



BetterWork

HAITI

27th Compliance Synthesis Report

July 2023 - June 2024



International
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Organization



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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)
CATH	Central Autonome Travailleurs Hatiens
CEDATHA	Centrale Démocratique Autonome des Travailleurs Haïtiens
CFOH	Confédération des Forces Ouvrières Haïtiennes
CNOHA	Centrale Nationale des Ouvriers Haitiens
CSH	Coordination Syndical Haitienne
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
ESPM-BO	Entè Sendikal Premye Me-Batay Ouvriye
GOSTTRA	Groupement Syndical des Travailleurs-eusses du Textile pour Réexportation d'assemblage (Union Group of Textile Workers for Re-export of the Assembly)
SOHSA	Syndicat des Ouvriers de HANSAE Haiti S.A

UTL	Union des Travailleurs Libres
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

Haiti's apparel industry in numbers

Since the start of the year, Better Work Haiti has seen a decrease in the number of registered factories in the textile sector. One factory in the Northeast has closed, and two more in Port-au-Prince are temporarily closed. In March, the sector employed around 35,419 individuals, but by May, this number had dropped to 33,857. The number of jobs continued to decrease in June, to an estimated 32,293 jobs, resulting in a loss of 3,126 jobs in less than three months. This decline has been continuous since the last report when the sector had approximately 42,500 jobs. We have lost about 10,200 jobs, which accounts for 24% of the workforce since the publication of the 26th Synthesis Report.

The decline extends beyond factory closures and job losses. Trade data from the U.S. Department of Commerce's Office of Textiles and Apparel (OTEXA) reveals a concerning drop in Haitian textile exports to the United States, a key market. In May 2024, exports reached approximately \$242 million, a significant 30% decrease compared to \$345 million in May 2023. This downward trend is even more pronounced when considering year-end data. Looking at the period ending in May 2023 versus May 2024, OTEXA reports a decline of 25%, with exports to the U.S. falling from nearly \$893 million to approximately \$670 million.

The closure of factories and job losses in the Haitian textile sector reflect broader economic challenges, such as reduced demand and increased global competition. The decrease in exports to the U.S. not only affects the factories and workers but also has wider implications for the Haitian economy, which heavily depends on the textile industry, which represents most of the country's exports. The difficulties faced by the sector emphasize the need for strategic interventions to stabilize and revitalize this crucial industry.

HAITI'S APPAREL INDUSTRY AT A GLANCE



29

Active factories in
the program



32,293

(24% loss)
Workers
employed.
(63% women)



6

Active industrial
zones hosting 90%
of textile factories



~ \$242 mi

Apparel exports in
USD million
YTD ↓ -30%



29

Brands and
retailers



7

Government
partners



11

Active workers'
organizations

Section II: Highlights of the reporting period July 2023 to June 2024

Country context

The period between July 2023 and June 2024 was marked by a continued deterioration of Haiti's political, security, and humanitarian situation. Gang-related violence escalated dramatically, transforming Haiti into a landscape of terror. Armed groups expanded their territorial control, establishing fiefdoms and imposing their own brutal laws. Kidnappings, massacres, and sexual violence became commonplace, forcing thousands to flee their homes and seek refuge in overcrowded displacement camps. The capital, Port-au-Prince, became a perilous urban battlefield, as gangs fought for control of strategic neighbourhoods.

The absence of a legitimate government and the ongoing political deadlock exacerbated the crisis. The state's capacity to provide essential services and protect its citizens crumbled, creating a power vacuum exploited by armed groups. Corruption and impunity remained endemic, undermining efforts to address the root causes of the crisis. Nevertheless, there have been tentative steps towards addressing the crisis.

- ▶ **Presidential Council:** April 2024, a presidential council was established to tackle gang violence, political instability, and the insecurity crisis. This council, composed of political representatives, civil society leaders, and business owners, aims to develop a comprehensive strategy to restore security and promote economic growth. The effectiveness of the council's efforts remains to be seen.
- ▶ **New Prime Minister:** The Presidential Council elected a new Prime Minister, who was appointed in May 2024. The new Prime Minister has prioritized addressing gang violence and improving economic conditions. He has established a new government and engaging in

multiple discussions with critical institutions. His success will depend on navigating the complex political landscape and securing cooperation from various stakeholders.

- **Multinational Security Support (MSS):** In a controversial move, in June 2024 the Haitian government authorized the deployment of a Multinational Security Support (MSS) lead by Kenya and coordinated by the Haitian National Police with the purpose of combating gang activities. The presence of foreign troops has raised mixed reactions from the Haitian public. Some citizens express hope for improved security, while others fear foreign intervention due to past disappointing experiences.

The security situation in Haiti continues to be uncertain. While some reports suggest a slight decrease in gang-related violence in recent months, much of the West and Artibonite departments remain under gang control. Key transportation routes are still vulnerable to disruption, and kidnappings and extortion remain significant threats.

The success of the Presidential Council, the new Prime Minister's leadership, and the impact of the MSS will all be significant factors in determining the industry's ability to recover. A long-term solution requires addressing the root causes of growing recent insecurity, fostering economic development, driving political stability, and strengthening public institutions.

Garment industry challenges

The Haitian garment industry is grappling with significant challenges, compounded by the country's socio-political turmoil. The recent growing insecurity has severely affected the production capacity of factories, particularly those in the metropolitan area of Port-au-Prince.

Despite starting the year with optimism, the events of February 2024, which led to the resignation of the Prime Minister, have severely disrupted factory operations. Factories in Port-au-Prince were forced to suspend operations as

armed gangs occupied the streets for days. March and April were arduous in the metropolitan area, with many factories either closed for extended periods or operating at limited capacity. Some faced shortages of raw materials, while others needed more orders from international buyers.

Over the course of this year, two factories in the Northeast have been gradually reducing their operations, and one factory has permanently closed. Additionally, several factories in Port-au-Prince and the Northeast have announced plans to reduce their workforce. The permanently closed factory, which had recently started its operations with a few workers, intended to manufacture goods for a major international buyer. However, a decline in international demand, border closures, and production delays led to its closure.

With the new Prime Minister's arrival, several meetings with the private sector, including ADIH (Association of Haitian Industries) representatives, have occurred. The Prime Minister has pledged support for the renewal of HOPE II and vowed to work tirelessly to restore security, which is crucial for the garment sector's operations and the confidence of international buyers.

Technical operations challenges

The security situation in Haiti, particularly in the metropolitan area of Port-au-Prince, continues to present a serious challenge, limiting the delivery of core services activities face-to-face. During this period, 76.51% of advisory services were conducted virtually, within a two and a half to three hour window. Advisors must use a strategic approach focusing on specific issues, given the limitation of time, technological issues, resources, and format, whereas during onsite visits, advisors do not have to face these issues and therefore can verify more improvement priorities during one visit. Nearly 48% of the assessments between July 2023 and June 2024, which represents all the assessments in P-au-P, were conducted virtually or in a hybrid mode. During this period, there were two factories in P-au-P that we assessed virtually, but previously were assessed in a hybrid mode.

The challenge with the virtual assessments is that assessors fully rely on phone and internet communication to interview workers, receive documents, and conduct the factory tours. Often, sketchy internet connections cause delays in the process. Additionally, for the factory tour, Better Work staff must coordinate with factory's staff on site or sometimes a member of the bipartite committees or union members. There are some compliance points related to temperature, light levels and noise levels that are not measured in real time on site, but instead we rely on information received during worker interviews.



Section III: Milestones and key takeaways

Achievement highlights

During the reporting period, Better Work continued to make important progress towards sustaining and advancing its long-term goals. The country context brings higher difficulties that require strategic planning, resiliency and stronger commitment. Throughout the challenges, the program maintains ongoing engagement with partners to make long-term plans on how to reach sustainable levels of engagement by strengthening social dialogue, addressing non-compliance issues, and enhancing worker well-being. The following is a summary of key actions leading to sustainable achievements.

► **Delivering results amidst challenges**

Better Work Haiti holds strong commitments throughout the challenges by leveraging collaboration with government agencies to successfully deliver core activities and achieving its targets for factory and worker outreach. The recent assessment data show a downward compliance trend in key areas such as OSH.

► **Sectoral grievance mechanism**

An increase in the percentage of complaints logged with MAST that resulted in inspections that identify, require remediation of, and, if appropriate, sanction violations of core labour standards and directly related and consistent labour laws.

► **Severance pay secured for 1700 workers**

In collaboration with BMST and MAST, Better Work Haiti supported an international brand to pay over \$1 million dollars as severance pay for workers.

► **Leading the charge on Gender-Based Violence and Harassment Prevention**

The program reunited the tripartite stakeholders in initiating the development of a sectoral GBVH policy that aims to create a safer and more equitable workplace for all workers.

► **Leveraging digital innovation to boost worker protection**

The program is strengthening the government's capacity to enhance grievance mechanisms by expanding accessibility to complaint handling with a public mobile app.

► **Proactive measures to safeguard Haiti's garment industry**

The program facilitated productive dialogue between stakeholders on enterprise operations and labour compliance concerns related to the local insecurity situation. These conversations uncover the need to conduct a comprehensive crisis impact study (identifying potential risks, mitigation and sustainability measures) and collaborating with ILO experts on practical solutions to expand social security coverage for workers.

Progress toward achieving results

FACTORY-LEVEL SOCIAL DIALOGUE MECHANISMS GENERATE ACTIONS TO REDUCE NON-COMPLIANCE WITH HAITIAN LABOUR LAW AND INTERNATIONAL LABOUR STANDARDS, INCLUDING NON-COMPLIANCE ISSUES AFFECTING WOMEN.

Despite the challenging national environment, Better Work Haiti remains dedicated to achieving its program goals. During this period from July 2023 to June 2024, Better Work Haiti facilitated activities to enhance the capacity of participating factories to foster meaningful social dialogue at the factory and sectoral levels. Participating factories received approximately 149 advisory services, involving either their management teams or bipartite committees, to address non-compliance issues, develop training plans for workers and managers, and create action plans to rectify identified non-compliances.

Workers and managers in the bipartite committees as well stakeholders from the tripartite sector, participated in around 30 training sessions, where they engaged in meaningful discussions on workers' rights and responsibilities, human trafficking and forced labour, effective communication, prevention of sexual harassment, and gender-based violence and harassment. Floor-level supervisors received training to improve their supervisory skills and foster better working relationships with their supervisees. Training modules were

shared with participants to help them continue building their capacity for dialogue that leads to solutions for labour issues within the factories.

During this period, Better Work Haiti also reviewed its Compliance Assessment Tool (CAT) with labour inspectors from the Ministry of Labour. The aim was to help factories identify non-compliance issues affecting labour rights and relations, particularly those concerning women's issues. After aligning the CAT with current national laws and international conventions, we conducted 17 new, in-person and hybrid assessments at participating (5) factories in Port-au-Prince and (12) in the Northeast. However, there are eight factories appearing in this report, that were previously prior to January 2024. The non-compliance issues identified during these assessments were subsequently discussed with the factories during advisory sessions, enabling them to develop improvement plans that include training and remedial actions.

Furthermore, Better Work advisors provided 149 advisory services to participating factories. These services focused on improving working conditions by addressing various issues, including enhancing the Occupational Safety and Health (OSH) management system, human resources (HR) management systems, and other industrial-related concerns such as employee dismissals. There were also extensive discussions on the current security situation in the country. Workers expressed concern about increasing job losses in the sector and sought ways to improve security for the sector's benefit. Additionally, there were discussions about the application of the June 2023 decree that suspended the 3*8 law and how its implementation would affect the factories' operations.

TRIPARTITE PARTNERS AT THE SECTORAL LEVEL ENGAGE IN SUSTAINED DIALOGUE THAT GENERATES ACTION TO IMPROVE WORKING CONDITIONS AND WORKER WELL-BEING, INCLUDING FOR WOMEN WORKERS.

During this reporting period, Better Work Haiti achieved significant progress in developing a sectoral policy on Gender-Based Violence and Harassment (GBVH) to improve working conditions and workers' well-being. Engaging with tripartite social partners, Better Work Haiti organized a workshop for the Project Advisory Committee (PAC) members to introduce GBVH concepts.

After comprehensive discussions, the PAC members have obtained a strong understanding of GBVH and have agreed to strive towards developing a sectoral policy. These discussions have resulted in a recommendation to carry out a gap analysis of Haitian labour laws about ILO Convention 190 and Recommendation 206 to assess existing gaps and propose appropriate solutions. Consequently, a Terms of Reference (TOR) has been formulated to identify a consultant who will conduct this gap analysis.

The study's outcome will be shared with the tripartite partners to guide the development of the sectoral policy, marking a crucial step towards enhancing workplace safety and promoting workers' rights in Haiti.

Additionally, Better Work Haiti conducted a knowledge test among stakeholders to tailor and deliver the necessary training for developing the sectoral policy. This knowledge test ensured that subsequent training would be relevant and effective in addressing the specific needs of stakeholders. The goal is to reinforce knowledge and skills, paving the way for establishing the sectoral policy expected later this year.



Special stakeholders' gathering on country challenges and mitigation strategies.

In response to the challenging country context, the Project Advisory Committee convened a crucial meeting with stakeholders in the garment industry on April 12, 2024. The primary goal was to share business updates and collaborate on strategies to address the ongoing crisis. During the meeting, two representatives from the employers' association expressed significant concerns about the recurring situation's negative impact on the industry and the country's reputation among international buyers and partners.

Although factories in the Northeast have been able to continue operations, they are still affected due to the concentration of primary government services and economic activities in the West. To mitigate the situation's impact, some factories have implemented rotations and production reductions within legal limits, which have negatively affected workers' incomes and job security amid rising living costs.

Stakeholders emphasized the urgency for the government to take swift and concrete actions to restore a safe environment conducive to the resumption of business activities.



GOVERNMENT INSTITUTIONS SUCH AS THE MAST LABOUR INSPECTORATE, ONA, AND OFATMA HAVE INCREASED ORGANIZATIONAL CAPACITY TO PROVIDE ELIGIBLE SERVICES TO WORKERS.

Better Work Haiti continues collaborating with the Ministry of Labour and the Office of the Ombudsperson for the Textile Sector (BMST) to enhance its capacity to serve its constituents effectively. During this reporting period, Better Work Haiti reaffirmed its commitment to providing logistical support to the labour inspectorate division of MAST, enabling them to conduct regular inspections, including in the textile sector. Representatives from MAST and the Office of the Ombudsperson also participated in training sessions and industry seminars offered by Better Work Haiti, enhancing their knowledge of workplace communication, the prevention of sexual harassment, and workers' rights and responsibilities.

Building on the success of the Digital Complaint Management System launched by BMST in 2022, Better Work Haiti is now supporting the development of a Mobile App, set to launch in the third quarter of 2024. This multi-language (English, French, Creole, and Spanish) app for Android and iOS devices aims to extend accessibility to the complaint management solution's web portal. The app will allow users to report complaints, track their status, view details, and browse other helpful information to improve user experience and accessibility significantly. It will facilitate more accessible communication with BMST and provide regularly updated, helpful information. This tool will bring all public features of the system readily accessible to the fingertips of stakeholders through their devices.

BMST was instrumental in fostering a climate of social dialogue within the sector, by taking the lead in organizing bilateral meetings between representatives of workers and employers, in search of solutions to the various labour issues facing the sector.

As per reports submitted by BMST, they processed 60 complaints from individual workers or from union representatives on behalf of workers. The complaints are mostly for dismissals that the workers deemed arbitrary or

temporary suspensions that are contested by the workers. There were some other cases related to maternity leave payments that the plaintiffs did not receive from the Office for work-related accident, maternity and health insurance (OFATMA). Most of the cases are discussed and resolved through mediation. However, during this period BMST transferred six cases of arbitrary dismissals to MAST for follow up.

Among the cases received by BMST, during the period, there was a case of an unannounced factory closure that left approximately 880 direct and indirect workers jobless, with no other source of income. BMST joined with Better Work Haiti to convene several meetings with the employer, the representative of the workers, the buyer, and representatives of MAST, to address the situation. In the end, with the support of resources provided by Better Work Haiti, alongside additional verification from MAST, ONA and OFATMA, BMST was able to secure the funds to pay all workers their last salary and severance pay.

PARTNERSHIPS WITHIN THE MULTILATERAL SYSTEM WERE DEVELOPED TO PROMOTE AND ADVANCE POLICY CHANGE IN THE GARMENT SECTOR.

Aware of the garment sector's challenges, Better Work Haiti has implemented several initiatives to foster sustainable changes in the industry. Better Work Haiti is conducting a sector crisis impact study, including a supply chain risk analysis, to identify, prevent, and minimize risks that could escalate into crises affecting the garment sector. This study also examines the employment situation from workers' and employers' perspectives, priorities, needs, capabilities, and challenges. Based on the findings, stakeholders will be provided with proposals for concrete measures to mitigate these risks.

In February 2024, Better Work Haiti, in collaboration with the ILO Haiti country program, provided training on extending social security coverage to its constituents, particularly those involved in social security services. The training strengthened the capacities of ILO tripartite constituents to review and explore potentials to expand their current social security coverage to include the informal economy. Thirty-eight (38) participants attended the training from

ONA and OFATMA, representatives from worker organizations, and other government entities.

LESSONS LEARNED

Recent activities and interactions with stakeholders in Haiti's garment industry point to a critical lesson: open and transparent social dialogue is essential for progress. This engagement between government, employers (factories), and workers (unions/representatives) has yielded clear benefits:

- ▶ **Smooth issue resolution:** When all parties are involved in discussions, problems can be addressed more effectively and timely. Concrete examples have shown how collaborative dialogue leads to smoother solutions.
- ▶ **International buyer involvement as a catalyst:** The participation of international buyers has proven to be a driving force in moving issues remediation efforts forward. Their involvement has been instrumental in resolving many problems at the factory level, such as non-compliance issues, and ensuring fair treatment for workers during factory closures, such as proper compensation and severance.
- ▶ **Government involvement:** The Ministry of Social Affairs and Labour and the Office of the Ombudsperson have been crucial in mediating negotiations between factory managers, international buyers, and workers during factory closures. This active participation demonstrates the government's commitment to establishing a clear, compelling, and transparent grievance system to provide remedies and ensure that companies are responsible for protecting workers' rights.
- ▶ **Building trust through collaboration:** Increased collaboration between the Ministry of Labour and the Office of the Ombudsperson and their frequent presence at factories during challenging situations is gradually building trust among workers and factory management. Strategic partnerships Collaboration with the different ILO offices (NORMS,

ACTEMP, LABADMIN) is an effective way to support constituents as it fosters a comprehensive approach to addressing labour issues in country. By leveraging the ILO's extensive network, constituents in Haiti had access a wealth of resources, expertise, and best practices that are critical for developing robust labour policies and programs.

These lessons highlight the importance of fostering an inclusive and collaborative environment where all voices are heard. By continuing to strengthen tripartite social dialogue, Haiti's garment industry can navigate challenges more effectively and create a more sustainable future for all stakeholders.

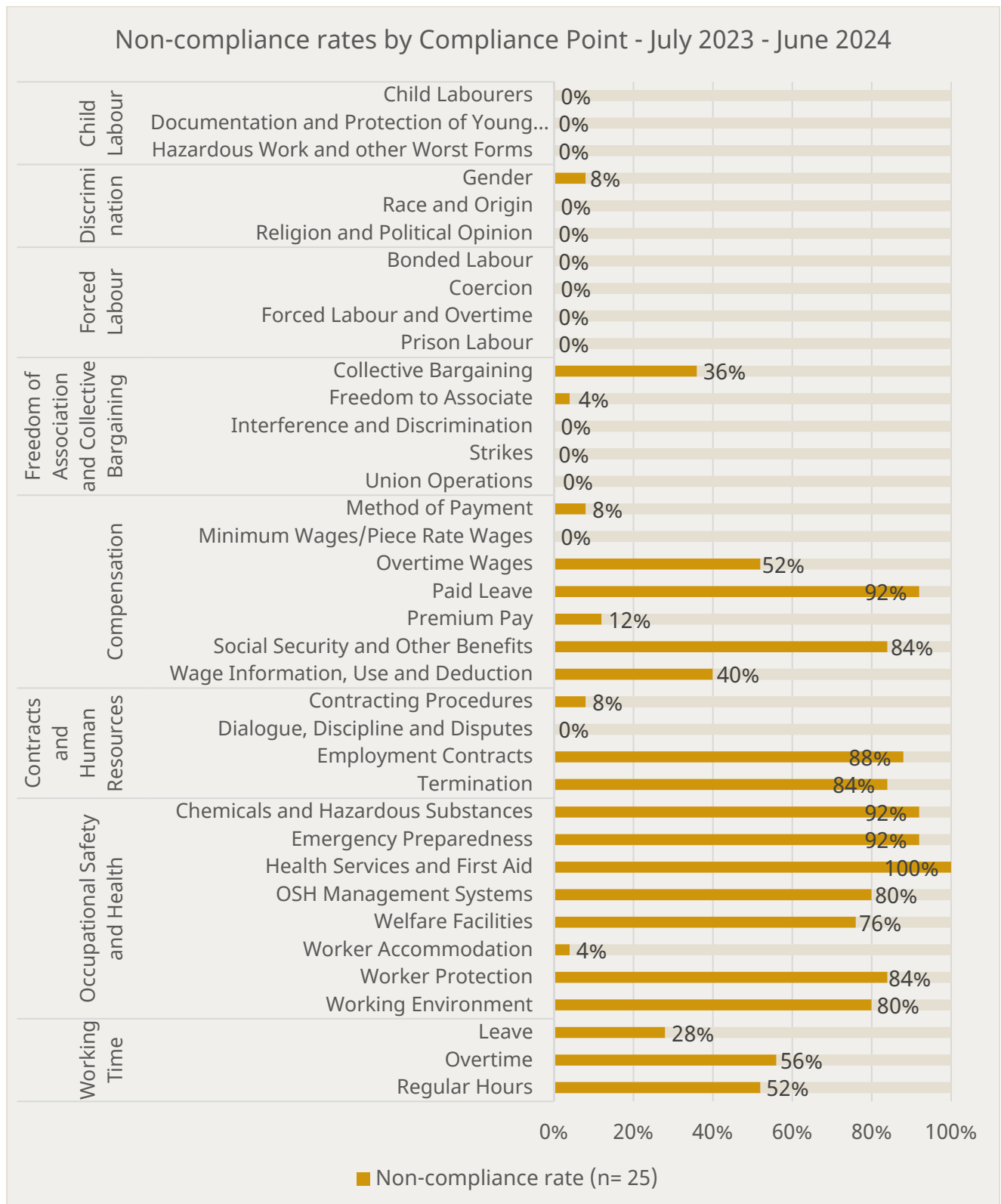
Section IV: Compliance situation in the Haitian garment industry

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

This section provides an overview of non-compliance findings in 25 factories that participated in assessments at least once between July 2023 and June 2024. The data presented reflects the latest assessment results for these factories. The overall non-compliance rate is determined by the total number of factories that show non-compliance in at least one question on at least one compliance point.

