety and Health	Working Environment	Temperature exceed Better Work's recommended limit in several sections of the factory.	Take action to reduce the temperature (opening in the roof, water curtain, additional fans)		59
Aug-22	Occupational Safety and Health	Worker Protection	Batteries in the generator room were missing terminal protectors.	Specify who is in charge to install the batteries terminal and conduct regular checks.		9
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS are missing for several chemical and hazardous products found in the workspace.	Keep chemical MSDS for all hazardous chemicals used in the workplace. Specify who is in charge of receiving MSDS from supplier / Verify the MSDS has the needed elements.	The factory displayed the MSDS	9
Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Unidentified container of a chemical products found in the workplace.	Define who control the chemical container on receipt from supplier and control the label. Define who is entitled to pour chemicals in other recipients and label them.		21

Aug-22	Occupational Safety and Health	Chemicals and Hazardous Substances	The location of the products is not specified inventory of chemical and hazardous products.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		63
Aug-22	Occupational Safety and Health	OSH Management Systems	The employer was not able to provide the required structural safety certificates.	Request a structural safety certificate from the city council.		9
Aug-22	Occupational Safety and Health	OSH Management Systems	The bipartite OSH committee does not meet regularly. Meeting minutes are not available.	Prepare a meeting agenda for the year. Then, conduct meeting on a monthly basis and keep records of meeting minutes.		9
Aug-22	Occupational Safety and Health	OSH Management Systems	The factory does not conduct regular assessments of general occupational safety and health.	Conduct and OSH assessment on a monthly basis in consultation with workers' representative.	The factory started to record general OSH reports since the last assessment visit.	9
Aug-22	Contracts and Human Resources	Termination	The payment for annual salary supplement or bonus upon termination is not accurate.	Discuss legal requirements with the General Manager. Pay the lunch break and include the payment in the calculation of annual salary supplement upon termination.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Contracts and Human Resources	Termination	The payment for unused paid annual leave upon termination is not accurate.	Discuss legal requirements with the General Manager. Pay the lunch break and include the payment in the calculation of annual	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Contracts and Human Resources	Termination	The payment for the applicable notice period is not accurate.	Discuss legal requirements with the General Manager. Pay the lunch break and include the payment in the calculation of the applicable notice period.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Contracts and Human Resources	Contracting Procedures	The contract for the administrative staff does not include the salary.	Review the employees' contract and include the salary.		21

Aug-22	Compensation	Social Security and Other Benefits	The employer does not collect and forwards the workers' and employers' contribution to OFATMA on time consistently.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation for the payment.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Compensation	Social Security and Other Benefits	The employer does not collect and forwards the workers' and employers' contribution to ONA on time consistently.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation for the payment.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Compensation	Social Security and Other Benefits	Sick leave and maternity leave payment are not accurate.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation for the payment.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Compensation	Social Security and Other Benefits	The payment for annual salary supplement or bonus is not accurate.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation for the payment.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Compensation	Social Security and Other Benefits	The salary statement provided to OFATMA for work related accident insurance payment was not available.	Discuss legal requirements with the General Manager. Pay the lunch break and keep record of salary statement sent to OFATMA.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Compensation	Paid Leave	The payment for annual leave, sick leave, maternity leave and the daily break are not accurate.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation for the payments.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Compensation	Paid Leave	Sick leave payments are not based on average daily earnings.	Discuss legal requirements with the General Manager. Pay the lunch break and send workers' payslip to OFATMA.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Compensation	Paid Leave	The payroll sent to OFATMA for the workers' maternity leave payment is not accurate	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation for the payments.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21

Aug-22	Compensation	Paid Leave	The calculation for sick leave payments is inaccurate.	Discuss legal requirements with the General Manager. Pay the lunch break and Send workers' payslip to OFATMA	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Aug-22	Compensation	Paid Leave	The calculation for the annual leave payment is inaccurate.	Discuss legal requirements with the General Manager. Pay the lunch break and include it in the calculation for the payments.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	21
Assessment September 2021						
Sep-21	Working Time	Leave	Attendance records and interview revealed that workers were provided less than 15 days of annual leave after 1 year of service.	Provide at least 15 days of annual leave to workers after 1 year of service.		
Sep-21	Working Time	Regular Hours	The regular working hours is equivalent to 9 hours per day and 54 hours per week for the day shift.	Revise the internal regulations and make sure that the regular hours do not exceed 48 hours per week.		
Sep-21	Occupational Safety and Health	Emergency Preparedness	The factory has not conducted a fire drill in 2021 and the last fire drill was conducted in November 2020.	Conduct at least one emergency drill every 6 months including full evacuation of the workforce.	One fire Drill has been conducted on September 24, 2021 and another one was conducted in March 2022.	
Sep-21	Occupational Safety and Health	Emergency Preparedness	Escape routes in the packing area are obstructed by boxes and tables.	Remind supervisors about their responsibility to enforce OSH in their area. Specify who conduct daily checks (and include this in the system of daily /weekly checks).	Management has identified an additional space to store the trolley and boxes. A training on emergency preparedness has been conducted.	
Sep-21	Occupational Safety and Health	Emergency Preparedness	One extinguisher was missing the inspection tag, one was overcharged and another one was obstructed.	Develop a SOP for the verification of Fire extinguisher. Provide additional training to workers and supervisors.		
Sep-21	Occupational Safety and Health	Health Services and First Aid	Medical staff is not available for the night shift.	Hire additional medical staff for the night shift.		
Sep-21	Occupational Safety and Health	Welfare Facilities	The water provided to the workers is not being tested on a monthly basis.	Conduct the water test on a monthly basis. Update the OSH policy		

Sep-21	Occupational Safety and Health	Working Environment	Workplace temperature exceed 30 C	Increase the ventilation with additional fans. Conduct regular measurement of temperature & compare with threshold value.		
Sep-21	Occupational Safety and Health	Worker Protection	The factory does not keep a registry for all persons who present temperature of 38 C and above.	Keep a registry for all persons who present a temperature of 38 C and above.	The register has been revised and updated for all persons who present a temperature of 38 C and above.	
Sep-21	Occupational Safety and Health	Worker Protection	One long electrical wire is on the floor obstructing several aisles and creating a tripping hazard.	Train supervisors and workers about electrical hazards & the need to report hazards for reparation.	The electrical cable has been removed.	
Sep-21	Occupational Safety and Health	Worker Protection	No support belts have been provided to workers doing heavy lifting work.	Define staff in charge of providing and renewing the PPEs. Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.	Management provided support belt to workers.	
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Eyewash station was not available in the maintenance room where chemical products are stored and used.	Provide eye washing station or eye wash bottles. Train workers on its use or display the operating procedure in local language.	Management removed chemical products from the maintenance room.	
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors observed a storage area, near the toilets, where a chemical was stored that was not adequately ventilated.	Store all chemicals and hazardous substances used in the factory properly.		
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors observed one unidentified container of a chemical product in the generator room and several containers are labelled in Spanish and not in a local language.	Label chemicals and hazardous substances properly. Specify who conducts regular checks on chemical safety.	The label has been translated in local language and the container has been identified.	
Sep-21	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals is inaccurate and it is written in Spanish.	Assign a person who is responsible for updating inventories of hazardous substances in the various locations where they are stored or used.		
Sep-21	Contracts and Human Resources	Termination	The employers pays workers their annual salary supplement upon termination. However, the calculation of the average salary does not include the lunch break payment.	Pay the lunch break and Include the payment in the calculation of annual salary supplement upon termination.	The discussions took place with the General Manager.	

Sep-21	Contracts and Human Resources	Termination	The employer compensates workers for unused paid annual leave upon termination. However, the calculation of the basic salary does not include the lunch break payment.	Include the lunch break payment in the calculation of the annual leave payment upon termination.	The discussions took place with the General Manager.	
Sep-21	Contracts and Human Resources	Termination	The calculation of the average earning for notice of termination does not include the lunch break payment.	Include the lunch break payment in the calculation of notice periods.	The discussions took place with the General Manager.	
Sep-21	Contracts and Human Resources	Employment Contracts	The written contract does not specify any information about the night shift	Revise and amend the employment contract.	Corrective action is being discussed with Korea office.	
Sep-21	Compensation	Wage Information, Use and Deduction	Payment of annual salary supplement or bonus does not include the lunch break payment.	Ensure that workers' salary supplement include the lunch break payment.	The discussions on legal requirements took place with the General Manager.	
Sep-21	Compensation	Social Security and Other Benefits	Workers' contribution to OFATMA does not include the lunch break payment.	Include the lunch break payment in workers' contribution to OFATMA.	The discussions took place with the General Manager.	
Sep-21	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA does not include the lunch break payment.	Include the lunch break in the contribution to OFATMA.	The discussions took place with the General Manager.	
Sep-21	Compensation	Social Security and Other Benefits	The employer collects and forwards workers' contribution to ONA within the time limits provided by the law. However, the calculation does not include the lunch break payment.	Discuss legal requirements with the General Manager Include the lunch break payment in the contribution sent to ONA	The discussions took place with the General Manager.	
Sep-21	Compensation	Social Security and Other Benefits	The employer pays the required contribution to ONA. However, the calculation of the basic salary does not include the lunch break payment.	Include the lunch break payment in the contribution sent to ONA.	The discussions took place with the General Manager.	
Sep-21	Compensation	Paid Leave	The factory did not pay annual leave correctly as the lunch breaks is not included.	Pay the lunch break and include it in the calculation of annual leave payment.	The discussions took place with the General Manager.	
Sep-21	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	Discuss legal requirements with the General Manager Pay the lunch break.	The discussions took place with the General Manager.	

Sep-21	Compensation	Paid Leave	Eligible workers are not correctly paid for sick leave.	Pay the lunch break and include it in the calculation of sick leave.	The discussions took place with the General Manager.	
Sep-21	Compensation	Paid Leave	The employer does not pay workers properly for annual leave.	Pay the lunch break and include it in the calculation of annual leave.	The discussions took place with the General Manager	

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