From January to June 2024, Better Work Haiti conducted 17 new assessments - 14 in-person and 3 hybrid - with assistance from inspectors from the Ministry of Social Affairs and Labour. Three factories could not be assessed in the first quarter of 2024 because they were temporarily closed for security reasons during that period. However, their factory tables will include any improvements made since their last assessments. Verification of improvement plans occurred either during on-site visits or virtually through documentation requests during advisory services, with discussions involving bipartite committee members from both the worker and management sides. Additionally, two factories are permanently closed and will not be included in this report.

The charts below illustrate the non-compliance findings for the 25 assessed factories, with non-compliance rates indicated in percentage. It is important to note that these reports are issued biannually, even though assessments occur annually, resulting in issues reported across two consecutive synthesis reports.



Although the Occupational Safety and Health (OSH) cluster has the highest non-compliance rate, a closer examination of specific compliance questions reveals a decrease in non-compliance rates. Nearly every factory exhibited non-compliance on at least one question within the respective compliance point.

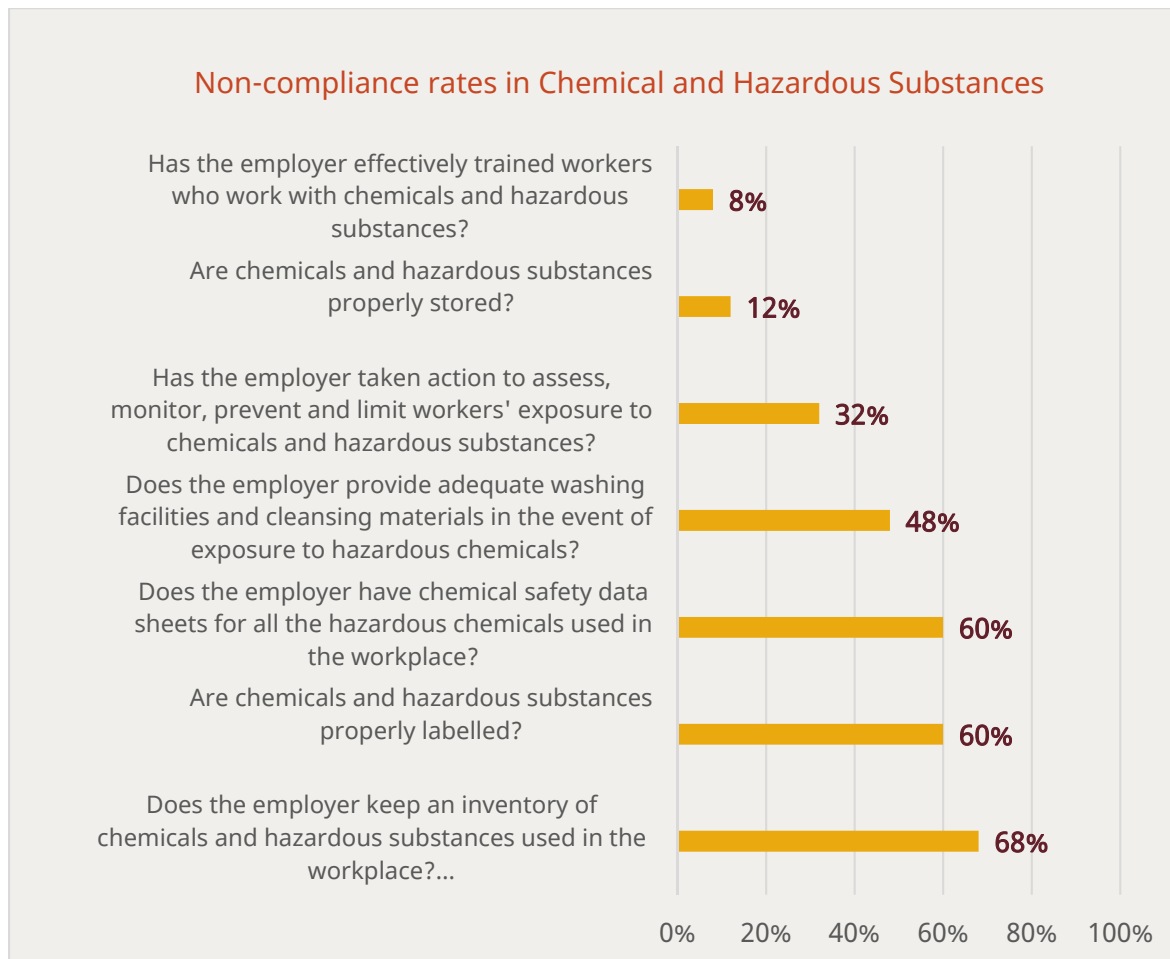
While initial data showed a low overall compliance rate (92%) for the "Chemicals and Hazardous Substances" section of our factory assessments, a deeper dive reveals a more nuanced picture:

- ▶ **Improper Labelling Most Common Issue:** Most factories (60%) fell short of adequately labelling chemical products. This often involves missing labels entirely or labels lacking crucial information like pictograms.
- ▶ **Safety Data Sheets Missing in Many Factories:** Another key area of non-compliance (60%) involved the absence of chemical safety data sheets for on-site products. These data sheets provide vital information on handling the products safely, including accident response procedures.
- ▶ **Inventory Management Shows Improvement:** Positive progress was observed in maintaining an inventory of chemicals and hazardous materials, with a non-compliance rate of 68%. This is a significant improvement from historical rates of around 80%, suggesting factories are making a concerted effort in this area.
- ▶ **Other Areas with Lower Non-Compliance:** Encouragingly, other aspects of chemical safety showed lower non-compliance rates. Only a few factories (3 out of 25) improperly stored chemicals, and an even smaller number (2 out of 25) failed to train workers on handling hazardous substances. Additionally, 8 out of 25 factories lacked adequate measures to prevent worker exposure to chemicals.

These findings highlight both areas needing improvement and positive trends in chemical safety practices within Haitian garment factories. Continued efforts are needed to ensure proper labelling, readily available safety data sheets, and robust worker training and protection measures. The progress in inventory

management is a promising sign; similar improvements will be observed in other areas.

The chart below outlines the questions in the Chemical, Hazardous Substances compliance point, and the non-compliance rate for each question.



Emergency preparedness is a crucial compliance point within the OSH cluster, comprising eleven compliance questions, and it exhibits a high non-compliance rate. The question regarding emergency exits and escape routes and adequate fire-fighting equipment show the highest non-compliance rates at 68% and 52%, respectively. All other questions in this compliance area have non-compliance rates below 50%, with the questions about flammable material

storage and worker preparedness for emergencies showing a non-compliance rate of 0%.

During the reporting period, Better Work assessed all factories under the June 2023 decree, modifying the Compliance Assessment Tools (CAT) to incorporate all labour code articles that have resumed enforcement. Some questions, particularly on compensation and working time, were added to the CAT at the beginning of the year and reflected assessments conducted from January to June 2024. The assessments revealed that not all factories fully comply with the reinstated labour code articles. Despite efforts to implement the new decree, some articles still need to be addressed, mainly due to a lack of understanding or misinterpretation. Although Better Work provided training on national labour laws to factory managers in the Northeast in September 2023, the data indicates a continued need for additional training on this topic. Better Work Haiti has planned several training sessions on labour law for the remainder of 2024.

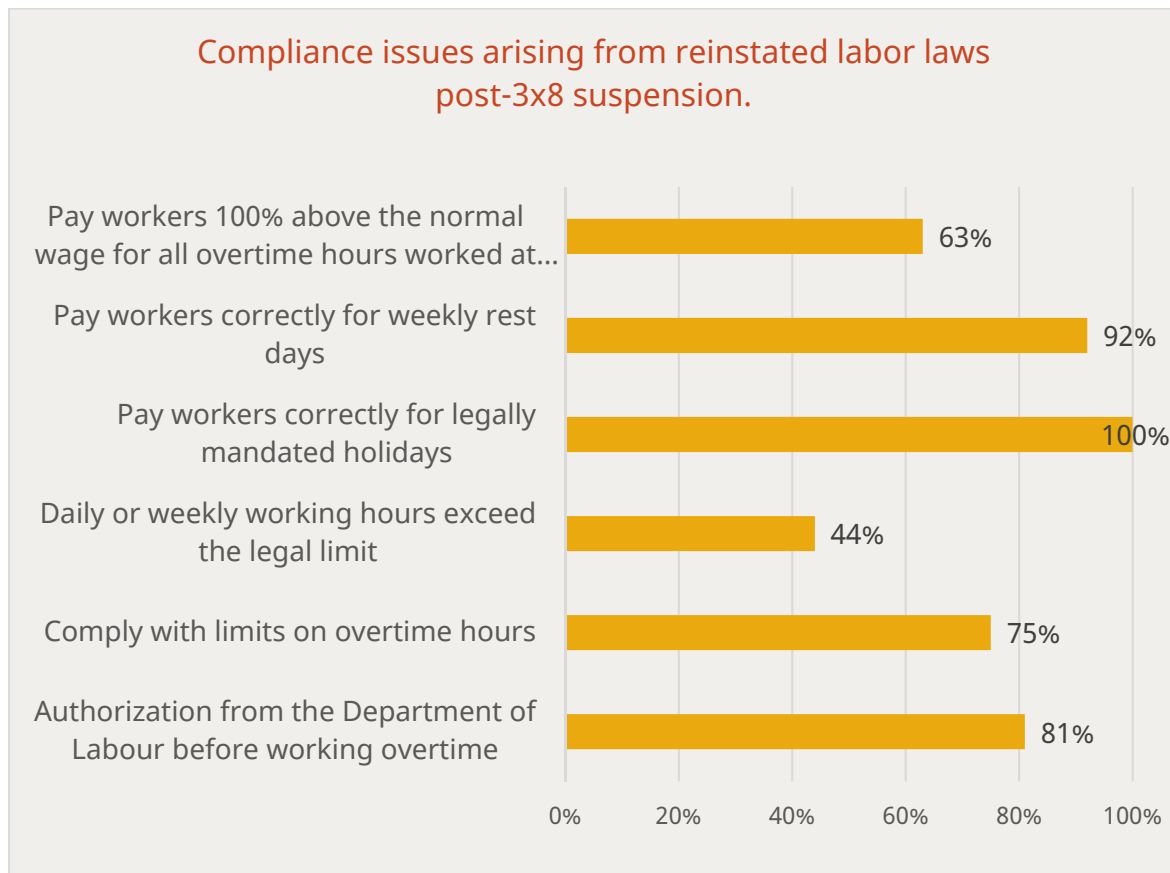
- ▶ **Compensation priorities:** While initial data for the "Compensation" cluster suggests overall non-compliance issues, a closer look reveals specific areas requiring immediate attention: overtime wages, paid leave, and social security benefits.
- ▶ **Overtime pay discrepancies:** 63% of factories were found to be incorrectly compensating workers for overtime work after 6 p.m. This means that workers are not being paid the correct amount because the overtime rate is not being applied to their correct base salary.
- ▶ **Paid leave shortfalls:** We have identified significant non-compliance with paid leave at the assessed factories. Out of the 17 factories assessed, 10 failed to compensate workers for legally mandated holidays properly. Instead of paying workers based on their average daily salary, these factories paid them based on the minimum wage, resulting in underpayment. Moreover, 11 factories did not correctly pay workers for the weekly rest day, as they also paid based on the minimum wage

instead of the average daily salary. These underpayments for rest days and holidays have a ripple effect, affecting maternity and sick leave pay. Our data also reveals that 56% of factories failed to compensate for maternity leave adequately, and 40% were non-compliant with sick leave compensation.

During this reporting period, data shows that 68% of the factories did not collect and forward the appropriate contributions to OFATMA for Social Security compliance, while 64% were non-compliant regarding contributions to ONA. Additionally, 52% of the factories failed to pay for OFATMA work-related accident insurance properly. Non-compliance related to OFATMA and ONA payments often results from deducting contributions based on the minimum salary instead of the basic salary, which includes all types of earnings, such as production quota, except for overtime. There are also cases where payments were sent to ONA or OFATMA late. Some factories only contribute the employers' portion to OFATMA for maternity and health insurance, and the workers' contribution is not deducted and sent to OFATMA, hence the non-compliance. Unlike previous data reviews, this period revealed that 28% of factories did not correctly pay workers the annual salary supplement or bonus because it was not based on their average daily earnings.

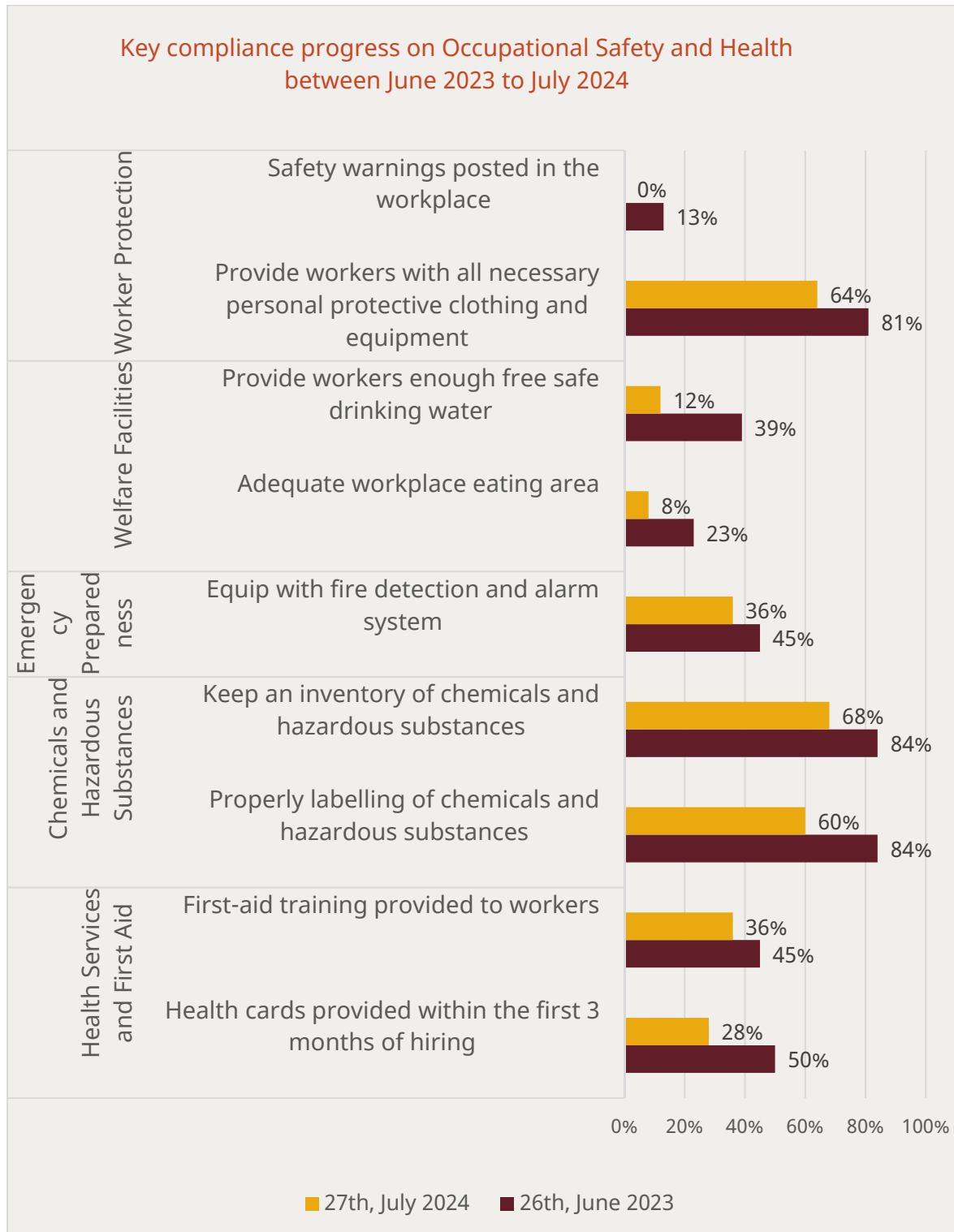
The suspension of the 3*8 law led to widespread violations of factory labour regulations, including exceeding overtime limits, unauthorized Sunday labour, and lack of Ministry of Social Affairs and Labour approval for overtime. Additionally, some factories consistently surpassed legal workweek limits and needed more authorization for night shifts.

The assessment data from this period highlights specific questions in the compensation cluster presented in the chart below that require close attention.



Key compliance progress highlights the Haitian labour regulations

In recent years, Better Work Haiti has prioritized Occupational Safety and Health (OSH) initiatives to address persistent compliance challenges within the sector. To this end, the program has conducted industry-wide seminars and targeted training programs focusing on areas such as chemical management systems and inventory management. While the number of factories included in this report is slightly lower than in the previous report, the chart below illustrates an overall downward trend in key OSH indicators during this period, on some key OSH questions.



Section V: Core labour standards non-compliance findings of the reporting period

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 factories in an industrial park in the Northeast. Assessors discussed the violations with each factory during the assessments and provided recommendations.

FREEDOM OF ASSOCIATION: FREEDOM TO JOIN A UNION

FACTORY 1

A factory in Port-au-Prince was cited for a violation of Freedom of Association. This issue was first identified in April 2023, but during the assessment in February 2024, the factory was cited again for failing to take remedial action. The factory was initially found to have wrongfully terminated union members. Better Work recommended that the factory reinstate the dismissed workers. As of May 2024, the factory had reached an agreement with the union to reinstate all six workers that were dismissed. However, until this report, five workers were reinstated and attempts to join the other worker were unsuccessful (unverified information indicates that he/she would be already employed elsewhere). The reinstated workers received back pay for eight months and were placed back in a line similar to where they had been working prior to their dismissal.

FACTORY 2

This case dates back to a wrongful dismissal that Better Work Haiti found at a factory in April of 2022. Initially, several union members were fired at the end of 2021. After several meetings, the factory had refused to reinstate the

workers. Finally, in May of 2023, the factory agreed to gradually reinstate all 16 workers and by August of 2023, all workers were reinstated.



Section VI: Better Work key activities toward sustainability

In this section, we will provide an update on the key training activities carried out by Better Work Haiti from July 2023 to June 2024. Due to the local context, Better Work Haiti delivered these training services mostly virtually per its mandate under the Hope II law. Some training sessions were delivered virtually or in person for factories in the northeast.

TRAINING

During the reporting period, Better Work Haiti delivered a total of 30 training sessions. The program successfully conducted three training sessions on preventing sexual harassment, engaging 1713 participants, including 716 women. Attendees included workers from participating factories, representatives from the Office of the Ombudsperson, and the Ministry of Social Affairs and Labour. Participants reported an improved understanding of the various forms of sexual harassment in the workplace, though they also noted challenges in addressing this sensitive issue. Better Work Haiti plans to monitor the training's impact through factory-level surveys to assess workers' understanding and track the number of cases reported to factory managers and Better Work.

Furthermore, Better Work Haiti hosted an industry seminar on Supervisory Skills for representatives from eight participating factories, the Office of the Ombudsperson, and the Ministry of Social Affairs. Fifty-three (53) men and Eighteen (18) women, including supervisors and managers, received training in essential skills for effective workplace supervision. The seminar aimed to help them build relationships and trust with workers, communicate effectively, manage stress, and motivate others.

In addition, 18 factories took part in two training sessions on workers' rights and responsibilities, which were attended by 182 participants, including 106 women. The training helped to reinforce their knowledge of global working

standards and the fundamental rights at work, as defined by the ILO declaration. The participants gained valuable insights into their rights and responsibilities, and were provided with resources for further information, empowering them to further educate themselves on these important issues.

Better Work Haiti and its partners recently participated in a results-based management training session to enhance their focus on achieving measurable outcomes. The training provided them with tools to demonstrate the concrete results achieved through their efforts. This new emphasis on results-based management will lead to a more data-driven and outcome-oriented approach to BWH's strategy and activities, ultimately resulting in a greater impact on the Haitian garment industry.

After meeting with the head of the Commission against Forced Labour and Human Trafficking, we realized the need to improve stakeholders' understanding of the convention against forced labour and human trafficking. Our aim is to ensure that factories do not force workers to work excessive hours and violate the conventions. As part of our mandate, we must train sectoral stakeholders, including labour administration personnel and judicial officers, on the application of international labour standards. Better Work Haiti, in collaboration with ILO Norms and the Legal Section of MAST, organized a two-day training session on Human Trafficking and Forced Labour. The aim of the training was to increase the capacity of labour inspectors, conciliators, and magistrates of the Special Labour tribunal to recognize the phenomenon of human trafficking and forced labour. The 68 participants, including 18 women, were also educated on how it relates to the promotion of decent work. This training allowed participants to have a better understanding of national labour legislation, and international ILO conventions ratified by Haiti with an approach based on human trafficking and forced labour.

Better Work Haiti collaborated with ILO Norms and organized a workshop on C190 and R206. The workshop had forty participants, including eight women, who represented the government, workers' associations, employers' associations, and several factory managers. The main objective of the workshop was to raise awareness among stakeholders about this convention

so that they can lobby for its ratification when the country's political situation allows it.

This workshop has allowed us to increase the stakeholders' knowledge of the convention and applicable recommendations. The specific objectives of the workshop were the following:

- ▶ Enhance the understanding of key stakeholders on progress made, challenges, lessons learned, and good practices in preventing and addressing violence and harassment in the world of work with a focus on gender-based violence and harassment.
- ▶ Enhance key stakeholders' understanding of the new framework for action to eliminate violence and harassment in the world of work, in line with C190 and R206.

COLLABORATION WITH THE GOVERNMENT

In collaboration with the Office of the Ombudsperson, Better Work Haiti is surveying to assess its sustainability. The survey focuses on self-sufficiency, local ownership, and adaptability in improving labour conditions through social dialogue, transparency, compliance, and gender equality. The findings from this survey will help Better Work Haiti understand its strengths and weaknesses, identify areas for improvement, and ensure long-term success in promoting fair and safe working conditions in Haiti's garment industry.

Annex 1: The TAICNAR Program 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 Labour 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 labour standards and national labour 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, particularly 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 labour laws and resolve labour 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 labour 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 five-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. LABOUR 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 factory engagement model

The key principles of Better Work's revised factory engagement model are ownership, accountability, dialogue, and partnership. The core offerings are advisory sessions, an annual assessment, and trainings.

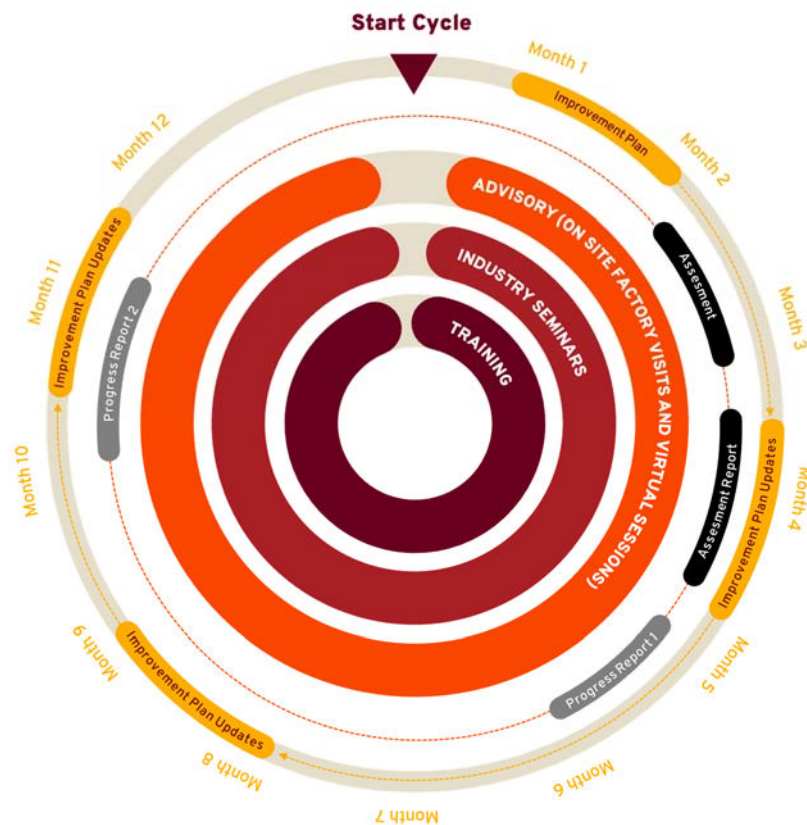
Better Work's factory engagement model stresses the importance of advisory sessions with a stronger focus on assistance on management systems, root cause analysis, and continuous learning. Better Work acknowledges the fact that auditing alone cannot contribute to sustainable remediation of non-compliances. 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 types of engagement 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, the cycle starts with approximately 100 days of advisory sessions under the revised Better Work factory engagement model. With its bipartite committee, the factory can conduct a self-diagnosis with its Better Work Enterprise Advisor's support and work on immediate improvements where possible. The unannounced Better Work assessment is then conducted after the initial advisory and training services period. 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 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 factory engagement model under this revised approach can be found in the illustration below:



*Sequence and components of annual Cycle
under Better Work's factory engagement 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, we will respond to requests for greater autonomy in the day-to-day advisory sessions, fewer assessments, and tailored engagement 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 labour standards and national labour law. Following assessments, a detailed report is prepared. Findings are shared with the factory presenting findings on eight clusters, or categories, of labour standards, half of which are based on international standards and half on national legislation.

CORE LABOUR 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 labour, the abolition of child labour, 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 labour 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 Labour	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 Labour 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 ¹	Gender	Changing the employment status, position, wages, benefits, or seniority of workers during maternity leave.

¹ 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 labour 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 labour law does not identify grounds for discrimination beyond those cited in Conventions 100 and 111.

		Conditions of work (gender and/or marital status).
		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)
	Religion and Political Opinion	Conditions of work (religion or 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 Labour	Bonded Labour	Debts for recruitment fees owed to the employer and/or a third party
	Coercion	Coercive tactics.
		Delaying or withholding wage payments.
		Forced labour 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 Labour and Overtime	Forced overtime under threat of penalty
	Prison Labour	Prison labourers
Freedom of Association and Collective Bargaining	Collective Bargaining	Access to collective bargaining agreement.
		Collective agreement is less favourable 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

	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.
	Wage Information, Use, and Deduction	Deductions from workers' wages.
		Informing workers about wage payments and deductions.
		Payroll records.
Contracts and Human Resources	Contracting Procedures	Limits on the trial period for apprentices.
	Dialogue, Discipline and Disputes	Bullying, harassment, or humiliating treatment of workers.
		Disciplinary measures
		Resolution of grievances or disputes.
	Employment Contracts	Contracts for all persons performing work for the factory.
		Employment contracts' compliance with the labour code, collective agreement, and/or internal work rules.
		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.
	Worker Protection	Ergonomic requirements
		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 labour 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 labour standards and gathering general information about the factory.² 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 analysed to produce a detailed assessment report. Before the reports become official, factories are given seven calendar days to provide feedback.

² Better Work Haiti Compliance Assessment Tool (CAT) including their legal references can be accessed here: http://betterwork.org/haiti/?page_id=1731

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 labour 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 are several reasons for that. One challenge is that some labour 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 – 27TH SYNTHESIS REPORT



Factory: **Bon Kalite International, S.A**
 Location: **Ouanaminthe**
 Number of workers: **938**
 Date of registration: **May-21**
 Date of last two Better Jun-23
 Work assessments: **May-24**

Advisory and Training Services

26-Jun-24	Industry Seminar	Virtual Supervisory Skills
12-Apr-24	Advisory services	Virtual meeting to verify the changes in the payroll such as social security contributions, payment upon terminations and leaves. Session on HR management systems.
26-Mar-24	Industry Seminar	Virtual Supervisory Skills
29-Feb-24	Advisory services	Virtual meeting to present the role and objectives of the bipartite committee. Session with the compliance team on internal policies and procedures in place such as OSH policy, internal work rules, procedure for pregnant and breastfeeding woman. Follow up on training plan.
27-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
23-Nov-23	Advisory services	Conducted a factory tour to verify the improvement made from the last visit and follow up on emergency preparedness. Bipartite meeting on priorities and assignation of responsibilities. Follow up on persistent non compliance action plan.
20-Sep-23	Industry Seminar	Human Resources Management (HRM)
13-Sep-23	Advisory services	Conduct a factory OSH tour with a focus on emergency preparedness, interview with OSH committee members to understand the root causes of Persistent OSH non compliance.
31-Aug-23	Industry Seminar	Industrial Relations
27-Jul-23	Advisory services	Conducted a factory OSH tour on chemical management. Session with the compliance to review the improvements that have been made after the assessment. Meeting with the bipartite committee to validate the improvement plan.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The risk procedure does not include all the necessary elements.	Review the risk procedure to include a risk register that drives the implementation of controls		30
May-24	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. Implementation of changes in order to avoid		30
May-24	Occupational Safety and Health	OSH Management Systems	Management has not performed regular management review and effective functioning of the OSH committee.	Conduct regular meeting with management to define and evaluate if the OSH objectives and targets are met.		30

May-24	Occupational Safety and Health	OSH Management Systems	Management has not ensured effective functioning of the OSH committee.	Appoint an OSH officer with sufficient expertise. Ensure effective functioning of the OSH committee by conducting regular meetings.		30
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate procedure for handling complaints and resolving disputes.	Include the following elements in the procedure: Ensuring anonymity and non-retaliation, fair review, communication of changes made or resolution and an appeal		30
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate termination procedures.	Include the time frame between warnings and payments, the right to defend oneself prior to termination and to representation during the disciplinary process.		30
May-24	Contracts and Human Resources	Employment Contracts	The employer takes action to investigate violations of HR policies and procedures.	Develop HR system performance indicator, investigate violations of HR policies and procedures. Perform necessary reviews		30
May-24	Contracts and Human Resources	Employment Contracts	The factory has not posted internal regulations neither policies.	Post internal regulations and policies. Train staff on how to carry out policies and procedures.		30
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy as part of its internal policy.	Develop an internal policy that includes all HR policies.		30
May-24	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Send workers on leave 6 weeks before giving birth.		30
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to work overtime.	Request prior authorization to work overtime		2
May-24	Working Time	Overtime	Workers in some department work more than 80 hours of overtime during a trimester.	Have a time recording system, which indicates the accumulated overtime per week, per month and per year and ensure that workers do not exceed the overtime limit.		2
May-24	Working Time	Overtime	The factory did not obtain prior authorization from the Department of Labor to work on Sundays.	Request prior authorization from MAST to work on Sunday.		2
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Ensure that the regular hour do not exceed 8 hours per day.		2
May-24	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 in Fire fighting equipment.	The factory has trained more workers.	30

May-24	Occupational Safety and Health	Emergency Preparedness	The factory does not conduct an emergency fire drill every 6 months.	Conduct at least 2 emergency drill per calendar year with the authorities.		30
May-24	Occupational Safety and Health	Emergency Preparedness	Several areas of the factory are obstructed by boxes or pallets of raw materials and finished goods.	Provide additional space for storing goods. Keep aisles unobstructed.		30
May-24	Occupational Safety and Health	Health Services and First Aid	less 10 percent of the workforce is trained in first aid as recommended by Better Work.	Train at least 10 percent of the workforce in First Aid.	The factory has trained more workers.	30
May-24	Occupational Safety and Health	Health Services and First Aid	All first aid boxes were missing basic supplies.	Equip first aid box and define responsibility for refilling them.		30
May-24	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	Make a contract with a health care unit in the surroundings and hire the required medical staff.		30
May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks were not performed for all workers working with chemical products.	Provide free medical checks at least twice a year for workers working with chemical products.		30
May-24	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.		30
May-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Increase the number of toilets based on the current workforce as required by law.		30
May-24	Occupational Safety and Health	Working Environment	The lux level is insufficient in packing area.	Increase the Lux level to at least 500 Lux in packing area.		30
May-24	Occupational Safety and Health	Working Environment	The temperature exceed the recommended limit of 30 c.	Provide additional fans and specify who is in charge of regular maintenance of the fans.		30
May-24	Occupational Safety and Health	Worker Protection	The spot cleaning worker was observed not using the provided PPE (MASK).	Provide Proper Mask to spot cleaning workers and train workers to use them.		2
May-24	Occupational Safety and Health	Worker Protection	100% of single needle and double needle machine are missing finger guards.	Define who is in charge of installing and regularly maintaining the machine guards.		30
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	An eye wash station was not available in the chemical room where chemical and hazardous substances are stored and poured.	Provide eye wash bottles where chemicals are stored and poured.	The factory has installed Eye wash station where chemicals are stored.	30

May-24	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.	Improve isolation from the chemical such as separate room for spot cleaning.	The spot cleaning section has been relocated with proper conditions.	30
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS is not available for all chemicals in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.	The factory kept all the MSDS and they are in the translation process.	30
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Several containers of chemical and hazardous products were found without proper labeling.	Define who control the chemical container on receipt from supplier and control the label.		30
May-24	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.		30
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	Train all joint OSH committee members. Then, post policies and work instructions around the workplace.		30
May-24	Occupational Safety and Health	OSH Management Systems	The factory did not conduct a general risk assessment monthly.	Conduct a risk assessment that include an evaluation of the risks and how to control them.		30
May-24	Occupational Safety and Health	OSH Management Systems	The factory has an emergency preparedness procedure. However, The procedure is in Spanish.	Translate the procedure in local language and inform workers about it.		30
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not record and submit work related accidents to OFATMA on a monthly basis.	Record and submit work related accidents to OFATMA monthly.		30
May-24	Contracts and Human Resources	Termination	The employer compensate the workers for their annual salary supplement or bonus upon termination. However, the	Include the payment for the weekly rest day in the calculation of annual salary supplement or bonus upon termination.		2
May-24	Contracts and Human Resources	Termination	The employer compensate the workers for unused annual paid leave upon termination. However, the calculation is not accurate .	Include the weekly rest day payment in the calculation for unused annual leave upon termination.		2
May-24	Contracts and Human Resources	Termination	The employer provides workers with proper notice upon termination. However, the calculation is not accurate.	Include the payment for the weekly rest day in the calculation of notice period upon termination.		2

May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Social Affairs and Labor.	Review and update the Internal work rules. Then send it to MAST for approval.		30
May-24	Contracts and Human Resources	Employment Contracts	The contract does not comply with the labor code. The employment contract for night shift workers does not specify the correct salary.	Make an amendment to the contract to specify the workers' wages for the night shift.		2
May-24	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.	Send workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.		30
May-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward worker's contribution to OFATMA for Maternity and Health Insurance.	Collect and forward worker's contribution to OFATMA for Maternity and Health Insurance.		30
May-24	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.	Include the weekly rest day payment in the calculation of the employer's contribution to ONA. Then make the payment on time as		30
May-24	Compensation	Social Security and Other Benefits	OFATMA payments for maternity and health insurance are not based on the basic salary. The contributions are based on the invoice received from OFATMA.	Include the weekly rest day payment in the calculation of the basic salary for OFATMA payments for maternity and health insurance. Ensure that the payments are made on time		30
May-24	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.	Collects and forward the workers' contribution to ONA on time. Include the weekly rest day payment in the calculation of the basic salary.		30
May-24	Compensation	Paid Leave	Non working holiday pay is not based on the average earning but on the CODEVI's agreed minimum wage of reference.	Include the weekly rest day payment in the calculation of average earnings for non working holiday payment.		2
May-24	Compensation	Paid Leave	The weekly rest day is not compensated.	Compensate the weekly rest day after 48 hours of work or 6 days of work per week.		2
May-24	Compensation	Paid Leave	The calculation of the average salary for maternity leave payment does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation maternity leave payment. Ensure that worker receive 12 weeks of payment instead as required by law		30

May-24	Compensation	Paid Leave	The calculation of the average salary for sick leave payment does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation for sick leave payment.		2
May-24	Compensation	Wage Information, Use and Deduction	A review of the payroll showed that the overtime hours are not paid to workers who are on a fix salary.	Register overtime hour for foreign supervisors, mechanics and utility workers who are on a fix salary. Then pay them the overtime hour worked as required by law.		2
May-24	Compensation	Overtime Wages	Overtime performed at night were pay only at 50 percent above the normal wage.	Modify the payroll system and pay overtime work performed beyond 6 PM for day shift with 100 percent above normal wage .		2
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	The employer failed to implement several articles of the CBA.	Implement all the provisions of the collective agreement.		13
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.		
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.		
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.		
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	Improve isolation from the chemical (e.g. separate room for spot cleaning).		
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.		
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.		
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).		

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.		
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		
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.		
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		
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	Ensure that foreign workers contract are signed by both parties and it complies with the Haitian labor code		
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 authentication		
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.		
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.		
Jun-23	Contract and Human Resources	Employment Contracts	There is no evidence that the employer takes action to investigate violations of HR policies and	Develop HR performance indicator.		
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.		
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.		

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.		
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	Conduct the health checks twice a year.		
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.		
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	Set up a clinic approved by the Authorities or Hire the required medical staff.		
Jun-23	Occupational Safety and Health	Health Services and First Aid	First aid box was. In addition, the inventory list in not accurate.	Equip first aid box and define responsibility for refilling.		
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.		
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.		
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.		
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.		
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.		
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.		
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 recurrence		

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.		
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.		
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.	
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 D117:D122with OFATMA.	Pay OFATMA work related accident on time.		
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		
Jun-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 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		
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.		
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.	

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.		
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.		
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.		
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.		

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **BrandM Apparel Haiti - AM1**
 Location: **Ouanaminthe**
 Number of workers: **1,045**
 Date of registration: **May-19**
 Date of last two Better Work assessments: **May-23** **May-24**

Advisory and Training Services

24-May-24	Advisory Services	Meeting to review the summary report from the last assessment with the bipartite committee and follow-up on the improvement the factory already done and conduct a factory tour with the factory compliance officer, to verify the OSH issues that the factory already solved.
10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
26-Jan-24	Advisory Services	Meeting with management to: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation. Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold. Add all corrective actions completed in the improvement plan.
21-Nov-23	Advisory Services	Meeting with bipartite committee: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold. Follow-up on some new NC the committee found. Follow-up on the office the CODEVI administration gave the unions.
20-Sep-23	Industry Seminar	Human Resources Management (HRM)
13-Sep-23	Industry Seminar	ToT Problem Solving
8-Sep-23	Industry Seminar	Negotiation Skills
1-Sep-23	Advisory Services	Conducted an OHS 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. Reviewed several documents to identify the improvement made by the factory. Reviewed the IP with the compliance and the HR manager Meeting Bipartite committee to: Monitor the Implementation of OFATMA maternity and Health insurance. Follow up on the factory situation after the industrial problem that occurred in June 2023. Discuss the 3*8 law that the government suspended, and articles BW will evaluate the factory in the new evaluation circle. Workers ask the factory to provide space to charge their phones. Advise the factory on how to calculate ONA and OFATMA on the base salary, and on how to calculate sick leave, maternity leave, bonuses,
31-Aug-23	Industry Seminar	Industrial Relations
9-Aug-23	Advisory Services	Meeting with management to follow-up on ONA and OFATMA payment based on the decree published on June 13, 2023 regarding the 3*8 law. Review the improvement plan based on the CAP received from the factory with Compliance Officer.
28-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The OHS policy does not meet all the requirements.	Update and adjust OHS policy and procedures.		27
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the	Update and adjust hazard/risk management and control procedures.		27
May-24	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.		27
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR	Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		27
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have grievance handling and dispute resolution procedures that includes all the steps.	Update and adjust grievance handling and dispute resolution procedures and include all the necessary steps.		27
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have a disciplinary and termination procedures, that includes all the steps.	Update and adjust the disciplinary and termination procedures and include all the necessary steps.		27
May-24	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Perform regular investigation of HR performance and shortcomings and review the procedures accordingly.		27
May-24	Contracts and Human Resources	Employment Contracts	The factory HR policy is not signed by Top management.	Make sure the HR policy is sign by the top management of the factory.		27
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Request prior authorization from MAST before working overtime.		6
May-24	Working Time	Overtime	The factory does not comply with the limit on overtime hours worked.	Ensure that workers do not exceed the limit of overtime hours specify in the Labor Code.		6
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime on Sundays.	Request prior authorization from MAST before working on Sundays.		6
May-24	Working Time	Regular Hours	The factory did not receive prior authorization from MAST before working at night.	Request prior authorization from MAST before working at night.		6

May-24	Working Time	Regular Hours	The employer posted the factory's working hours for day shifts including break time. However, the night shift schedule was not posted.	Post the factory's working hours for all shifts including break time in the workplace.		2
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit as specify in the labor code.	Modify the regular daily or weekly hours to comply with the labor code.		6
May-24	Occupational Safety and Health	Emergency Preparedness	Insufficient number of workers trained in the use of fire-fighting training.	Train at least 10 percent of the workforce in the use of fire-fighting training.		2
May-24	Occupational Safety and Health	Emergency Preparedness	Assessors noticed rechargeable bulb cover by piece of fabric in some sections.	Make sure the sources of ignition are protected.		19
May-24	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several sections of the workspace.	Keep routes unobstructed during working hours.		2
May-24	Occupational Safety and Health	Emergency Preparedness	Unmarked escape routes, were observed during the assessment.	Ensure that the escape routes in all building are clearly marked.		58
May-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Provide adequate firefighting equipment and ensure regular maintenance is done.		58
May-24	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.		2
May-24	Occupational Safety and Health	Health Services and First Aid	First aid boxes are missing basic items	The factory needs to designate a person to monitor all first aid boxes and ensure items are replaced in time.		39
May-24	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		58
May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks is not conducted twice a year for workers working with chemicals	Provide health checks to workers exposed to work-related hazards at least twice a year.		58
May-24	Occupational Safety and Health	Welfare Facilities	Soap was not available in men's and women's toilets.	Ensure that soap is available in all toilets.		2
May-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		55
May-24	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

May-24	Occupational Safety and Health	Working Environment	Workplace temperature level is unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		58
May-24	Occupational Safety and Health	Worker Protection	Several chairs, were missing backrest.	Provide chairs with backrest to workers.		58
May-24	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all circuit breakers are identified.		39
May-24	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		58
May-24	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide appropriate PPE to all workers, wherever it is needed .		58
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area where chemicals are used, does not have an adequate eye washing station.	The factory needs to install eyewash station in all areas where chemical products are	The factory installed the missing eyewash station.	58
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The vacuum machine was not functioning in Spot cleaning.	The factory needs to ensure that the vacuum machine is working properly.		58
May-24	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.		58
May-24	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.		58
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances was not available.	Prepare an inventory for chemical and hazardous substances in the workplace and keep the inventory updated.		39
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not submit records of work-related accidents and diseases to OFATMA on a monthly basis.	Submit all work-related accidents and diseases records to OFATMA on a monthly basis.		2
May-24	Contracts and Human Resources	Termination	The employer does not pay workers their annual salary supplement or bonus correctly upon termination. .	Pay workers their annual salary supplement upon termination and include weekly rest day payment in the calculation.		2
May-24	Contracts and Human Resources	Termination	The employer does not compensate workers properly for unused annual paid leave.	Pay the unused paid annual leave upon termination and include weekly rest day payment in the calculation		2

May-24	Contracts and Human Resources	Termination	The employer does not compensate workers properly for the applicable notice period.	Pay the applicable notice period and include weekly rest day payment in the calculation.		2
May-24	Contracts and Human Resources	Contracting Procedures	The guards do not receive any breaks during their 11-hour workday.	Provide the require lunch breaks to the security guards as required by the Labor Code.		2
May-24	Contracts and Human Resources	Employment Contracts	The clauses regarding hours of work in the internal work rules are less favorable than the law.	Update the internal work rules and send it to MAST for approval to be in compliance with the labor Code.		2
May-24	Compensation	Social Security and Other Benefits	The factory does 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.		19
May-24	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.		58
May-24	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate.	Calculate ONA contributions on the basic salary.		58
May-24	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.		58
May-24	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate.	Calculate ONA contributions on the basic salary.		58
May-24	Compensation	Social Security and Other Benefits	Inaccurate payment for annual salary supplement or bonus.	Pay annual salary supplement or bonus based on average earnings, including the weekly rest day as required by the law.		2
May-24	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work-related accidents and provided proof of having paid 50 percent of the total amount.	Have an agreement with OFATMA regarding the payment process.		58
May-24	Compensation	Paid Leave	Inaccurate payment for non working holiday.	Pay non working holiday on the average earning as required by the law.		2

May-24	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		58
May-24	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings, including the weekly rest day as required by the law.		58
May-24	Compensation	Paid Leave	Inaccurate payment for annual leave.	Pay annual leave based on average earnings, including the weekly rest day as required by the law.		2
May-24	Compensation	Wage Information, Use and Deduction	The employer does not pay workers for the weekly rest day.	Pay the weekly rest day as required by the law.		2
May-24	Compensation	Overtime Wages	The employer does not pay 100% above the normal wage for overtime hours worked at night.	Pay 100% above the normal hours for overtime hours worked at night.		2
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Review the CBA and implement all articles as stated in the document.		19
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.	
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.		
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.		
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.		
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.		
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.		

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.		
May-23	Contracts and Human Resources	Employment Contracts	The factory currently applies Codie's disciplinary and termination procedures, which does not include all	Update and adjust disciplinary and termination procedures.	The factory update the HR Procedure and add disciplinary and termination procedures in	
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.		
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.		
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.	
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.		
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.	
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		
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.	
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	
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.	
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		
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	

May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		
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.	
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.		
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.		
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	
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	
May-23	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		
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.		
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	
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.		
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	
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	
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	

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	
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.	
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.		
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.		
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.	
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.		
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.	
May-23	Compensation	Social Security and Other Benefits	Inaccurate payments for OFATMA accident insurance.	Keep records of the salary statement sent to OFATMA		
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.	
May-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		
May-23	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings.		
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.		

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **BrandM Apparel Haiti - AM2**
 Location: **Ouanaminthe**
 Number of workers: **783**
 Date of registration: **May-19**
 Date of last two Better Work assessments: **May-23** **Apr-24**

Advisory and Training Services

17-May-24	Advisory services	Meeting to review the summary report from the last assessment with the bipartite committee and follow-up on the improvement the factory had already done. Conducted factory tour with the factory compliance officer, to verify the OSH issues that the factory already solved.
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
1-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
27-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
23-Jan-24	Training	Basic Rights and Responsibilities
23-Jan-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold. Added all corrective actions completed in the improvement plan. Provided a 2 hours training on workers rights and responsibilities to workers.
22-Nov-23	Advisory services	Meeting with bipartite committee to: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold. Follow-up on the office the CODEVI administration gave the unions. Added all corrective actions completed in the improvement plan.
13-Oct-23	Industry Seminar	Virtual Leadership Skills
12-Oct-23	Advisory services	Meeting with management to: Follow-up on actual number of workers at the factory, last ONA payment and the final payment for OFATMA accident. Advise the factory on how to calculate ONA and OFATMA on the basic salary, and on how to calculate sick leave, maternity leave, bonuses, and annual leave on the average salary.
20-Sep-23	Industry Seminar	Human Resources Management (HRM)
13-Sep-23	Industry Seminar	ToT Problem Solving
8-Sep-23	Industry Seminar	Negotiation Skills

1-Sep-23	Advisory services	Conducted an OHS 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. Reviewed several documents to identify the improvement made by the factory. Reviewed the IP with the compliance and the HR manager Meeting Bipartite committee to: Monitor the Implementation of OFATMA maternity and Health insurance. Follow up on the factory situation after the industrial problem that occurred in June 2023. Discuss the 3*8 law that the government suspended, and articles BW will evaluate the factory in the new evaluation circle.
31-Aug-23	Industry Seminar	Industrial Relations

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment April 2024						
Apr-24	Occupational Safety and Health	OSH Management Systems	The OHS policy is not signed by senior management and does not meet all the requirements.	Update and adjust OHS policy and procedures. Have the policy signed by top management.		27
Apr-24	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.		27
Apr-24	Occupational Safety and Health	OSH Management Systems	The factory accident investigation procedure does not have all the necessary steps.	Update and adjust the accident investigation procedure.		19
Apr-24	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.		27
Apr-24	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.		27
Apr-24	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.		27
Apr-24	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.		27
Apr-24	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	The factory needs to properly communicate the HR policy and procedures through training and induction for new employees.		27
Apr-24	Contracts and Human Resources	Employment Contracts	The factory HR policy is not signed by Top management.	Make sure the HR policy is sign by the top management of the factory.		19
Apr-24	Working Time	Leave	Inaccurate maternity leave to pregnant workers.	Ensure that pregnant workers go on maternity leave 6 weeks before giving birth.		19

Apr-24	Working Time	Overtime	The factory does not comply with the limit on overtime hours worked.	Ensure that workers do not exceed the limit of overtime hours specify in the Labor Code.		2
Apr-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Request prior authorization from MAST before working overtime.		2
Apr-24	Working Time	Regular Hours	The factory did not obtain prior authorization from MAST to work at night.	Request prior authorization from MAST before working at night.		2
Apr-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit as specify in the labor code.	Modify the regular daily or weekly hours to comply with the labor code.		2
Apr-24	Occupational Safety and Health	Emergency Preparedness	Assessors noticed rechargeable bulb covered by pieces of fabric in some sections.	Make sure the source of ignition problem is protected.	The factory fixed the source of ignition problem.	19
Apr-24	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several sections of the workspace.	Keep routes unobstructed during working hours.		2
Apr-24	Occupational Safety and Health	Emergency Preparedness	Inaccurate evacuation plan.	Update and post an evacuation plans for all buildings.		2
Apr-24	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.		58
Apr-24	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards twice a year.	Provide health checks to workers exposed to work-related hazards at least twice a year.		58
Apr-24	Occupational Safety and Health	Welfare Facilities	Soap was not available in men's and women's toilets.	Ensure that soap is available in all toilets.		2
Apr-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		55
Apr-24	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
Apr-24	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30C inside the workplace.		58
Apr-24	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Circuit breakers need to be properly labelled.	The factory labelled all circuit breakers	39

Apr-24	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		58
Apr-24	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide appropriate PPE to all workers, where it is needed.		58
Apr-24	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	58
Apr-24	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
Apr-24	Occupational Safety and Health	OSH Management Systems	The factory did not provide evidence that the OSH assessments is performed on a regular basis.	Conduct and keep records of the monthly OSH assessment results.		19
Apr-24	Contracts and Human Resources	Termination	The employer does not pay workers their annual salary supplement or bonus correctly upon termination.	Pay workers their annual salary supplement upon termination and include weekly rest day payment in the calculation.		2
Apr-24	Contracts and Human Resources	Termination	The employer does not compensate workers properly for unused annual paid leave.	Pay the unused paid annual leave upon termination and include weekly rest day payment in the calculation.		2
Apr-24	Contracts and Human Resources	Employment Contracts	The internal work rules does not comply with the labor code law.	Update the internal work rules and send it to MAST for approval.		58
Apr-24	Contracts and Human Resources	Employment Contracts	The contract for the night shift and Dominicans workers does not comply with the internal work rules.	Update the contract of all workers in the factory to be in compliance with the internal work rules.		2
Apr-24	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.		19
Apr-24	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.		58
Apr-24	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate.	Calculate ONA contributions on the basic salary.		58

Apr-24	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.		58
Apr-24	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate.	Calculate ONA contributions on the basic salary.		58
Apr-24	Compensation	Paid Leave	The employer does not pay workers for the weekly rest day.	Pay the weekly rest day as required by the law.		2
Apr-24	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		58
Apr-24	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings, including the weekly rest day as required by the law.		58
Apr-24	Compensation	Overtime Wages	The employer does not pay 100% above the normal wage for overtime hours worked at night.	Pay 100% above the normal hours for overtime hours worked at night.		2
Apr-24	Compensation	Overtime Wages	The employer does not pay 50% above the normal hours for overtime worked on weekly rest day.	Pay 50% above the normal hours for overtime worked on weekly rest day.		2
Apr-24	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Review the CBA and implement all articles as stated in the document.		19
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.	
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.		
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.		
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.		
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.		

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.		
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.		
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.	
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.		
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.		
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.	
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.		
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.	
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		
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.	
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	
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.	
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		
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	

May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		
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.	
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.		
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.		
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	
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	
May-23	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		
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.		
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	The factory added the Eye wash where chemicals are used in the mechanic workshop	
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.		
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	
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	
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.	
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	

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.	
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.		
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.		
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.	
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.		
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.	
May-23	Compensation	Social Security and Other Benefits	Inaccurate payments for OFATMA accident insurance.	Keep records of the salary statement sent to OFATMA		
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.	
May-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		
May-23	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings.		
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.		

BETTER WORK HAITI - 27TH SYNTHESIS REPORT



Factory: Centri Group S.A.
Location: Arrondissement de Port-au-Prince
Number of workers: 916
Date of registration: Oct-18
Date of last two Mar-23 Apr-24
Better Work

Notes: Factory experience several temporary suspensions during the first half of 2024.

Advisory and Training Services

14-Jun-24	Advisory services	Virtual meeting with the OSH committee to present the last assessment report. Meeting with the compliance team to review payment upon termination and night shift payment. Session on the first progress report.
2-Feb-24	Advisory services	Virtual meeting with the OSH committee to identify the training needs. Session with the compliance team to review the compensation cluster including social security. Follow up on OSH objectives and targets, accident investigation, risk
17-Nov-23	Advisory services	Virtual meeting with OSH committee members to validate pending issues and review the improvement plan, meeting with the compliance team to present the OSH gap analysis.
30-Aug-23	PICC Meeting	Training for the committee members, Challenges for the Factory and achievements linked to non-compliance.
28-Aug-23	Advisory services	Virtual meeting to conduct a session with the compliance team on the first progress report. Session on management systems and OSH targets. Meeting with the bipartite committee on self diagnosis process and training.
16-Aug-23	PICC Meeting	Presentation of the committee and debate on the role and responsibility.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment April 2024						
Apr-24	Occupational Safety and Health	Emergency Preparedness	Evacuation routes are not clearly marked.	- Paint evacuation arrows and signs - Paint yellow lines on the floor to show the exit pathway - Install exit sign above the door - Conduct regular comprehensive OSH assessment and identify whether the marking are faded - Specify who conducts		44
Apr-24	Occupational Safety and Health	Health Services and First Aid	Insufficient medical Staff.	Hire the required medical staff based on the current workforce.		63
Apr-24	Occupational Safety and Health	Working Environment	Lux level is below Better Work recommended limit.	Increase the natural lighting in the sewing section.		31

Apr-24	Contracts and Human Resources	Employment Contracts	The grievance procedure does not include fair review and appeal process, communication of changes made or resolution.	- Review and discuss current factory procedure on complaint mechanisms - include fair review and appeal process, communication of changes made or resolution.		3
Apr-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of functioning toilets as required by law.		63
Apr-24	Occupational Safety and Health	Working Environment	The temperature level is exceed Better Work's recommended limit.	Develop a maintenance plan for the cooling systems. Install roof insulation		18
Apr-24	Contracts and Human Resources	Termination	The annual leave payment is not calculated on worker's average daily earnings.	Ensure the annual leave payment upon termination is calculated on worker's average daily earnings.	The annual leave payment upon termination is calculated on worker's average daily earnings.	3
Apr-24	Contracts and Human Resources	Contracting Procedures	Contract and payroll of non production worker are not accurate.	Revise security agent contracts and ensure that payment is aligned with the labor code.	The Company has made the changes in the payroll and the calculation is accurate. In addition, the contract has been revised.	3
Apr-24	Contracts and Human Resources	Employment Contracts	Internal work rules are not approved by MAST.	Send the internal work rules to MAST for approval.		18
Apr-24	Compensation	Social Security and Other Benefits	The annual leave payment is not calculated based on the total earning of workers salary. .	Make changes to the payroll system and include all salaries received by the employee in the calculation of annual leave.	The Company has made the changes in the payroll and the calculation is accurate.	3
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	
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.	
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	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.	

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	
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.	
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	
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.	
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.	
Mar-23	Occupational Safety and Health	Working Environment	Workplace temperature level exceed 30 C in all buildings..	Increase the ventilation with additional fans.		
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.	
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.		
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.		

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.	
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	The factory paid the fiscal year 2022 2023, the health card(CDS) is included as required by law for medical checks.	
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.	
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.	
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.	
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.	
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.	
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.	
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.	

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.	
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.	

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **Caribbean Island Apparel**
 Location: Port-au-Prince
 Number of workers: **2437**
 Date of registration: Aug-13
 Date of last two Nov-22 Oct-23
 Better Work
 assessment:
 Notes:

Advisory and Training Services

26-Jun-24	Advisory services	Virtual meeting with the new compliance officer and presented Better work tools and what is expected from the new factory representatives. Advisor reviewed the evidence presented and validated the remediations on the improvement plan.
12-Oct-23	Advisory services	Meeting with HR manager on the current situation of the factory. The discussion was on the improvement and PR2. Bipartite committee members express their concerns about the general situation of the country.
17-Jul-23	Advisory services	Meeting with management on factory's improvement plan and updates. Meeting with bipartite committee members. Workers representatives express concerns regarding the food in the cafeteria and the toilets. Management promised to take corrective ..

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment October 2023						
Oct-23	Occupational Safety and Health	OSH Management Systems	The OSH policy is not signed by top management and does not include several elements of an adequate policy.	Include the missing elements in the OSH policy and have it signed by top management.		18
Oct-23	Occupational Safety and Health	OSH Management Systems	The hazard/risk management and control procedure does not include several elements of an adequate policy.	Include the missing elements in the hazard/risk management and control procedure.		18
Oct-23	Occupational Safety and Health	OSH Management Systems	The accident investigation procedure does not include several elements of an adequate policy.	Ensure that the accident investigation procedure has all required elements.		18

Oct-23	Occupational Safety and Health	OSH Management Systems	The factory did not show evidence that it investigates and documents violations of HR procedures.	Ensure to provide evidence that management does investigate, monitor and measure OSH issues through: - Logging and analyzing violations of procedures; - Regular management review of the effectiveness of management systems including performance on measurable objectives and targets; - Accident investigations are followed by an actual change in		18
Oct-23	Occupational Safety and Health	OSH Management Systems	Management has not:- Properly defined authority for the OSH officer and top management.	Ensure to properly define authority for the OSH officer and the top management to perform OSH responsibilities through updated job descriptions and an organizational chart.		18
Oct-23	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures does not have all the necessary elements.	Include the missing elements 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.		18
Oct-23	Contracts and Human Resources	Employment Contracts	The factory has disciplinary and termination procedures that do not include the necessary details.	Include the missing elements in the disciplinary and termination procedures, such as workers' rights to defend themselves prior to termination, and to representation during disciplinary processes.		18
Oct-23	Occupational Safety and Health	Emergency Preparedness	The fire-fighting training was not provided by a certified company or trainer.	Ensure that the fire-fighting equipment training is provided by a certified company or trainer.	The Human Resource director is in charge of providing the fire-fighting training and he is a certified	8
Oct-23	Occupational Safety and Health	Emergency Preparedness	The aisles were obstructed in building 13 and 14. In addition, three emergency exits were locked during working hours	Ensure that the emergency exits remains open during the working hours including overtime.	The emergency exits remain unlock during working hours including overtime.	32

Oct-23	Occupational Safety and Health	Emergency Preparedness	The escape routes in all buildings were not clearly marked.	Ensure that the escape route are clearly marked.	The escape routes were remarked as needed following the assessment visit. Last time the routes were repainted were in June 2024	57
Oct-23	Occupational Safety and Health	Health Services and First Aid	Three first aids boxes are missing several products.	Ensure that first aid boxes have all necessary item.	The missing items were added to the first aid boxes.	8
Oct-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Have 3 doctor's visits per week.		32
Oct-23	Occupational Safety and Health	Health Services and First Aid	Annual health checks are not provided to all workers.	Pay the CDS (Health Card) as the law requires for medical checks.		8
Oct-23	Occupational Safety and Health	Health Services and First Aid	Medical checks are not provided to workers within the first three months of hiring.	Pay the CDS (Health Card) as the law requires for medical checks.		8
Oct-23	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 the CDS (Health Card) as the law requires for medical checks.		8
Oct-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Ensure to have adequate numbers of toilets.		64
Oct-23	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Ensure that lux levels are adequate in all sections of the workplace.	The light bulbs were changed in the inspection sections.	64
Oct-23	Occupational Safety and Health	Worker Protection	The circuit breakers in several buildings were not labelled.	Label the circuit breakers.	All circuit breakers were properly labelled.	8
Oct-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The use of chemicals is not isolated in building 14 due to the proximity of the sewing area to the spot cleaning area.	Ensure that the use of chemical is properly monitored.	The management fix repaired exhaust ventilation and provide new protective equipment to workers in the spot cleaning.	18
Oct-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory did not include the name of all chemicals used in the workplace.	Ensure that chemical inventory is accurate and include all the chemicals used and stored in the workplace.	The management appointed a responsible for daily monitoring of the inventory of chemicals.	32
Oct-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	Provide the structural safety certificate.		18

Oct-23	Occupational Safety and Health	OSH Management Systems	The work-related accidents f were not submitted to OFATMA on a monthly basis.	Submit accident reports to OFATMA on a monthly basis.		8
Oct-23	Contracts and Human Resources	Employment Contracts	The payroll date and time, are not mentioned in the internal work rules as specified in Art. 399 of the Labor Code.	Include payroll date and time in the internal work rules.		32
Oct-23	Compensation	Social Security and Other Benefits	Management confirmed that they did not send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	Share the workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	Management sent the information to OFATMA for the payment of sick leave.	32
Oct-23	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA is not made within the first 10 working days of the month.	Pay OFATMA contribution on time.		32
Oct-23	Compensation	Social Security and Other Benefits	The workers' contribution to OFATMA is not be made within the first 10 working days of the month.	Pay the OFATMA contribution on time.		32
Oct-23	Compensation	Social Security and Other Benefits	The factory does not pay OFATMA for the CDS (Health Card) as the law requires for medical checks.	Pay the OFATMA for the CDS (Health Card) as the law requires for medical checks.		8
Oct-23	Compensation	Method of Payment	Workers complain about the payment after the normal working hours.	Ensure that payment is made during the working hours.	Payment is provided during working hours.	8
Oct-23	Discrimination	Gender	Interviewed workers and factory staff consistently said that workers undergo pregnancy tests and tests for HIV after hiring and before workers receive their contracts.	Ensure that workers are not required to undergo HIV/AIDS or pregnancy tests in connection with their employment.	The factory did training, awareness session for its staff regarding the pregnancy tests and HIV test following their employment. Posters are also posted inside the	8
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.		
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.		

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.		
Nov-22	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and	Submit and record actions and procedures to investigate, monitor and measure violations of HR policies.		
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.		
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		
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	
Nov-22	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles were observed.	Ensure that aisles remained unobstructed during the working hours.		
Nov-22	Occupational Safety and Health	Emergency Preparedness	Unmarked escape route were observed.	Mark all evacuation routes.	Factory marked all evacuation routes accordingly.	
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.		
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.		
Nov-22	Occupational Safety and Health	Welfare Facilities	Insufficient toilets for women and men.	Provide adequate number of toilets for men and women.		
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.	

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		
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.	
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.		
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.		
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.	
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	Send the last 3 months to OFATMA for sick leave and maternity leave payment.		
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.	
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.		
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	Pay the ONA on time and accurately.	The last payment was made in September 2022 for the month August 2022.	
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.	

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	
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	
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.	
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	

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **Class International Holdings LTD**
 Location: **Ouanaminthe**
 Number of workers: **80**
 Date of registration: **Jan-20**
 Date of last two Better Apr-23 **May-24**
 Work assessments:

Advisory and Training Services

28-Jun-24	Advisory services	Meeting with management to review the improvement plan.
11-Apr-24	Advisory services	Introduction with management as their new assigned advisor. Review of the ONA and OFATMA status and OSH checklists. Management requested training on Sexual harassment prevention and OSH trainings.
14-Mar-24	Advisory services	Meeting to: Discuss OSH as a fundamental convention Review improvement plan with Bipartite committee.
22-Feb-24	PICC Meeting	Virtual advisory visit to: Discuss training plan with the bipartite committee.
22-Feb-24	Advisory services	Virtual advisory visit to: Discuss training plan with the bipartite committee.
21-Nov-23	Advisory services	Virtual Advisory visit to: Review Improvement plan Meet with Bipartite committee members
25-Oct-23	Industry Seminar	Bipartite Committee
21-Sep-23	Training	GBVH Introduction
21-Sep-23	Advisory services	Advisory visit to: Conduct training on Introduction to GBVH
20-Sep-23	Industry Seminar	Human Resources Manage (HRM)
31-Aug-23	Industry Seminar	Industrial Relations
24-Jul-23	Advisory services	Advisory visit to review and update the improvement plan Conduct OSH tour Conduct meeting with the bipartite committee

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The OSH policy does not establish measurable objectives and improvement targets.	Develop an OSH policy that establish measurable objectives and improvement targets.		2
May-24	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of that the employer investigates monitors and measures OSH issues.	Provide evidence of regular management review of effectiveness of the management system.		45
May-24	Occupational Safety and Health	OSH Management Systems	Management did not assign accountability at the level of management and OSH committee for carrying out Health and Safety responsibilities.	Update the OSH policy to assign accountability to OSH committee on OSH responsibilities. Ensure proper training are provided to enhance members capacities.		45

May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate grievance handling and dispute resolution procedure.	Include the missing elements in the grievance handling and dispute resolution		45
May-24	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures are not adequate.	Develop a disciplinary and termination procedure that Includes the necessary elements.		45
May-24	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and procedures.	Perform investigations for violations of HR policies and procedures to identify weaknesses and make necessary adjustments.		45
May-24	Contracts and Human Resources	Employment Contracts	The factory has not posted the internal regulations neither trained staff on how to carry out policies and procedures.	Post the internal regulations and train the HR staff to carry out the policies.		45
May-24	Contracts and Human Resources	Employment Contracts	The Human Resources policies are not signed by top management.	Ensure that the HR policies are signed by top management.		45
May-24	Working Time	Leave	The factory did not comply with the Labor Code because pregnant workers do not go on leave 6 weeks before giving birth.	Pregnant women should go on maternity leave 6 weeks prior to their expected delivery date.		45
May-24	Working Time	Overtime	A review of documents revealed that the factory had no prior authorization from MAST to perform overtime.	Request the authorization notice form MAST prior to work overtime.		2
May-24	Working Time	Overtime	Several workers worked more than 80 hours overtime per trimester.	Workers cannot work more than 80 hours overtime per trimester. Schedule overtime hour		2
May-24	Working Time	Regular Hours	A review of documents revealed that the factory had no prior authorization from MAST before working at night.	Request authorization form MAST prior to work at night.		2
May-24	Working Time	Regular Hours	Assessors noted that workers did not punch in and out, the manual attendance done by the factory was not signed by workers.	Implement a reliable attendance record system.		20
May-24	Working Time	Regular Hours	The regular daily hours exceeds the legal limit.	Ensure that the regular daily hours are compliant with the law.		45
May-24	Occupational Safety and Health	Emergency Preparedness	The evacuation plan does not reflect the changes in the floor layout.	Design an evacuation plan that accurately reflect the layout of the floor.		2

May-24	Occupational Safety and Health	Emergency Preparedness	Management did not share the annual inspection report for fire fighting equipment.	Ensure the fire- extinguisher equipment get a annual inspection from a certified company.		2
May-24	Occupational Safety and Health	Emergency Preparedness	The factory does not have an alarm system and smoke detectors installed in any of the buildings.	Install an alarm system and smoke detectors in all buildings.		45
May-24	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.	Ensure to have a onsite clinic with 1 nurse and 3 doctors' visit per week.		45
May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks is not conducted twice a year for workers working with chemicals	Provide free health checks for workers working with chemicals at least twice a year.		45
May-24	Occupational Safety and Health	Worker Protection	Personal protective equipment were not provided for workers in the mechanics' shop, and spot cleaning section.	Provide necessary personal protective equipment to workers.		13
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	At the time of the assessment visit, the eyewash station was not available in the mechanic workshop.	Install eye wash stations where chemicals are used and stored.		2
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	During the assessment visit no evidence of training was available on chemicals and hazardous substances.	Train workers who are using chemical and hazardous products and keep proper record.		45
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area near production is not properly isolated, exposing workers to chemicals and hazardous substances.	Isolated the spot cleaning from the production floor.		45
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	During the assessment, MSDS was missing for several hazardous and chemicals substances.	Keep material safety data sheets for all chemicals and hazardous products used in the workplace..		45
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors discovered paint in a gallon of thinner, three unidentified gallons of mineral oil, unidentified gallons of used oil, and oil in an unmarked soft drink bottle.	Containers of chemical product should be properly labeled, with pictograms included.		45
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals and hazardous substances used was missing the following products: Powdered soap, Radiator Coolant, Ultra Coolant compressor oil.	Keep an accurate inventory of the chemical product used, including names and location.		45
May-24	Occupational Safety and Health	OSH Management Systems	Management confirmed that they did not submit work related accident record to OFATMA on a monthly basis.	Submit the accidents report to OFATMA on a monthly basis.		45

May-24	Contracts and Human Resources	Termination	The annual salary supplement upon termination does not include the weekly rest day payment.	Ensure that annual salary supplement is properly calculated and paid.		45
May-24	Contracts and Human Resources	Termination	The annual leave, upon termination, does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation of the average salary for the payment of the annual salary supplement.		45
May-24	Contracts and Human Resources	Termination	The applicable notice period when the time is not provided, does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation of the average salary for the payment of the applicable notice period.		45
May-24	Contracts and Human Resources	Employment Contracts	The factory's internal work rules are not compliant with the labor code.	Develop internal work rules that are compliant with the labor law.		45
May-24	Compensation	Social Security and Other Benefits	The factory does not submit workers' pay slips to OFATMA for sick leave or maternity leave payments.	Pay OFATMA and submit workers' pay slip to OFATMA for the payment of sick leave and maternity payments		45
May-24	Compensation	Social Security and Other Benefits	The employer's contribution to OFATMA for maternity and health insurance are inaccurate because they are not calculated based on the workers' basic salary.	Calculate the employer's contributions to OFATMA on the basic salary as stipulated in the labor code.		45
May-24	Compensation	Social Security and Other Benefits	The employer contributions to ONA, but they are not based on the worker's basic salary.	Calculate the employer's contributions to ONA on the basic salary as stipulated in the labor code.		45
May-24	Compensation	Social Security and Other Benefits	The workers' contributions to OFATMA for maternity and health insurance accordingly are inaccurate because they are not calculated based on the workers' basic salary.	Calculate the workers' contributions to OFATMA on the basic salary as stipulated in the labor code.		45
May-24	Compensation	Social Security and Other Benefits	The worker's contributions to ONA, but they are not based on the worker's basic salary.	Calculate the workers' contributions to ONA on the basic salary as stipulated in the labor		45
May-24	Compensation	Paid Leave	Non working holiday pay is not based on the average earning but on the CODEVI's agreed minimum wage of reference.	Pay the holidays on the average earnings as per the law.		2
May-24	Compensation	Paid Leave	No weekly rest day payments were noted in the payroll as required by the law.	Pay the weekly rest days on the average earnings as per the law.		2

May-24	Compensation	Paid Leave	The factory has only provided 6 weeks of maternity leave instead of the 12 weeks entitled under OFATMA registration for maternity and health insurance, as required by the Labor Code.	Provide 12 week of maternity leave to pregnant workers.		45
May-24	Compensation	Paid Leave	The sick leave payment is not paid on the average earning since it does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation of the average salary for the payment of the weekly rest day.		45
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	The factory failed to implement some provisions of the collective agreement: Art. 4.1.7 (OFATMA insurance) Art. 4.5 (provide ergonomic Chairs) Art. 4.9 (Use of PPE)	Implement all the collective agreement provisions.		13
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.		
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.		
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.		

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		
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 planned	The following actions have been taken: -Posted policies and work instructions around the workplace. - Posted the names of OSH committee members.	
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	
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		
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.		

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.		
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	
	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.	
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		
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.		
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.		
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.		
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.	

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.	
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.		
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.		
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.	
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.		
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.	
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.	
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.		

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.	
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.		
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.	
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.		
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.		
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.		

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		
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.		
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.		
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.	
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.	
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.	
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.	

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.		
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.		
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.		
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.		
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.	

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.	
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.	
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.
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.	
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.	
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.

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **Cleveland Manufacturing S.A.**
 Location: **Arrondissement de Port-au-Prince**
 Number of workers: **508**
 Date of registration: **Jul-16**
 Date of last two Better: **Nov-22** **Nov-23**
 Work assessments:

Notes: BWH was not been able to conduct any advisory services for this factory since April of 2023. Better Work Haiti's advisor has made several attempts to contact the factory, to no avail.

Advisory and Training Services

10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
27-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
28-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment November 2023						
Nov-23	Discrimination	Gender	The factory did not obtain an authorization from MAST before proceeding with the dismissal of pregnant women.	Obtain authorization from MAST before dismissing any pregnant woman.		8
Nov-23	Compensation	Method of Payment	The factory did not pay workers on time.	Pay workers at least every 15 days.		8
Nov-23	Compensation	Wage Information, Use and Deduction	Individual pay slips are not issued to the workers, as a results, they have no records or means of verification of their payments. Furthermore, the master payroll was discovered to be incomplete.	Provide pay slips to all workers and review the payroll system.		8
Nov-23	Compensation	Paid Leave	Inaccurate payment for annual leave.	Pay the annual leave payment on worker's average daily earnings.		40
	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		40

Nov-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.		8
Nov-23	Compensation	Social Security and Other Benefits	The factory did not provide any document or proof of payment for OFATMA work-related accident.	Keep records of the invoice received from OFATMA. Pay OFATMA work related accident on time.		96
Nov-23	Compensation	Social Security and Other Benefits	The employer has not been collecting and forwarding workers' contributions to ONA. Additionally, management has not provided any evidence of monthly payments to ONA.	Forward the workers' contribution to ONA on time.		96
Nov-23	Compensation	Social Security and Other Benefits	The employer has not been forwarding the employer contribution to ONA. Additionally, management has not provided any evidence of monthly payments to ONA for the past twelve months.	Forward the employer contribution to ONA on time.		96
Nov-23	Compensation	Social Security and Other Benefits	The factory did not share any payroll documents which show that OFATMA deductions were made. Additionally, management has not provided any evidence of monthly payments to OFATMA for the past twelve months.	Keep records of the invoice received from OFATMA. Pay OFATMA work related accident on time.		96
Nov-23	Compensation	Social Security and Other Benefits	Factory failed to provide evidence of payroll sent to OFATMA for payment of maternity leave and sick leave.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		8
Nov-23	Contracts and Human Resources	Employment Contracts	The internal work rules does not comply with the labor code law.	Update the internal work rules and send it to MAST for approval.		40
Nov-23	Contracts and Human Resources	Termination	The payment for the notice period has not been determined based on the average daily earnings. Additionally, Workers had not yet received their severance pay, including the annual salary supplement or bonus upon termination.	Pay the applicable notice period base on the average of daily earning and pay workers their severance pay, including the annual salary supplement or bonus upon termination.		40
Nov-23	Contracts and Human Resources	Termination	The calculation for unused annual leave is not base on the average of daily earning as prescribed by law. Additionally, Workers had not yet received their severance pay, including the annual salary supplement or bonus upon termination.	Pay the unused paid annual leave upon termination base on the average of daily earning and pay workers their severance pay, including the annual salary supplement or bonus upon termination.		40

Nov-23	Contracts and Human Resources	Termination	Workers had not yet received their severance pay, including the annual salary supplement or bonus upon termination.	Pay workers their severance pay, including the annual salary supplement or bonus upon termination.		40
Nov-23	Occupational Safety and Health	OSH Management Systems	The structural safety certificate was not available.	Request a structural safety certificate from the city hall.		8
Nov-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.		96
Nov-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide appropriate PPE where it is needed for all workers.		8
Nov-23	Occupational Safety and Health	Worker Protection	Several sewing machines were missing the belt guards.	Install the proper safety guards on all machines.		8
Nov-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.		40
Nov-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		54
Nov-23	Occupational Safety and Health	Welfare Facilities	Soap were not available in men's and women's toilets	Ensure that soap is available in all toilets.		8
Nov-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.		8
Nov-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		54
Nov-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.		54
Nov-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		54

Nov-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff to comply with the Haitian Labor Code.		54
Nov-23	Occupational Safety and Health	Health Services and First Aid	The first aid boxes are missing medical supplies.	The factory needs to designate a person to monitor the inventory of the first aid boxes.		8
Nov-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.		8
Nov-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Provide adequate firefighting equipment and ensure regular maintenance is done.		81
Nov-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of the portable boilers tanks.	Develop a maintenance plan for portable boilers tanks.		8
Nov-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.		8
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.		
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.	
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.	
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	

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.	
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	
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.	
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.	
Nov-22	Occupational Safety and Health	Health Services and First Aid	Workers had not received an annual health check performed by OFTAMA as prescribed by law.	Discuss the legal requirements with the General Manager then pay the health cards.		
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 months.		
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.		
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.		

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.	
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.		
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	Training has been provided to workers and supervisors on electrical safety.	
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.	
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		
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	
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.	
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.	
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.	

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.	
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.	
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.		
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.		
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.		
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.		
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	
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.		
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.	

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	
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BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **Everbright Headwear**
 Location: **Ouanaminthe**
 Number of workers: **1474**
 Date of registration: **Jan-20**
 Date of last two Better Work assessments: **May-23** **Apr-24**

Advisory and Training Services

5-Apr-24	Advisory services	Virtual meeting to conduct a session on HR management systems and training monitoring plan. Then review and validate pending issues in the improvement plan. Meeting with the bipartite committee to conduct a self diagnosis.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
23-Feb-24	Advisory services	Virtual meeting with the bipartite committee to present the role and responsibility of the committee. Then identified the objectives for 2024. Conduct a session with the new compliance Manager on BW process. Provide guidance on internal policies and procedures that are in place.
24-Nov-23	Advisory services	Meeting to conduct a session with the bipartite committee on how to conduct effective meeting, explain the role and responsibility of the committee. OSH tour with a focus on emergency preparedness. Documentation review such as training records, internal regulation and accident records.
13-Oct-23	Industry Seminar	Virtual Leadership Skills
20-Sep-23	Industry Seminar	Human Resources Management (HRM)
14-Sep-23	Advisory services	Factory tour to validate pending issues in the improvement plan, interview with OSH committee members to understand the root causes of Persistent OSH non compliance. Bipartite meeting to present the last assessment visit report and Follow up on the case of sexual Harassment.
13-Sep-23	Industry Seminar	ToT Problem Solving
8-Sep-23	Industry Seminar	Negotiation Skills
31-Aug-23	Industry Seminar	Industrial Relations
28-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
28-Jul-23	Advisory services	Meeting with union leaders to discuss about general issues at the factory, OSH tour on chemical management. Meeting with HR staff and workers on allegation of sexual harassment.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment April 2024						
Apr-24	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of a risk register that drives the implementation of controls (list of risks with due dates, owners and next steps).	Include a risk register in the procedure that drives the implementation of controls (list of risks with due dates, owners and next steps).		25

Apr-24	Occupational Safety and Health	OSH Management Systems	The employer does not investigate monitors and measures OSH issues.	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.		25
Apr-24	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of accountability and/or responsibilities for OSH officer as well as top management- Establishing clear reporting lines on	- Define accountability and/or responsibilities for OSH officer as well as top management - Establish clear reporting lines on OSH matters		25
Apr-24	Contracts and Human Resources	Employment Contracts	The grievance procedure does not include communication of changes made and a resolution as appropriate.	Include in the procedure: -Communication of changes made and resolution		40
Apr-24	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures are not adequate.	Include in the procedure: - The right to defend oneself prior to termination, and to representation during disciplinary processes; - Timeframes for warnings and payments		40
Apr-24	Contracts and Human Resources	Employment Contracts	The factory did not show any evidence where management investigates shortcomings or issues in HR performance was provided during the assessment visit.	Develop HR procedure on HR performance indicators.		40
Apr-24	Contracts and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include induction training for workers and staff	Communicate HR policies and procedures through Induction training for workers and staff		40
Apr-24	Working Time	Overtime	The factory did not have prior authorization from MAST before working on overtime.	Request prior authorization from MAST before working on overtime.		3
Apr-24	Working Time	Overtime	A review of attendance records revealed that several workers have completed more than 80 hours overtime per trimester.	Ensure that workers do not exceed 80 hours overtime per trimester.		3
Apr-24	Working Time	Overtime	The factory did not have prior authorization from MAST before working on Saturday and Sunday.	Request prior authorization from MAST before working on Saturday and Sunday.		3

Apr-24	Working Time	Overtime	A review of documents revealed that the factory did not obtain prior authorization from MAST to perform overtime. According to the law, only MAST can determine the necessity and approval for overtime work.	Request prior authorization from MAST before working overtime.		3
Apr-24	Working Time	Regular Hours	The factory did not have prior authorization from MAST before working at night.	Request prior authorization from MAST before working at night.		3
Apr-24	Working Time	Regular Hours	During the assessment, assessors found some discrepancies in the attendance reviewed.	Keep an accurate attendance records for all workers.		3
Apr-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Modify the regular daily or weekly hours to comply with the labor code.		3
Apr-24	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 in fire-fighting for the day shift and night shift.	The training of the 10 percent of workers in fire fighting in day shift has been done and 10 percent on night shift is in process	40
Apr-24	Occupational Safety and Health	Emergency Preparedness	Assessors observed that escape routes were obstructed in the pressing and sewing areas.	Provide additional space for storing boxes.	The boxes have been removed also we have put in place a daily check in all important areas.	40
Apr-24	Occupational Safety and Health	Emergency Preparedness	Assessors observed that building 3 has only one door identify as an exit.	Provide at least two exit door for each building.	The factory has identified two exit door in each building.	40
Apr-24	Occupational Safety and Health	Emergency Preparedness	Assessors observed that the floors need to be remarked in several areas in the buildings and they are missing most of the evacuation route as well.	Update the evacuation map- Paint evacuation arrows and signs.		40
Apr-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguisher and missing fire extinguishers in some areas of the workplace.	1. Provide adequate firefighting equipment. 2. Ensure regular maintenance 3. Specify who conducts regular checks to make sure that the equipment is in place & functioning	Corrected during the assessment.	40

Apr-24	Occupational Safety and Health	Emergency Preparedness	The stockroom where raw materials are stored does not have a fire detection system installed.	1. Have a fire detection system in the stock of raw material 2. include this in the system of daily-weekly checks		40
Apr-24	Occupational Safety and Health	Health Services and First Aid	None of the workers working at night has been trained in first aid.	Train at least 10 percent of the workforce for the night shift		40
Apr-24	Occupational Safety and Health	Health Services and First Aid	First aids boxes are missing 8 out the 21 items in the inventory list.	1. Equip first aid box 2. Define responsibility for refilling 3. Define responsibility for checking and include this in the system of daily-weekly checks		40
Apr-24	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 for day shift and night shift workers.		40
Apr-24	Occupational Safety and Health	Welfare Facilities	Assessors observed that soap was not available in all toilets.	Provide soap dispenser- Define who will check that soap is available and include this in the system of daily-weekly checks.		15
Apr-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as required by law. Ensure that paper is available in the restroom all the time.		40
Apr-24	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.		The lux level comply with the recommended limits.	3
Apr-24	Occupational Safety and Health	Working Environment	The level of noise in the workplace is unacceptable.	1- Add rubber under the machine2- Measure again the noise level & compare with threshold value		25
Apr-24	Occupational Safety and Health	Working Environment	The temperature level in the workplace is unacceptable.	1. Install additional fans2. Specify who is in charge of regular maintenance of the fans3. Conduct regular measurement of temperature & compare with threshold value	The factory has taken measure already to regulate the temperature in each area doing a proper a maintenance to the cooling system.	3
Apr-24	Occupational Safety and Health	Worker Protection	Assessors noticed that the circuit breakers were not or properly labelled. In addition, assessors observed that one electrical box was obstructed in the factory.	1. Assign an electrician to labelled all circuit breakers and conduct more regularly checks 2. include this aspect in the system of daily-weekly checks		40

Apr-24	Occupational Safety and Health	Worker Protection	Assessors observed that single-needle machines were missing their finger guards, the bartack machines were missing their finger eye guards. 30 percent of all machines were missing their pulley guards.	Develop a preventive maintenance on machine guards (which guards are needed on which machines)		40
Apr-24	Occupational Safety and Health	Worker Protection	The factory did not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment. Post signs to remind workers about the PPE obligations.		40
Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		40
Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical storage areas do not have not all the safety requirements such as protective equipment and Safety data sheets available for all chemicals.	Provide protective equipment and Safety data sheets where chemicals are used and stored.		40
Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals.	Define who is entitled to pour chemicals in other recipients and label them.	The factory have been collected all the containers without label. Someone is assigned to properly label all chemicals that enter the	40
Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory is inaccurate	Assign responsible persons for updating the inventories of hazardous substances in the various locations where they are stored or used.		40
Apr-24	Occupational Safety and Health	OSH Management Systems	The employer has not trained all joint OSH committee members and Posted policies and work instructions around the workplace.	- Train all joint OSH committee members. - Post policies and work instructions around the workplace.		25
Apr-24	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work related accidents to OFATMA on a monthly basis.	1. Declare accidents to local authorities 2. Investigate accidents and develop preventive & remediation actions 3. Prepare investigation report		40

Apr-24	Contracts and Human Resources	Termination	Assessors were not able to verify if the employer pay workers their annual salary supplement or bonus upon termination, because the factory did not provided any proof of payment to the assessors.	Pay workers their annual salary supplement or bonus upon termination as required by law.		40
Apr-24	Contracts and Human Resources	Termination	Assessors were not able to verify if the employer pay workers their unused paid annual leave when they resign or terminated, because the factory did not provided any proof of payment to the assessors.	Pay workers their unused paid annual leave when they resign or terminated as required by law.		40
Apr-24	Contracts and Human Resources	Termination	Assessors were not able to verify if the employer pay workers their severance payment upon termination, because the factory did not provided any proof of payment	Pay workers their severance payment upon termination and keep records for at least 5 years.		40
Apr-24	Contracts and Human Resources	Employment Contracts	The factory does not an have internal work rules approved by the Ministry of Labor and posted in the workplace.	Request the approval of the Internal work rules. Once approved the internal work rules need to be displayed in the workplace.		40
Apr-24	Contracts and Human Resources	Employment Contracts	A review of worker contracts revealed that the apprentice contracts were not approved by the Ministry of Labor (MAST), as legally required.	Review and make updates to the apprentice contract as required by law.		40
Apr-24	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.		40
Apr-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers' contributions to OFATMA.	Collect and forward workers' contributions to OFATMA monthly.		40
Apr-24	Compensation	Social Security and Other Benefits	ONA deduction are based on the minimum salary because money for production incentive, assistance bonus and production bonus are not included in the calculation.	Calculate employer's contribution to ONA on Workers' basic salary. Then forward the contribution to ONA within the first 10 business days of the next month for the previous month.		40

Apr-24	Compensation	Social Security and Other Benefits	The employer's contribution to OFATMA is made late. Furthermore, the calculation for the payment is based on the minimum salary.	Calculate Employer's contribution on Workers' basic salary. Then forward the contribution to OFATMA within the first 10 business days of the next month for the previous month.		40
Apr-24	Compensation	Social Security and Other Benefits	Employer's contribution to ONA deduction are based on the minimum salary because money for production incentive, assistance bonus and production bonus are not included in the calculation.	Calculate ONA deduction on Workers' basic salary. Then forward worker's contribution to ONA within the first 10 business days of the next month for the previous month.		40
Apr-24	Compensation	Social Security and Other Benefits	Assessors were not able to verify that the employer pay workers correctly for annual salary supplement or bonus, because any detail payment record was not	Pay annual salary supplement on the daily average salary and keep payment records for at least 5 years.		40
Apr-24	Compensation	Paid Leave	Assessors noted that several workers have accumulated 48 hours even within in 5 working days or less and no weekly rest day payments were noted in the payroll as required by	Pay the weekly rest day after 48 hours of work or 6 working days per week as required by law. Weekly rest day payment is based on the average salary.		40
Apr-24	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 based on labor Code.	Register with OFATMA for maternity and health insurance to OFATMA Send workers' pay slip and documents to OFATMA Ensure that workers receive full payment for maternity leave		40
Apr-24	Compensation	Paid Leave	Assessors were not able to verify that the employer pay workers correctly for sick leave, because any detail payment record was not provided.	Register with OFATMA for maternity and health insurance to OFATMA. Send workers' pay slip and documents to OFATMA for sick leave and maternity leave payment.		40
Apr-24	Compensation	Paid Leave	Assessors were not able to verify that the employer pay workers correctly for annual leave, because any detail payment record was not provided.	Pay annual leave based on the daily average salary and keep payment records for at least 5 years.		40
Apr-24	Compensation	Wage Information, Use and Deduction	Overtime hours were not registered for several workers. Therefore, this category of employees were not compensated for overtime while they confirm to perform overtime.	Make an amendment to the employment contract and ensure that overtime are paid to all categories of workers.		3

Apr-24	Compensation	Overtime Wages	Overtime performed at night were pay only at 50 percent above the normal wage. In addition, a review of attendance and payroll records revealed that overtime work hours performed beyond 6 PM for day shift were paid 50 percent above normal wage instead of 100 percent	Make adjustments in the payroll system and ensure that night overtime is paid with increases of 100 percent above the normal wage.		3
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.		
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		
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.		
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.		
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		
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.		
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.		
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.		
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.		

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.		
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.		
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.		
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.		
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		
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.		
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.		
May-23	Contract and Human Resources	Employment Contracts	The grievance procedure is not adequate.	Include in the procedure communication of changes made and resolution.		
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.		
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.		
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.		

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.		
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.		
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.		
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		
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.		
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.		
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.		
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.		

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.		
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.	
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		
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		
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.	
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.	
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.		

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.	
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		
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.		
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		
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.		
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.		
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.	
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.	

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.	
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.		
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as required by law.		
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.		
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.		
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		
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.		
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.		
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.		
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.		

BETTER WORK HAITI – 27TH 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 Mar-22 Mar-23
 Work assessments:

Notes: Due to the country situation, BWH was not able to assess this factory when its assessment was due in the first trimester of 2024.

Advisory and Training Services

19-Jun-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow-up on workers on suspension Follow-up on OFATMA insurance implementation Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024.
12-Apr-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow-up on workers on suspension Follow-up on OFATMA insurance implementation Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024.
18-Mar-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024.
15-Mar-24	Industry Seminar	Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold.
14-Nov-23		Virtual Workers' Rights & Responsibilities
		Meeting with bipartite committee to: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold. Added all corrective actions completed in the improvement plan.
30-Oct-23	Advisory services	Meeting with management to: Discuss proof of progress on the Improvement plan. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Added all corrective actions completed in the improvement plan.
12-Oct-23	Industry Seminar	Virtual Leadership Skills
18-Aug-23	Advisory services	Meeting with management to: Discuss proof of progress on the Improvement plan. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Factory tour between BW and the compliance of the factory. Added all corrective actions completed in the improvement plan.
18-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
7-Jul-23	Industry Seminar	Virtual GBVH Cluster Training (Introduction, Grievance Mechanism, Gap Analysis & PFA)

6-Jul-23

Advisory services

Factory tour with the factory compliance officer to verify the OSH issues that the factory already solved.

Meeting with Bipartite committee to:

Discuss the new decree that put the 3*8 law on pause.

Follow-up on OFATMA maternity and health insurance.

Review the new improvement plan to find out the root cause of the non-compliance and look for remediation action needed

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION 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.		32
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.		32
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.		32
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.		32
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.		32
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.		32
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.		32
Mar-23	Working Time	Regular Hours	Inaccurate attendance records.	Ensure that workers are directly accountable for effectively recording their own working time.		32
Mar-23	Working Time	Regular Hours	The required break was not provided to pregnant women.	Give the legally required break to all pregnant women.		32

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		10
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.	42
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.		42
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.	75
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		32
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.	42
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.	42
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.		42
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses to comply with the labor code.		75
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		75
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		75
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		75
Mar-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		16

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.		42
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.		42
Mar-23	Occupational Safety and Health	Worker Protection	Sewing machines were missing pulley guards.	Install the proper safety guards on all machines.		16
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.		32
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.		32
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.		32
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		16
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.		32
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.		77
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.		16
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.		16
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.		16
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.		16
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.	77

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.	77
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.	77
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.		32
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.	77
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.	77
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.	77
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.	77
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.	77
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.		66
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.	77

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.	77
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.	77
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.	77
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.		33
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.	
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.		
Mar-22	Occupational Safety and Health	OSH Management Systems	The factory has a written accident investigation procedure that does not includes all the requirements.	Revise the investigation procedure to include root cause analysis.		
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.		
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.		
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.		

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.		
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.		
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.		
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.		
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.		
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.		
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.		
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.	
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.	
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	
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.		
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.	

Mar-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses to comply with the labor code.		
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.		
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.		
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.		
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.		
Mar-22	Occupational Safety and Health	Working Environment	Light levels were inappropriate in all working sections.	Provide adequate lighting as recommended by Better Work.		
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.		
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.	
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.		
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.		
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.		
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.	

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.		
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.		
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.		
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.	
Mar-22	Contracts and Human Resources	Termination	Inaccurate notice period upon termination.	Factory needs to apply the law and pay the lunch break.		
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.		
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.		
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.		
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	
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.		
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.		
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.		

Mar-22	Compensation	Paid Leave	Lunch break is not compensated in the payroll.	Pay the daily lunch break accurately to all workers.		
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. The factory must register with OFATMA for maternity and health insurance that will allow workers to receive 12 weeks of payments.	Factory is registered with OFATMA maternity and health insurance, but payment will start on August according to management	
Mar-22	Compensation	Paid Leave	Inaccurate payment for sick leave.	Factory needs to apply the law and pay the lunch break.		
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.		

BETTER WORK HAITI – 27TH 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 Mar-22 Mar-23
 Work assessments

Notes : Due to unrest in the country, this factory was not assessed in the first trimester of 2024, when its assessment was due. The factory was closed for about 3 months in during this reporting period.

Advisory and Training Services

22-Jun-24	Advisory services	
22-Mar-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. Virtual factory tour. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold.
28-Nov-23	Advisory services	Follow-up on factory actual situation. Follow-up on actual number of the factory, last ONA and OFATMA payment. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold.
30-Oct-23	Advisory services	Meeting with management to: To discuss proof of progress on the Improvement plan. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Added all corrective actions completed in the improvement plan.
28-Jul-23	Advisory services	Meeting with management to: Complete the improvement plan and discuss proof of progress on the Improvement plan. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Discuss the new decree that put the 3*8 law on pause. Follow-up on the factory situation. Added all corrective actions completed in the improvement plan.

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 and keep the inventory updated.		146
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.		152

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.		147
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.		34
Mar-23	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers are not properly maintained	Provide adequate firefighting equipment and Ensure regular maintenance is done.		96
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.		130
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.		96
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.		115
Mar-23	Contract and Human Resources	Employment Contracts	Inaccurate workers contract.	Ensure the written contracts specify the amount or salary for the position.		34
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.		31
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.		34
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.		34
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.		34
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.		34

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.	34
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.	146
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.	34
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.	43
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	129
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	74
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	127
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.	138
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.	44
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.	44
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.	34
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.	34

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.		34
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.		34
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.		34
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.		34
Mar-23	Compensation	Paid Leave	Inaccurate annual leave payment.	Calculate the annual leave on worker's daily average earnings as specified in Art. 148.		34
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.		34
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.		84
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 2023-2024.		43
Mar-23	Compensation	Social Security and Other Benefits	Workers' contributions to ONA is forwarded late.	Forward worker's contribution on time to ONA.		84
Mar-23	Compensation	Social Security and Other Benefits	Employer's contributions to ONA is forwarded late.	Forward employer's contribution on time to ONA.		84
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.		84
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.		34
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.		34

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.		34
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.		34
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.		34
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.		74
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.		
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.		
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		
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		
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.		
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.		
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.		
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.		

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.		
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.		
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.		
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.	
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 on the use of PPE and machines to all workers.	All workers know it is necessary to use the protection on the machines.	
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.		
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.		
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.		
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.		
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.		
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.		
Mar-22	Occupational Safety and Health	Working Environment	The mechanic shop was not well maintained.	Keep mechanic workshop clean and tidy.		
Mar-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		

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.		
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.		
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.		
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.		
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 inventory.		
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.		
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.		
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.	
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).		
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.		

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.		
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.	
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.	
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.	
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	Management will review the disciplinary and termination procedures to include all the necessary steps.	
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.		

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.	
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.	
Mar-22	Occupational Safety and Health	OSH Management Systems	No. The employer does not properly investigates 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		
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.		
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		

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		
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.		

Factory:	HANSAE HAITI S.A		
Location:	Arrondissement de Port-au-Prince		
Number of workers:	1,850		
Date of registration:	Jan-17		
Date of last two	Mar-23		Apr-24
Better Work			

Notes : The factory has experience several short term closures since the beginning of 2024 and is currently closed temporarily. They have not set a date to reopen.

Advisory and Training Services

21-Jun-24	Advisory Services	Meeting with management regarding the retrenchment as the factory is preparing to terminate the contract of 90 percent of his workforce due to lack orders and the possibility that they can't extend the 2 month suspension. Advisor review the different documentation and compensation package and benefits plan to be provided to the workers.
27-May-24	Advisory Services	Meeting with the factory senior management and union regarding the factory's decision for a 2 months suspension workers. Meeting with the compliance and Human resource officers on the improvement plan. Advisor reviewed the documents shared and evidences submitted.
10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
1-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
26-Jan-24	Advisory Services	Meeting with Management and trade union members. Discussion was on an incident where factory terminated a worker after posting incentive tables on Facebook. Management decided to keep the sanction. Discussion was also on pending upcoming evaluation and a self assessment to see where the factory is. The fact that foreign managers not being registered in OFATMA is still a concern.
16-Nov-23	Industry Seminar	Virtual Grievance Policy on Violence and Harassment
21-Sep-23	Advisory Services	Meeting with the management, bipartite committee members and union representatives regarding temporary workers that did not received their weekly rest days. Workers also express concern on hygiene in some building. Management is committed to address the issues.
28-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
21-Jul-23	Advisory Services	Review of the improvement. The discussion was on the removal of the 3x8 law and the necessary changes that should be implemented. Bipartite committee members ask for training regarding taxes.

Assessment	Compliance Cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Assessment April 2024						

Apr-24	Occupational Safety and Health	OSH Management Systems	The written OSH policy signed by management does not include:- Measurable objectives and improvements targets and was not developed through consultation with workers representatives.	Add the missing elements in the OSH policy.		29
Apr-24	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.	Develop a hazard/risk management and control procedures 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 and a risk register that drives the implementation of		29
Apr-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an OSH policy includes all the necessary elements.	Develop an OSH policy and procedures that includes regular management review of effectiveness of management system including performance on measurable objectives and targets. Ensure that accident investigations are followed		29
Apr-24	Occupational Safety and Health	OSH Management Systems	Management did not ensured effective functioning of the OSH committee.	Schedule regular OSH committee meetings to ensure it is effective functioning properly.		13
Apr-24	Contracts and Human Resources	Employment Contracts	The factory does not investigates shortcomings or issues in HR performance.	Develop an HR procedure that includes investigations of HR issues and periodic reviews. Provide evidence of management investigations of shortcomings or HR violations.		29
Apr-24	Working Time	Overtime	The employer did not receive prior authorization to work overtime from the department of labor.	Ensure to receive prior authorization from the department of labor before working overtime.	Management sent letters to the Ministry of Social Affairs requesting authorization to work overtime.	2
Apr-24	Occupational Safety and Health	Emergency Preparedness	The evacuation routes near the hangtag section as well as the packing area were obstructed by a pallet of fabric.	Complete daily inspection tour on the floor. Ensure that evacuation routes are free of obstructions.		35
Apr-24	Occupational Safety and Health	Emergency Preparedness	Assessors observed the evacuation route in building 1 are not clearly marked and the evacuation map is not updated to reflect the actual layout.	Remark the evacuation route in building 1. Update the evacuation map to reflect the actual layout.	Maintenance traced the evacuation routes clearly, and Compliance updated the evacuation map to reflect the layout.	14

Apr-24	Occupational Safety and Health	Health Services and First Aid	One first aid box in building 20 that was missing medical supplies and no first aid box was available in the dormitory.	Ensure that first aid boxes have necessary medical supplies. Ensure that medical supplies are available in the dormitory,	The factory had installed the first aid boxes in the dormitory and put the missing medical supplies in the first aid boxes in Building 21. (See evidence picture)	2
Apr-24	Occupational Safety and Health	Health Services and First Aid	Documentation review as well as management and workers' interview revealed that all workers had not received annual health checks.	Pay the health cards for all the workers on a yearly basis.	The factory complies with local law, and we pay the health cards for all workers annually.	14
Apr-24	Occupational Safety and Health	Health Services and First Aid	The workers exposed to work related hazards had not received free health checks twice a year.	Ensure that workers exposed to work related hazard received a health check twice a year.	The OFATMA medical team had started health checks on workers exposed to work-related risks, but continuity was not carried out due to insecurity. (see the list of health checks)	14
Apr-24	Occupational Safety and Health	Health Services and First Aid	The workers did not receive the health cards within the first 3 months of hiring and Management did not pay for the health cards as well for all	Ensure that workers received the health cards within the first 3 months of hiring.	The administration will continue to follow up with OFATMA so that workers can receive their health cards.	14
Apr-24	Occupational Safety and Health	Worker Protection	Unidentified circuit breakers were found in several areas within the various buildings of the factory.	Identify all the circuit breakers.	During the assessment, maintenance identified the circuit breakers in the compressor room of building 50 and the mechanical workshop of building 1. (See attached evidence)	29
Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals and hazardous substances does not specify the locations of products such as Rust-out and suavitel.	Specify the location where all products in the chemical inventory are stored.	During the assessment, compliance specifies the location of chemicals in the inventory. (See the evidence in the attachment)	49
Apr-24	Occupational Safety and Health	OSH Management Systems	Management has not posted names of OSH committee members.	Post OSH committee members' names where all workers can see.	Compliance posted the names of OSH committee members in all factories during the assessment. (See attached evidence)	13
Apr-24	Contracts and Human Resources	Termination	Proof was not provided to verify if foreign workers received balance of annual salary supplement when leaving the company because of dismissal or resignation.	Ensure to provide balance of annual salary supplement to foreign workers at the contract termination.		14

Apr-24	Contracts and Human Resources	Termination	The annual leave payment is not calculated on the average daily earning. In addition, proof was not provided to the assessors to verify if foreign workers received balance of annual leave when leaving the company because of dismissal or resignation.		Include all the payment in the calculation of the daily average earning.	14
Apr-24	Contracts and Human Resources	Employment Contracts	The contract for the foreign workers does not comply with the labor code.	Ensure that boni should be once, at the end of the year.		2
Apr-24	Compensation	Social Security and Other Benefits	The employer's contribution to ONA does not include production incentives and weekly rest day payments.	Include production incentives and weekly rest day payments in the ONA contribution.		29
Apr-24	Compensation	Social Security and Other Benefits	The workers' contribution to ONA is based on an average earning that does not include production incentives and weekly rest day payments.	Include the production incentives and weekly rest day payments in the calculations of the ONA contribution.		29
Apr-24	Compensation	Social Security and Other Benefits	Foreign workers do not receive an annual salary supplement payment or Boni between December 24th and 31st as required by the labor code.	Pay the annual salary supplement to all employee.	The top management has already revised the contract of foreign workers to comply with local legislation.	29
Apr-24	Compensation	Paid Leave	The annual leave payment is not calculated on worker's average daily earnings.	Include all payments in the calculation of the average daily earning.		29
Apr-24	Compensation	Overtime Wages	The foreign workers who worked after 6pm were not paid overtime after 6pm.	Pay the overtime at night 50 percent above the normal wage for the night shift.		2
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.	
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.	
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.	

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.	
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.	
Mar-23	Working Time	Regular Hours	Pregnant women in building 50 are not entitled to two periods of rest in addition to the lunch break.	Ensure that pregnant women are entitled to 2 additional breaks 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.	
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.	
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,	
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	

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.	
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.	
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.	
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.	
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.	
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.	
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.	
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.	
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.	
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.	

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.	
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.	
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.	
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.	
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.	
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.	
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.	
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.	
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.	

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.	
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.	
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.	
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.	
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.	
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.	
Mar-23	Compensation	Social Security and Other Benefits	The calculation for the employer' 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.	
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.	
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.	
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.	
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.	

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.	
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.	
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.	
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.	

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **LIFE S.A.**
 Location: Port-au-Prince
 Number of workers: **56**
 Date of registration: Jun-15
 Date of last two assessments: Sep-22 Dec-23
 Better Work assessment:

Notes : This factory has been closed since January 2024.

Advisory and Training Services

12-Oct-23 Industry Seminar Virtual Leadership Skills
 13-Oct-23 Industry Seminar Virtual Intercultural Communication

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment December 2023						
Dec-23	Compensation	Paid Leave	Inaccurate payment annual leave.	Pay annual leave as required by the law.		29
Dec-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.		7
Dec-23	Compensation	Social Security and Other Benefits	Late payments for the fiscal year 2022-2023 and the payments does not include the CDS.	Ensure the factory paid the work related accident on time to OFATMA including the CDS.		29
Dec-23	Compensation	Social Security and Other Benefits	The workers and employers 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.		40
Dec-23	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.		71
Dec-23	Compensation	Social Security and Other Benefits	The employer does not forward employers' contributions to ONA on a monthly basis.	Forward ONA contributions on time.		40

Dec-23	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.		71
Dec-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
Dec-23	Contracts and Human Resources	Employment Contracts	The internal work rules does not comply with the labor code law.	Update the internal work rules and send it to MAST for		7
Dec-23	Contracts and Human Resources	Termination	The employer does not compensate workers properly for unused annual paid leave.	Pay the unused paid annual leave upon termination based on the average earning.		29
Dec-23	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.		29
Dec-23	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.		29
Dec-23	Occupational Safety and Health	Worker Protection	Training were provided on the use of personal protective equipment.	Provide proper training on the use of personal protective equipment.		7
Dec-23	Occupational Safety and Health	Worker Protection	Tape sewing machines were missing pulley guards.	Install the proper safety guards on all machines.		7
Dec-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all circuit breakers are labelled.		29
Dec-23	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers within the first 3 months of hiring.	Provide health checks to workers within the first 3 months of hiring.		42
Dec-23	Occupational Safety and Health	Health Services and First Aid	No training on first aid was conducted in case of emergency.	Train at least 10 percent of the workforce in first aid.		7
Dec-23	Occupational Safety and Health	Emergency Preparedness	Inaccurate evacuation plan.	Update and post an evacuation plan in the building.		7
Dec-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several sections of the workspace.	Keep routes unobstructed during working hours.		18

Dec-23	Occupational Safety and Health	Emergency Preparedness	Insufficient number of workers trained in the use of fire fighting equipment.	Train at least 10 percent of the workforce in the use of fire fighting equipment.		7
Assessment September 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.		
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.		
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.		
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.		
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.		
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		
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		

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 done frequently .	
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	
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).	
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.		
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.		
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.		
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.		
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.	
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.		
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.		

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.		
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.		
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		
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.		
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		
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.		
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.		
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.		
Sep-22	Occupational Safety and Health	OSH Management Systems	The employer doe not perform any assessment on general occupational safety and health.	Keep records of the general occupational safety and health performed on the monthly basis.		
Sep-22	Contracts and Human Resources	Termination	The payment for unused paid annual leave upon termination is not calculated on the daily average	Calculate the unused paid annual leave upon termination.		

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'	Factory is already registered and will share proof of payment	
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	
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.		
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.		
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.		

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: MAS AKANSYEL S.A
Location: Arrondissement du Trou du Nord
Number of workers: 1,133
Date of registration: Jun-17
Date of last two Better Work assessments: Apr-23 May-24

Advisory and Training Services

19-Jun-24	Advisory services	Meeting with management (HR , Compliance, Chief accountant) on the Improvement plan. Factory shared evidence of remediation and advisor updated the improvement.
6-Jun-24	Advisory services	Discussed updates regarding the ongoing retrenchment. Management is waiting for MAST approval for the termination of the nursing and Meeting with management and Brand on the current industrial conflict with the unions. Advisor shared recommendations on the option for remediation and management agree to seek MAST intervention to resolve the conflict. Advisor also shared recommendations for the priority to
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
15-Mar-24	Industry Seminar	Virtual Workers' Rights &
1-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
27-Feb-24	Industry Seminar	Virtual Preventing and
23-Feb-24	Industry Seminar	Virtual Preventing and
23-Feb-24	Advisory services	Meeting with the management on the factory upcoming retrenchment plan.
27-Nov-23	Industry Seminar	Workshop on PNCs &
24-Nov-23	Industry Seminar	Problem Solving
15-Nov-23	Advisory services	Meeting with the management team on the new working time for 2024. EA gave recommendations to consult with worker's representatives and seek guidance from MAST. Discussion with management regarding the improvement plan, ONA / OFATMA and contract issues.
13-Oct-23	Industry Seminar	Virtual Leadership Skills
13-Oct-23	Industry Seminar	Virtual Intercultural
13-Oct-23	Advisory services	Meeting with management and union members. Management express concerns about the border situation and gave updates about current progress. Workers express concerns about the behaviors of some foreign managers. They also discussed receiving higher incentives rates.
6-Sep-23	Industry Seminar	Supervisory Skills
30-Aug-23	Industry Seminar	ToT Basic Compensation
24-Jul-23	Advisory services	Meeting to work on the corrective action plan following the release of the assessment report. Management discuss the reinstatement of the pregnant women and other workers terminated for their involvement in a strike as per BWH's recommendations.
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The factory has not conducted - Regular test, survey and inspections.	Provide the evidence for the regular tests on OSH points.	The factory conducts OSH meeting every month with our OSH team. Moreover, we are doing an OSH audit every week.	15
May-24	Occupational Safety and Health	OSH Management Systems	The OSH committee does not meeting regularly.	Conduct OSH meeting on a regular basis.	Management conducts regular OSH meeting on a monthly basis.	15

May-24	Working Time	Overtime	The factor did not receive the approval notice from the Department of Labor to perform overtime.	Get the approval from the Department of Labor to perform overtime.		2
May-24	Working Time	Overtime	Workers in some department work more than 80 hours of overtime by trimester.	Ensure that overtime hours do not exceed 80 hours per trimester.	Management is managing closely the overtime to avoid such issue.	2
May-24	Working Time	Overtime	The factory did not receive the approval from the Department of Labor to perform work on	Get the approval from the Department of Labor to work on Sundays.	No work is currently performed on Sundays.	2
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Get the approval from the Department of Labor to perform overtime.		2
May-24	Working Time	Regular Hours	The factory did not receive the approval from the Department of Labor to perform overtime at	Get the approval from the Department of Labor to perform overtime at night.		2
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Keep the regular working time in the legal limit of 8 hours a day and 48 hours a week.		2
May-24	Occupational Safety and Health	Emergency Preparedness	The aisles in the sewing floor were obstructed with boxes and tables.	Keep all the aisles clear and unobstructed.	We conduct daily safety walks using a health and safety checklist, during which we highlight all health and safety issues identified each day and follow up on corrective actions until they are	43
May-24	Occupational Safety and Health	Emergency Preparedness	The floor needs to be repainted. The assembly point is not visible upon exiting the emergency exit door of the Finished Goods area.	Ensure that evacuation routes are clearly marked for modules 11 and 11. Have arrows to guide to the assembly points upon exiting the finishing goods emergency exit.	Management removed the demarcation to identify clear evacuation path. Direction arrow board is placed near the finishing goods emergency exit where all workers can see.	24
May-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire fighting equipment.	Ensure that the inspection tag on the extinguishers reflects accurately the inspection checks. Ensure that all forklift have a fire extinguisher on.	The management took corrective action during the assessment visit for the both issues.	2
May-24	Occupational Safety and Health	Emergency Preparedness	Assessors observed that one alarm switch was obstructed.	Ensure that alarm is available at all time during the working hours.	The obstruction was removed during the assessment visit.	15
May-24	Occupational Safety and Health	Health Services and First Aid	Keys were not available on the floor to opened the first aid boxes. Management took corrective action during	Ensure that first aid box are accessible .	Management kept the first aid box open at all time. The issue was corrected during the assessment visit.	54
May-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire an adequate number of nurses		24

May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks were not provided to workers annually.	Ensure to pay the health cards to OFATMA for the annual health checks and contact OFATMA to perform the necessary checks.		2
May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks were not provided to workers exposed to work-related hazards.	Ensure to pay the health cards to OFATMA for the annual health checks and contact OFATMA to perform the necessary checks.		2
May-24	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.	Ensure to pay the health cards to OFATMA for the annual health checks and contact OFATMA to perform the necessary checks.		2
May-24	Occupational Safety and Health	Working Environment	Temperatures exceeded the recommended 30 C.	Ensure to maintain the temperature below 30 C.		2
May-24	Occupational Safety and Health	Worker Protection	One worker was working in the mechanic shop using grinder without any personal protective equipment.	Ensure that workers are aware to safety use machines and equipment's.	Management conducted Personal Protective Equipment (PPE) awareness training for all employees working in the mechanic shop on June 25, 2024, as	24
May-24	Occupational Safety and Health	Worker Protection	The circuit breakers in the medical clinic were not properly labelled, and that same box was obstructed. Another electrical box was opened in the sewing machine storage area.	Ensure that all circuit breakers are identified and accessible to responsible employees assigned by management.	The issues were corrected during the assessment visit.	2
May-24	Occupational Safety and Health	Worker Protection	Employer did not provide safety to workers belt doing heavy lifting .	Provide necessary protective equipment to workers that are doing heavy lifting work.	The issue was corrected during the assessment visit.	24
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	There is no eye wash in the mechanic room.	Install an washing facility in the mechanic where chemical is used or ensure that chemical is not used inside the mechanic room.	We have a designated chemical storage room equipped with eyewash stations and PPEs. Moving forward, chemicals will only be stored in the designated chemical	2
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that all chemicals used in the workplace have their safety data sheets.		54
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate.	Update the inventory of chemical as necessary and include the name of all chemicals used in the workplace		60
May-24	Contracts and Human Resources	Termination	The average salary used to do the calculation of the annual leave did not include all the allowance the factory provided to workers.	Include the allowance in the annual leave payment upon termination.		2

May-24	Compensation	Social Security and Other Benefits	The factory has not paid OFATMA for work-related accident insurance for the fiscal year 2023-2024.	Provide evidence for the payment of the fiscal 2023-2024 for OFATMA work-related accident.		2
May-24	Compensation	Paid Leave	A review of the payroll showed that the holidays are not paid on average daily salary to all workers.	Pay the holidays based on the average daily salary.		2
May-24	Compensation	Paid Leave	Weekly rest day payments were compensated in the payroll for workers who accumulated 48 hours within 5 days as required by	Pay weekly rest day payment to workers who accumulated 48 hours within 5 days or less.		2
May-24	Compensation	Paid Leave	The average salary used to do the calculation did not include all the allowance the factory provided to workers.	Ensure that annual leave is based on the average of daily earnings.		2
May-24	Compensation	Premium Pay	Assessors noted that regular hours performed at night were paid only on the minimum wage.	Pay the night shift as per law requirement.	Management discontinued the night shift for the Embroidery department. Therefore, moving forward, we will not be operating any night shifts.	2
May-24	Compensation	Premium Pay	The regular hours performed on Saturdays and Sundays were paid on the minimum salary.	Have the workers working in the embroidery department work on the regular schedule as per the internal work rules.		2
May-24	Compensation	Overtime Wages	Overtime performed at night were paid only at 50 percent above the day shift wage.	Pay overtime performed at a 50 percent above normal rate at night.	Management discontinued the night shift for the Embroidery department. Therefore, moving forward, we will not be operating any night shifts.	2
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	
Apr-23	Occupational Safety and Health	OSH Management Systems	The OSH committee is not meeting regularly, to ensure that the OSH committee is functioning	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	
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.		

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.	
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.	
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	
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	
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	
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	
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	
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	
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.	
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 protective equipment for the boiler room operators.	This is done. Provided PPE to relevant employees	
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		

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.		
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.		
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.		
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.	
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.	
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.	
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.	
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.	
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 code. They were terminated not	
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 retrenchment process in accordance with the law as the facility did not have this written authorization at that	

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: MAS AKANSYEL S.A
Location: Arrondissement du Trou du Nord
Number of workers: 1,133
Date of registration: Jun-17
Date of last two Better Work assessments: Apr-23 May-24

Advisory and Training Services

19-Jun-24	Advisory services	Meeting with management (HR , Compliance, Chief accountant) on the Improvement plan. Factory shared evidence of remediation and advisor updated the improvement. Discussed updates regarding the ongoing retrenchment. Management is waiting for MAST approval for the termination of the nursing and pregnant women.
6-Jun-24	Advisory services	Meeting with management and Brand on the current industrial conflict with the unions. Advisor shared recommendations on the option for remediation and management agree to seek MAST intervention to resolve the conflict. Advisor also shared recommendations for the priority to be given to the union representatives and pregnant women
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
1-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
27-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
23-Feb-24	Advisory services	Meeting with the management on the factory upcoming retrenchment plan. Discussed findings that were not completed during the past cycle. Meeting with ERB members and trade unions on current concern and challenges.
27-Nov-23	Industry Seminar	Workshop on PNCs & Management System
24-Nov-23	Industry Seminar	Problem Solving
15-Nov-23	Advisory services	Meeting with the management team on the new working time for 2024. EA gave recommendations to consult with worker's representatives and seek guidance from MAST. Discussion with management regarding the improvement plan, ONA / OFATMA and contract issues.
13-Oct-23	Industry Seminar	Virtual Leadership Skills
13-Oct-23	Industry Seminar	Virtual Intercultural Communication
13-Oct-23	Advisory services	Meeting with management and union members. Management express concerns about the border situation and gave updates about current progress. Workers express concerns about the behaviors of some foreign managers. They also discussed receiving higher incentives rates.
6-Sep-23	Industry Seminar	Supervisory Skills
30-Aug-23	Industry Seminar	ToT Basic Compensation and Benefits management system
24-Jul-23	Advisory services	Meeting to work on the corrective action plan following the release of the assessment report. Management discuss the reinstatement of the pregnant women and other workers terminated for their involvement in a strike as per BWH's recommendations.
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The factory has not conducted - Regular test, survey and inspections.	Provide the evidence for the regular tests on OSH points.	The factory conducts OSH meeting every month with our OSH team. Moreover, we are doing an OSH audit every week.	15
May-24	Occupational Safety and Health	OSH Management Systems	The OSH committee does not meeting regularly.	Conduct OSH meeting on a regular basis.	Management conducts regular OSH meeting on a monthly basis.	15

May-24	Working Time	Overtime	The factor did not receive the approval notice from the Department of Labor to perform overtime.	Get the approval from the Department of Labor to perform overtime.		2
May-24	Working Time	Overtime	Workers in some department work more than 80 hours of overtime by trimester.	Ensure that overtime hours do not exceed 80 hours per trimester.	Management is managing closely the overtime to avoid such issue.	2
May-24	Working Time	Overtime	The factory did not receive the approval from the Department of Labor to perform work on Sundays.	Get the approval from the Department of Labor to work on Sundays.	No work is currently performed on Sundays.	2
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Get the approval from the Department of Labor to perform overtime.		2
May-24	Working Time	Regular Hours	The factory did not receive the approval from the Department of Labor to perform overtime at	Get the approval from the Department of Labor to perform overtime at night.		2
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Keep the regular working time in the legal limit of 8 hours a day and 48 hours a week.		2
May-24	Occupational Safety and Health	Emergency Preparedness	The aisles in the sewing floor were obstructed with boxes and tables.	Keep all the aisles clear and unobstructed.	We conduct daily safety walks using a health and safety checklist, during which we highlight all health and safety issues identified each day and follow up on corrective actions until they are completed.	43
May-24	Occupational Safety and Health	Emergency Preparedness	The floor needs to be repainted. The assembly point is not visible upon exiting the emergency exit door of the Finished Goods area.	Ensure that evacuation routes are clearly marked for modules 11 and 11. Have arrows to guide to the assembly points upon exiting the finishing goods emergency exit.	Management removed the demarcation to identify clear evacuation path. Direction arrow board is placed near the finishing goods emergency exit where all workers can see.	24
May-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire fighting equipment.	Ensure that the inspection tag on the extinguishers reflects accurately the inspection checks. Ensure that all forklift have a fire extinguisher on.	The management took corrective action during the assessment visit for the both issues.	2
May-24	Occupational Safety and Health	Emergency Preparedness	Assessors observed that one alarm switch was obstructed.	Ensure that alarm is available at all time during the working hours.	The obstruction was removed during the assessment visit.	15
May-24	Occupational Safety and Health	Health Services and First Aid	Keys were not available on the floor to opened the first aid boxes. Management took corrective action during assessment.	Ensure that first aid box are accessible .	Management kept the first aid box open at all time. The issue was corrected during the assessment visit.	54
May-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire an adequate number of nurses.		24
May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks were not provided to workers annually.	Ensure to pay the health cards to OFATMA for the annual health checks and contact OFATMA to perform the necessary checks.		2

May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks were not provided to workers exposed to work-related hazards.	Ensure to pay the health cards to OFATMA for the annual health checks and contact OFATMA to perform the necessary checks.		2
May-24	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.	Ensure to pay the health cards to OFATMA for the annual health checks and contact OFATMA to perform the necessary checks.		2
May-24	Occupational Safety and Health	Working Environment	Temperatures exceeded the recommended 30 C.	Ensure to maintain the temperature below 30 C.		2
May-24	Occupational Safety and Health	Worker Protection	One worker was working in the mechanic shop using grinder without any personal protective equipment.	Ensure that workers are aware to safety use machines and equipment's.	Management conducted Personal Protective Equipment (PPE) awareness training for all employees working in the mechanic shop on June 25, 2024, as agreed.	24
May-24	Occupational Safety and Health	Worker Protection	The circuit breakers in the medical clinic were not properly labelled, and that same box was obstructed. Another electrical box was opened in the sewing machine storage area.	Ensure that all circuit breakers are identified and accessible to responsible employees assigned by management.	The issues were corrected during the assessment visit.	2
May-24	Occupational Safety and Health	Worker Protection	Employer did not provide safety to workers belt doing heavy lifting .	Provide necessary protective equipment to workers that are doing heavy lifting work.	The issue was corrected during the assessment visit.	24
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	There is no eye wash in the mechanic room.	Install an washing facility in the mechanic where chemical is used or ensure that chemical is not used inside the mechanic room.	We have a designated chemical storage room equipped with eyewash stations and PPEs. Moving forward, chemicals will only be stored in the designated chemical room.	2
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that all chemicals used in the workplace have their safety data sheets.		54
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate.	Update the inventory of chemical as necessary and include the name of all chemicals used in the workplace		60
May-24	Contracts and Human Resources	Termination	The average salary used to do the calculation of the annual leave did not include all the allowance the factory provided to workers.	Include the allowance in the annual leave payment upon termination.		2
May-24	Compensation	Social Security and Other Benefits	The factory has not paid OFATMA for work-related accident insurance for the fiscal year 2023-2024.	Provide evidence for the payment of the fiscal 2023-2024 for OFATMA work-related accident.		2
May-24	Compensation	Paid Leave	A review of the payroll showed that the holidays are not paid on average daily salary to all	Pay the holidays based on the average daily salary.		2
May-24	Compensation	Paid Leave	Weekly rest day payments were compensated in the payroll for workers who accumulated 48 hours within 5 days as required by the law.	Pay weekly rest day payment to workers who accumulated 48 hours within 5 days or less.		2

May-24	Compensation	Paid Leave	The average salary used to do the calculation did not include all the allowance the factory provided to workers.	Ensure that annual leave is based on the average of daily earnings.		2
May-24	Compensation	Premium Pay	Assessors noted that regular hours performed at night were paid only on the minimum wage.	Pay the night shift as per law requirement.	Management discontinued the night shift for the Embroidery department. Therefore, moving forward, we will not be operating any night shifts.	2
May-24	Compensation	Premium Pay	The regular hours performed on Saturdays and Sundays were paid on the minimum salary.	Have the workers working in the embroidery department work on the regular schedule as per the internal work rules.		2
May-24	Compensation	Overtime Wages	Overtime performed at night were paid only at 50 percent above the day shift wage.	Pay overtime performed at a 50 percent above normal rate at night.	Management discontinued the night shift for the Embroidery department. Therefore, moving forward, we will not be operating any night shifts.	2
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	
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	
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.		
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	Ensure that escape routes remained unobstructed.	Cleared the path by removing those boxes.	
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.	
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	
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	
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	

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	
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	
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	
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.	
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 protective equipment for the boiler room operators.	This is done. Provided PPE to relevant employees	
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.		
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.		
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.		
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.		
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.	
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. 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.	
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.	
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.	

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.	
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 code. They were terminated not because they participated in an illegal strike; but rather because they breached the said articles while causing a serious disturbance to the discipline and work stoppages in the factory. Thus, they breached the obligations of Article 30 of the Haitian Labor Code while breaching the Article 42 A & G. In addition, workers were observed to have caused assault against a comrade and caused serious disturbance to the discipline (42 A). Proof of assault against a comrade and proof of disturbance to the discipline were shared. Obtain the written confirmation from all 43 employees accepting their violation of the Haitian labor code including article 42 A & G and relevant disciplinary actions taken. Proof of samples acceptance letters shared by e-mail. MAST visited the facility and observed 43 workers disrupting the operations in defiance of the Haitian labor code including article 203 and did not find any objection in taking disciplinary actions against said 43	
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 retrenchment process in accordance with the law as the facility did not have this written authorization at that time. Therefore, on June 13, 2023, MAS Akansyel obtained a written authorization from MAST confirming the retrenchment process was done in accordance with the law. Copy of written authorization shared by e-mail. Appreciate it if Better Work could mark this as completed.	

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **MB Jeans Haiti (PVT) Ltd**
 Location: **Ouanaminthe**
 Number of workers: **345**
 Date of registration: **Mar-20**
 Date of last two Better Work assessments: **May-23** **May-24**

Notes : This factory closed its doors in June of 2024, shortly after the assessment was completed in May.

Advisory and Training Services

17-May-24	Advisory services	Meeting with the bipartite committee to review the summary report from the last assessment and follow-up on the improvement the factory already done. Conducted a factory tour with the factory compliance officer, to verify the OSH issues that the factory already solved.
12-Apr-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation. Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. Follow-up on the retrenchment process and provide recommendation for a responsible retrenchment.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
26-Jan-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold. Added all corrective actions completed in the improvement plan.
20-Nov-23	Advisory services	Meeting with bipartite committee to: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold. Follow-up on the office the CODEVI administration gave the unions. Follow-up on the dismissal of the SORENE union executive member. Workers said the salary is improve with the new director.
25-Oct-23	Industry Seminar	Bipartite Committee
20-Sep-23	Industry Seminar	Human Resources Management (HRM)
13-Sep-23	Industry Seminar	ToT Problem Solving
8-Sep-23	Industry Seminar	Negotiation Skills

31-Aug-23	Industry Seminar	Industrial Relations
23-Aug-23	Advisory services	Conducted OHS 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. Reviewed several documents to identify the improvement made by the factory. Reviewed the IP with the compliance and the HR manager Meeting Bipartite committee to: Monitor the Implementation of OFATMA maternity and Health insurance. The insurance is still not in place. However, the factory managers said they were still following up with CODEVI now on the implementation process. Workers expressed that although there is less verbal abuse, a communication barrier still exist between worker and management. Discussions regarding the dismissal of the general manager and the hiring of a new manager.
7-Aug-23	Advisory services	Meeting with management to follow-up on the industrial issue (the fired union member)

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	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.		21
May-24	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		21
May-24	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.		21
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR	Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		14
May-24	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.		21
May-24	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.		21

May-24	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.		21
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy that include all the necessary elements.	Develop an HR policy that includes all the necessary elements.		21
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Request prior authorization from MAST before working overtime.		2
May-24	Working Time	Overtime	The factory does not comply with the limit on overtime hours worked.	Ensure that workers do not exceed the limit of overtime hours specified in the Labor Code.		2
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST for work perform on Sunday.	Request prior authorization from MAST before working on Sunday.		2
May-24	Working Time	Regular Hours	The employer did not received authorization form the Ministry of Labor to work at night.	Request prior authorization from MAST before working at night.		2
May-24	Working Time	Regular Hours	The employer did not post the factory's working hours for all shifts including break time.	Post the factory's working hours for all shifts including break time.		2
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit as specify in the labor code.	Modify the regular daily or weekly hours to comply with the labor code.		2
May-24	Occupational Safety and Health	Emergency Preparedness	Assessors noticed rechargeable bulb cover by piece of fabric in some sections.	Make sure the source of ignition problem is fix.		2
May-24	Occupational Safety and Health	Emergency Preparedness	Obstructed evacuation routes and emergency exits in several sections of the workspace.	Keep routes and emergency exits unobstructed during working hours.		14
May-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Provide adequate firefighting equipment and ensure regular maintenance is done		2
May-24	Occupational Safety and Health	Health Services and First Aid	Several first aid boxes were not accessible and some were missing medical supplies.	The factory needs to designate a person to monitor all first aid boxes.		21

May-24	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Ensure that the free zone or the factory has adequate medical facilities		21
May-24	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers annually.	Provide health checks to workers annually.		21
May-24	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards twice a	Provide health checks to workers exposed to work-related hazards at least twice a year.		21
May-24	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.		21
May-24	Occupational Safety and Health	Welfare Facilities	Soap was not available in men's and women's toilets.	Ensure that soap is available in all toilets.		2
May-24	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.		14
May-24	Occupational Safety and Health	Working Environment	Workplace temperatures are unacceptable.	Monitor the temperature and maintain it under 30 C inside the workplace.		21
May-24	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		2
May-24	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide appropriate PPE where it is needed for all workers.		2
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory did not assess, monitor and record workers' exposure to hazardous substances.	The factory needs to assess, monitor and record workers' exposure to hazardous substances.		2
May-24	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.		21
May-24	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.		21
May-24	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.		2

May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a written emergency preparedness procedure that includes all the requirements.	Develop an preparedness procedure that includes all the necessary requirements.		2
May-24	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.		2
May-24	Contracts and Human Resources	Termination	The employer does not pay workers their annual salary supplement or bonus correctly upon termination.	Pay workers their annual salary supplement upon termination and include weekly rest day payment in the calculation		21
May-24	Contracts and Human Resources	Termination	The employer does not compensate workers properly for unused annual paid leave.	Pay the unused paid annual leave upon termination and include weekly rest day payment in the		21
May-24	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.		21
May-24	Contracts and Human Resources	Employment Contracts	The contract for the night shift and Dominicans workers does not comply with the internal work rules.	Update the contract of all workers in the factory to be in compliance with the internal work rules.		21
May-24	Compensation	Social Security and Other Benefits	The factory did not send workers' pay slip to OFATMA for sick leave and maternity leave	Send workers' pay slip to OFATMA for sick leave and maternity leave payment.		21
May-24	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.		21
May-24	Compensation	Social Security and Other Benefits	The Factory does not forwards employers' contributions to ONA on time.	Calculate ONA contributions on the basic salary, and forward it on time.	The factory is closed and CODEVI administration did not show any prove of payment to Better Work	21
May-24	Compensation	Social Security and Other Benefits	The employer collect but does not forwards workers' contributions to ONA on time.	Calculate ONA contributions on the basic salary, and forward it on time.	The factory is closed and CODEVI administration did not show any prove of payment to Better Work	21
May-24	Compensation	Social Security and Other Benefits	The factory did not submit any proof of payment for OFATMA work related accident insurance for the fiscal year 2023-2024.	Ensure that the factory has an agreement with OFATMA for work related accident payment.	The factory is closed prove of payment to Better Work	21

May-24	Compensation	Paid Leave	Inaccurate payment for legally mandated holiday.	Pay working holiday on the average earning as required by the law.		2
May-24	Compensation	Paid Leave	The employer does not pay workers for the weekly rest day.	Pay the weekly rest day as required by the law.		2
May-24	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		21
May-24	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings, including the weekly rest day as required by the law.		2
May-24	Compensation	Overtime Wages	The employer does not pay 100% above the normal wage for overtime hours worked at	Pay 100% above the normal hours for overtime hours worked at night.		2
May-24	Compensation	Overtime Wages	The employer does not pay 50% above the normal hours for overtime worked on weekly rest day.	Pay 50% above the normal hours for overtime worked on weekly rest day.		2
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	Failure to implement several articles in the CBA.	Review the CBA and implement all articles as stated in the document.		14
Assessment May 2023						
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.		
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		
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.		
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.		

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.		
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		
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.		
May-23	Working Time	Leave	Inaccurate maternity leave to pregnant workers.	Ensure that pregnant workers are going home 6 weeks before giving birth.		
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.	
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.		
May-23	Occupational Safety and Health	Emergency Preparedness	Obstructed evacuation routes.	Keep evacuation routes unobstructed.		
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.		
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		
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	
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.		
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.		

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.		
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.	
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.		
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.		
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	
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.	
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.	
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.	
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		
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.	

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.		
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.		
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.		
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.		
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.		
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.		
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.		
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.	
May-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Pay 12 weeks of maternity leave to workers		
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.		
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.		

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	
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BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: MBI HAITI S.A
Location: Port-au-Prince
Number of workers: 1555
Date of registration: Aug-13
Date of last two Mar-23
Better Work Feb-24

Advisory and Training Services

28-Apr-24	Advisory services	Advisory meeting with the bipartite committee members, to help them identify and prioritize the issues that affect the factory's working environment. Management committed to follow up on the issues raised.
8-Apr-24	Advisory services	Introductory meeting as their new appointed advisor. The discussion was on the priorities for the year and the FOA remediation points. Factory to put effort to close this point as promptly as possible.
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
8-Dec-23	Industry Seminar	Virtual Awareness on Convention 190 & Recommendation 206
16-Nov-23	Industry Seminar	Virtual Grievance Policy on Violence and Harassment
16-Nov-23	Advisory Services	Summary of the advisory visit 1. Meeting with the bipartite committee to: Follow-up on factory's actual situation and the current number of workers at the factory; last ONA payment and the final payment for OFATMA accident. Review and update the new improvement plan. Follow-up on SOTA/BO dismissal case Advise the factory about the incoming question in the new assessment based on the 3*8 law the government put on hold. Added all corrective actions completed in the improvement plan.
27-Oct-23	Advisory services	Meeting with management to: Discuss proof of progress on the Improvement plan. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Added all corrective actions completed in the improvement plan.
13-Oct-23	Industry Seminar	Virtual Leadership Skills
9-Oct-23	Advisory services	Meeting with bipartite committee to: Introduce the coaching method. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Review and update the new improvement plan. Review the management system questions Follow-up on SOTA-BO dismissal case Added all corrective actions completed in the improvement plan.
18-Aug-23	Advisory services	Summary of the advisory visit Meeting with management to: Discuss proof of progress on the Improvement plan. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Discuss the new decree that put the 3*8 law on pause Follow-up on the factory situation Added all corrective actions completed in the improvement plan.
6-Jul-23	Advisory services	Meeting with management to follow-up on the industrial issue (the fired union members)

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment February 2024						
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Ensure that the hazard/risk management and control procedure has all the required elements.		30
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure that includes all the requirements.	Develop an accident investigation procedure that includes all the required elements.		30
Feb-24	Occupational Safety and Health	OSH Management Systems	The employer did not show evidence of regular review of the OSH management system for its effectiveness and performance on measurable objectives and targets.	Develop an OSH management system procedure which includes measurable objectives, targets and periodic review for effectiveness.		30
Feb-24	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures do not include fair review, an appeal process, and communication of changes made or resolution.	Include all the missing requirement in the grievance handling and dispute resolution procedures.		30
Feb-24	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.	Establish an investigative procedure for violation of HR policies, document it and report the evidence of the investigation to management for proper follow up.		30
Feb-24	Contracts and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include : 1. Induction training for workers and staff; 2. Staff training on how to carry	Ensure that the HR policies and procedures include all the required elements.		30
Feb-24	Working Time	Leave	Although the workers were entitled to 15 days of annual leave, it was verified that the security guards had been granted only 8 days of annual	Provide 15 consecutive days of annual leave to all workers, including the security guards.		14

Feb-24	Occupational Safety and Health	Emergency Preparedness	Assessors observed several aisles were blocked by fabric tables in building 53.	Ensure that the aisles remained accessible and free from any obstacles during the working hours.		50
Feb-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of onsite nurses.	Hire 5 more nurses to be compliant with the labor laws.		50
Feb-24	Occupational Safety and Health	Health Services and First Aid	Workers exposed to chemical and hazardous products did not received free health checks twice a year.	Ensure that workers that are exposed to chemical and hazardous products received health checks twice a year.		30
Feb-24	Occupational Safety and Health	Welfare Facilities	The water test is not conducted on a monthly basis. Furthermore, several workers have complained about finding dead insects when collecting drinking water.	Ensure the water test is performed on a monthly basis.	Last test was conducted on March 2024.	14
Feb-24	Occupational Safety and Health	Welfare Facilities	No adequate hand washing facilities or soap observed in the restrooms during the assessment visit.	Provide washing facilities and soap are provided in the restrooms.		4
Feb-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Have the adequate number of toilets for men and women according to the workforce.		4
Feb-24	Occupational Safety and Health	Working Environment	The workplace was not clean and tidy at the time of the visit.	Ensure that the workplace is clean and tidy.		4
Feb-24	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable in the pressing and the sewing section.	Ensure that the level of lighting is adequate in the pressing and the sewing section.		50
Feb-24	Occupational Safety and Health	Working Environment	Noise levels are not acceptable in the pressing area with 118 db.	Maintain the noise level to a maximum of 90 db.		50
Feb-24	Occupational Safety and Health	Working Environment	The workplace temperatures exceeded the recommended 30 C in several sections.	Maintain the temperature level to the maximum of 30 dB or under.		50

Feb-24	Occupational Safety and Health	Worker Protection	Three chairs without backrest and in poor condition on the floor of buildings 53.	Ensure that all chairs have backrest and in good condition.	The three chairs were replaced by chair with back rest and in good condition.	4
Feb-24	Occupational Safety and Health	Worker Protection	Several machines were without eye guards in building 52.	Ensure the sewing machines are equipped with their safety guards.		4
Feb-24	Occupational Safety and Health	Worker Protection	Personal protective equipment were available for workers in the fabric warehouse, and in the compressor room in Building 54.	Provide the necessary personal protective equipment to the workers.		30
Feb-24	Occupational Safety and Health	Chemicals and Hazardous Substances	An eyewash station in spot cleaning of Building 54 was not working properly.	Ensure that all the eyewash facilities are functioning properly.		4
Feb-24	Occupational Safety and Health	Chemicals and Hazardous Substances	One container of an unidentified liquid in the mechanic shop in Building 53.	Label all chemicals and hazardous substances used in the workplace.		50
Feb-24	Occupational Safety and Health	OSH Management Systems	The employer has not performed an assessment of occupational safety and health risks in the factory on a regular basis.	Perform an assessment of occupational safety and health risks on a monthly basis.		4
Feb-24	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.	Provide the structural safety certificate.		4
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not perform regular OSH self assessments on a monthly basis.	Ensure that internal OSH assessments are conducted on a monthly basis.		4
Feb-24	Contracts and Human Resources	Termination	The annual leave payment upon termination is not calculated on the average daily earning.	Ensure that annual leave upon termination is calculated on the average daily earning .		37
Feb-24	Contracts and Human Resources	Employment Contracts	The internal work rules do not include entry and exit hours, pay locations and times of payment.	Include all the missing elements in the internal rules.		14

Feb-24	Contracts and Human Resources	Employment Contracts	During the interview, several mechanics reported that they were assigned additional tasks such as sweeping the floor and painting the walls of the factory, despite their contracts specifying their employment as mechanics. They confirmed that they were	Ensure that working conditions and responsibilities are clearly disclosed in the contract.		4
Feb-24	Contracts and Human Resources	Employment Contracts	The foreign worker's contract does not include the employer's information as well as the employee's salary.	Include the missing elements in the contract.		35
Feb-24	Compensation	Social Security and Other Benefits	The employer's contribution to OFATMA for maternity and health insurance. payment is not completed on a monthly basis.	Pay OFATMA contribution on time.	Last payment was made in July for the month of May 2024.	35
Feb-24	Compensation	Social Security and Other Benefits	The required employer contribution to ONA is not completed on a monthly basis.	Pay the ONA contribution on time.	Last payment was made in June for the month of May 2024.	35
Feb-24	Compensation	Social Security and Other Benefits	The workers' contribution to OFATMA for maternity and health insurance is not completed on a monthly basis.	Pay the OFATMA contribution on time.	Last payment was made in July for the month of May 2024.	35
Feb-24	Compensation	Social Security and Other Benefits	The workers' contribution to ONA for maternity and health insurance is not completed on a monthly basis.	Pay the ONA contribution on time.	Last payment was issued on June 18, 2024 for the month of May 2024.	35
Feb-24	Compensation	Social Security and Other Benefits	The factory did not provide the monthly salary statements form sent to OFATMA and the authorization for installment payments for fiscal year 2022-2023.	Submit the required document to confirm that the amount paid is adequate. Submit the proof of payment for fiscal year 2023-2024.		14
Feb-24	Compensation	Paid Leave	The annual leave payment is not calculated on worker's average daily earnings.	Ensure that annual leave is calculated on the average daily earning.		35

Feb-24	Freedom of Association and Collective Bargaining	Freedom to Associate	the factory fired 6 union members on the list with no solid ground for dismissal.	Reinstate the six terminated workers. Ensure to discuss an agreement with the trade union on way to operate solid and respectful communication between both parties. Train management on Freedom of association.	The employed negotiated a memorandum with the union as a settlement of the conflict. A new trade union committee of 12 members was introduced to the management on May 20. The terminated workers have not yet	4
Assessment March 2023						
Mar-23	Occupational Safety and Health	Welfare Facilities	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	
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.		
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.	
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.		
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.		
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.		
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.		
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.		

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.		
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.		
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.		
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.	
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.		
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.	
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses to comply with the labor code.		
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.		
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.		
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.		
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.		
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.		

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.	
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.		
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.		
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.	
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.		
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.	
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.	
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.	
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.		
Mar-23	Contracts and Human Resources	Employment Contracts	Foreign worker's contract does not include the employer's information as well as the	Review the foreign workers contract to include all the missing information.		

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.		
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.	
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.	
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.	
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.	
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.	
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.		
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.	
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.	

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.	
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.	
Mar-23	Compensation	Overtime Wages	Inaccurate payment of overtime.	Pay Overtime correctly as required by law.		

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: MD Industries
Location: Ouanaminthe
Number of workers: 3,653
Date of registration: Jan-20
Date of last two Better Work assessments: Jun-23

May-24

Advisory and Training Services

16-May-24	Advisory services	Meeting with Management to follow up on the work stoppage, Meeting with worker's representative on the working conditions. Provide guidance on how to implement FOA policy at the factory level.
15-Mar-24	Industry Seminar	Virtual Introduction to Workers Rights & Responsibilities
26-Feb-24	Advisory services	Virtual meeting to conduct a session with the compliance team to review and update pending issues on the improvement plan. Provide guidance and recommendation on internal policies and procedures in place.
8-Dec-23	Industry Seminar	Virtual Awareness on Convention 190 & Recommendation 206
22-Nov-23	Advisory services	Meeting to review the improvement plan and follow up on chemical inventory. OSH tour in 4 Buildings with a focus on emergency preparedness. Meeting with the bipartite committee about the improvement made and support needed at the factory level.
25-Oct-23	Industry Seminar	Bipartite Committee
13-Oct-23	Industry Seminar	Virtual Leadership Skills
20-Sep-23	Industry Seminar	Human Resources Management (HRM)
13-Sep-23	Industry Seminar	ToT Problem Solving
12-Sep-23	Advisory services	Conduct OSH tour with a focus on emergency preparedness in 3 buildings, Session on chemical inventory. Meeting with the compliance team to validate pending issues and support the factory to complete the first progress report.
11-Sep-23	Advisory services	Conduct interview with OSH committee members to understand the root causes of Persistent OSH non compliance. Follow up on Union representation at the factory. OSH tour to provide guidance on the various points related to OSH which must be put in place before the building is operational.
8-Sep-23	Industry Seminar	Negotiation Skills
31-Aug-23	Industry Seminar	Industrial Relations
26-Jul-23	Advisory services	Session on the first progress report. Meeting with the compliance team to review the action plan for Persistent non compliances and the improvements that have been made after the assessment3) OSH factory tour4) Meeting with bipartite committee

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	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	Develop an OSH policy in consultation with workers and their representatives, that establish measurable objectives and improvement targets.		24
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Develop an accident investigation procedure that includes:- Root cause analysis- Focus on sustainable solutions- Implementation of changes in		24
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not investigates monitors and measures OSH issues.	Hold regular meeting with management to define and review OSH performance on measurable objectives and targets.		24
May-24	Contracts and Human Resources	Employment Contracts	The grievance procedure is not adequate.	Review and update the policy, ensure it includes anonymity.		24

May-24	Contracts and Human Resources	Employment Contracts	The factory's recruitment procedure is not adequate.	Develop a recruitment procedure that includes: - Hiring criteria that are applied equally to all job applicants - Verifying the age of workers prior to hiring - Ensuring compliance with legal		24
May-24	Contracts and Human Resources	Employment Contracts	Assessors did not find any evidence that the employer investigates violations of HR policies and procedures.	Develop HR system performance indicator procedure.		24
May-24	Contracts and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include all the necessary steps.	- Provide induction training for workers and staff - Staff training on how to carry out policies and procedures - Display policies and internal regulations in the factory.		24
May-24	Working Time	Leave	Pregnant workers do not go on maternity leave six weeks before giving birth, as required by article 322 of the labor code.	Send workers home 6 weeks before giving birth as required by law.		2
May-24	Working Time	Overtime	The factory provided the letter submitted to the Department of Labor to request the authorization to work overtime. However, the factory had not received the approval notice from the Department of Labor.	Request authorization to work overtime. Ensure that the factory received the approval notice from MAST before working overtime.		2
May-24	Working Time	Overtime	Workers in some department work more than 80 hours of overtime during a trimester.	Have a time recording system, which indicates the accumulated overtime per week , per month and per year.		2
May-24	Working Time	Overtime	The factory provided the letter submitted to the Department of Labor to request the authorization to work on Sundays. However, the factory had not received the approval notice from the Department of	Request prior authorization from MAST to work on Sundays.		2
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime. According to the law, only MAST can determine the necessity and approval for	Request prior authorization from MAST to perform overtime.		2
May-24	Working Time	Regular Hours	The factory provided the letter submitted to the Department of Labor to request the authorization to work at night. However, the factory had not received the approval notice from	Request prior authorization before working at night.		2

May-24	Working Time	Regular Hours	Some workers did not punch in and out. However, they had time for normal hours in their payroll record.	Have a single and accurate attendance system for all workers.	39
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Discuss legal requirements with the General Manager Ensure that the regular daily or weekly hours do not exceed the legal limit of 8 hours per day.	2
May-24	Occupational Safety and Health	Emergency Preparedness	The employer has trained less than 10% of the workforce in the use of fire-fighting equipment.	Train at least 10% of the workforce in the use of fire-fighting equipment.	2
May-24	Occupational Safety and Health	Emergency Preparedness	The employer did not conduct an emergency drill every six months in all buildings.	Conduct at least 2 emergency drill per calendar year.	39
May-24	Occupational Safety and Health	Emergency Preparedness	Several escape routes were obstructed.	Discuss with the engineering department about the floor capacity and provide additional space for storing goods.	39
May-24	Occupational Safety and Health	Emergency Preparedness	Undercharged, obstructed and missing fire extinguishers in several areas of the workplace.	Mark on the floor, to prevent that fire fighting equipment is blocked. Specify who conduct daily weekly checks and include this in the system of daily-weekly checks.	39
May-24	Occupational Safety and Health	Emergency Preparedness	Alarm in 1 building was not working properly. Additionally the upstairs and downstairs alarm systems are not connected together.	Have a fire detection and alarm system suitable for the factory conditions. Specify who is in charge of regularly checking its functioning and include this in the system of daily-weekly checks.	2
May-24	Occupational Safety and Health	Health Services and First Aid	Less than 10% of the workforce has been trained in first aid.	Train at least 10% of the workforce in first aid.	39
May-24	Occupational Safety and Health	Health Services and First Aid	The keys were not available on the floor to opened two first aid boxes. In addition, one building is missing a first aid box downstairs and the first aid box upstairs was missing 2 items.	Add an additional first aid box and equip all first aid boxes. Make sure that keys are always available to open the boxes in case of an emergency.	2
May-24	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, in addition make a contract with a health care unit in the surroundings - Hire the required medical staff	39
May-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets based on the current workforce as required by law.	39

May-24	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.		39
May-24	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.		39
May-24	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide chemical mask to workers in the spot cleaning areas.		39
May-24	Occupational Safety and Health	Worker Protection	During the factory, assessors found 22 chairs found without back rest.	Provide chair with back rest.	The chairs without backrest have been removed.	2
May-24	Occupational Safety and Health	Worker Protection	During the factory tour, the assessors noticed that the circuit breaker were not properly labelled in the electrical panels.	Label all circuit breakers and add this aspect in the weekly checks.		2
May-24	Occupational Safety and Health	Worker Protection	During the factory tour, assessors observed that, 15% of all machines missing pulley guards and 90% of single needle machines are missing finger guards.	Develop a monitoring system and install all the missing guards. Add this aspect in the daily weekly checks		39
May-24	Occupational Safety and Health	Worker Protection	The factory did not provide protective belts to employees doing heavy lifting.	Provide safety belts to employees doing heavy lifting.		39
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash stations are not available in all areas where chemical products are used.	Provide eye wash bottles and specify who will conduct regular checks of the functioning of the eyewash.		39
May-24	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 such as separate room for spot cleaning. Then, assign responsibility for regular check including wearing of PPEs.		39
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS is not available for all chemical product used in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		39
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals products are found in the workplace.	Define who control the chemical container on receipt from supplier and control the label.		39

May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is incomplete.	1. Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used 2. Specify who is in charge of maintaining one central inventory for the company 3. Define who will be responsible for checking	39
May-24	Occupational Safety and Health	OSH Management Systems	The factory has not effectively communicates and implements OSH policies and procedures.	- Post policies and work instructions in all buildings. - Post names of OSH committee members in all buildings.	24
May-24	Occupational Safety and Health	OSH Management Systems	During the assessment visit management did not provide a structural safety certificate for one building.	Provide a structural safety certificate for building 5.	24
May-24	Contracts and Human Resources	Termination	The employer compensate the workers for their annual salary supplement or bonus upon termination. However, the calculation is not accurate because it does not include the payment for the weekly rest day.	Include the payment for the weekly rest day in the calculation of average earnings for bonus upon termination.	2
May-24	Contracts and Human Resources	Termination	The employer compensate the workers for unused annual paid leave upon termination. However, the calculation is not accurate because it does not include the payment for the weekly rest day.	Include the payment for the weekly rest day in the calculation of average earnings for unused annual leave upon termination.	2
May-24	Contracts and Human Resources	Termination	The employer provides workers with proper notice upon termination. However, the calculation is not accurate because it does not include the payment for the weekly rest day.	Include the payment for the weekly rest day in the calculation of average earnings for notice period upon termination.	2
May-24	Contracts and Human Resources	Employment Contracts	The factory has an internal work rules approved by the Ministry, which specifies the hours of work but not the days. Additionally it does not specify the hours and location for the payment of the worker's salary.	Modify the internal work rules and specify the days of work, the hours and location for the payment of the worker's salary,	24
May-24	Contracts and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor (MAST), as legally required.	Review and update the apprentice contract as required by law. Request approval from MAST.	24
May-24	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.	39
May-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers' contributions to OFATMA.	Collect and forward workers' contributions to OFATMA.	39

May-24	Compensation	Social Security and Other Benefits	ONA deductions are based on the minimum salary because money for production incentive and production performance are not included in the calculation.	Include the weekly rest day payment in the calculation of the basic salary. Then forward employer contribution to ONA on time.	39
May-24	Compensation	Social Security and Other Benefits	The Factory is affiliated with OFATMA for maternity and health insurance. However, the calculation for the payment is based on the minimum salary.	Calculate the employer's contribution to OFATMA on the basic salary and forward the contribution monthly.	39
May-24	Compensation	Social Security and Other Benefits	ONA deductions are based on the minimum salary because money for production incentive and production performance are not included in the calculation.	Include the weekly rest day payment in the calculation of the basic salary. Forward ONA contribution on time.	39
May-24	Compensation	Paid Leave	The employer pays the workers for the legally mandated holidays. However the payment is made on the minimum salary instead of the average daily earnings.	Include the weekly rest day payment in the calculation of average earnings for the legally mandated holidays.	2
May-24	Compensation	Paid Leave	The employer does not pay workers for the weekly rest day.	Compensate workers for the weekly rest day after 48 hours or 6 days of work per week.	2
May-24	Compensation	Paid Leave	The maternity leave payment is not accurate.	Include weekly rest day payment in the calculation of the average daily earning for maternity leave payment. Ensure that workers receive 12 week of payment as	39
May-24	Compensation	Paid Leave	Sick leaves payment is not accurate.	Included weekly rest day payment in the calculation of the average daily earnings for sick leaves payment.	39
May-24	Compensation	Wage Information, Use and Deduction	The time records between the payroll and attendance record did not match.	Keep a single accurate attendance system for all workers.	39
May-24	Compensation	Premium Pay	The factory did not pay workers on fix salary 50% above the normal wage when they worked on Saturdays.	Pay workers on fix salary 50% above the normal wage when they worked on Saturdays.	2
May-24	Compensation	Overtime Wages	Assessors noticed that overtime work hours performed beyond 6 PM for day shift were paid 50 percent above normal wage instead of 100 percent.	Pay overtime work performed beyond 6 PM 100 percent above normal wage.	2
May-24	Compensation	Overtime Wages	The employer did not pay all workers with 50% percent above the normal rate for overtime worked on weekly rest day.	Register and pay all workers with 50% percent above the normal rate for overtime worked on weekly rest day.	2

May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	Failure to implement several provisions of the CBA.	Implement all the provisions of the collective agreement.		24
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.		
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.		
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.		
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).		
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 were 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.	
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.		
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.		
Jun-23	Occupational Safety and Health	Emergency Preparedness	Several escape routes were obstructed.	Provide additional space for storing goods.		
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.		
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.	
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.		
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.	

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.		
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.		
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.		
Jun-23	Contract and Human Resources	Employment Contracts	The grievance procedure is not adequate.	Include in the procedure communication of changes made and resolution.		
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.		
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.		
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		
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		
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		
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.	
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.		
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.	

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.		
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.		
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.	
Jun-23	Working Time	Regular Hours	Time records is not accurate.	Have an accurate and detailed payroll system.		
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.		
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.		
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.		
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.		
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.		
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.		
Jun-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as required by law.		
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.		
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.		

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.	
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.		
Jun-23	Occupational Safety and Health	Worker Protection	Industrial platform ladder missing one side rail of at least 0.90m as recommended by the	Develop a preventive maintenance plan. Add this aspect in the daily and weekly check.		
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.		
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.		
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		

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **MGA Haiti S.A.**
 Location: Port-au-Prince
 Number of workers: **695**
 Date of registration: Oct-09
 Date of last two Feb-23
 Better Work
 assessments:

Feb-24

Advisory and Training Services

26-Apr-24	Advisory services	Meeting with PCCC and OSH committee. The purpose of the meeting was to present the finding of last assessment and identify necessary action for remediation. Advisor recommend ideas for strengthening the committee as the members reported not having sufficient time to prepare the meeting.
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
7-Mar-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow-up on actual number of workers at the factory. Last ONA payment and payment for OFATMA accident 2023-2024. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold.
8-Dec-23	Industry Seminar	Virtual Awareness on Convention 190 & Recommendation 206
28-Nov-23	Advisory services	Meeting with bipartite committee to: Follow-up on factory actual situation. Follow-up on actual number of workers at the factory Last ONA payment and the final payment for OFATMA accident. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold.
16-Nov-23	Industry Seminar	Added all corrective actions completed in the improvement plan.
27-Oct-23	Advisory services	Virtual Grievance Policy on Violence and Harassment Meeting with management to: Discuss proof of progress on the Improvement plan. Follow-up on actual number of workers at the factory. Last ONA payment and the final payment for OFATMA accident. Added all corrective actions completed in the improvement plan.
13-Oct-23	Industry Seminar	Virtual Leadership Skills
9-Oct-23	Advisory services	Meeting with bipartite committee to: Introduce the coaching method. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. Review and update the new improvement plan. Review the management system questions Added all corrective actions completed in the improvement plan.

17-Aug-23	Advisory services	Meeting with management to: To discuss proof of progress on the Improvement plan. Follow-up on actual number of the factory, last ONA payment and the final payment for OFATMA accident. To Discuss the new decree that put the 3*8 law on pause. Follow-up on the factory situation
28-Jul-23	Training	Added all corrective actions completed in the improvement plan Virtual Sexual Harassment Awareness and Prevention for Middle Management

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment February 2024						
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedures.	Develop an adequate hazard/ risk management and control procedure that includes all the necessary elements.		28
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate accident investigation procedure.	Develop an adequate accident investigation procedure.		28
Feb-24	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of that the employer investigates monitors and measures OSH issues.	Develop a system to investigate and monitor OSH issues and record the evidence of regular management review of effectiveness of the management		28
Feb-24	Contracts and Human Resources	Employment Contracts	The factory does not have adequate grievance handling and dispute resolution procedures.	Include the missing elements in the grievance handling and dispute resolution procedures		28
Feb-24	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and procedures.	Record evidence of investigation on HR violation and adjustment made to prevent recurrence.		28
Feb-24	Contracts and Human Resources	Employment Contracts	The HR policies and procedures does not include all the adequate elements.	Include the missing elements in the HR policies and procedures.		28
Feb-24	Working Time	Leave	The security guards had been granted only 8 days of annual leave instead the required 15 days.	Provide 15 consecutives days of annual leave to the security guards are .		5
Feb-24	Working Time	Overtime	The employer did not receive prior authorization from the department of labor to work overtime.	Ensure to receive the authorization notice prior to perform overtime.		5

Feb-24	Working Time	Overtime	Assessors could not verify the security guards' overtime hours because management did not provide their time records.	Keep accurate time records for all employees, including the security guards.		5
Feb-24	Working Time	Regular Hours	The employer did not receive the authorization notice from the department of labor prior to work night shift.	Request authorization from the department of labor before working at night.		5
Feb-24	Working Time	Regular Hours	During the assessment visit the employer did not share the time records for the workers.	Provide the time records for the workers for verification.		15
Feb-24	Occupational Safety and Health	Emergency Preparedness	Several aisles were blocked by fabric tables in building 17.	Keep the aisles unobstructed during working hours.		28
Feb-24	Occupational Safety and Health	Health Services and First Aid	Some products in a first aid box in building 10 were not identified.	Identify all items in the first aid boxes.		53
Feb-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire one additional nurse.		73
Feb-24	Occupational Safety and Health	Health Services and First Aid	The workers exposed to work related hazards had not received free health checks twice a year.	Provide free health check twice a year to workers who are exposed to chemical and hazardous materials.		65
Feb-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of functioning toilets for women and men.	Have the adequate numbers of toilets for women and men.		73
Feb-24	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical panels. Batteries in the generator room of building 17 do not have insulation cover.	Ensure that electrical panel remained closed and that the batteries generator are properly insulated.	The panel were closed during the assessment visit.	56
Feb-24	Occupational Safety and Health	Worker Protection	Several machines were missing eye guards, and pulley guards.	Ensure that all the sewing machines have their necessary guards.		73
Feb-24	Occupational Safety and Health	Worker Protection	The employer did not provide proper PPE to all workers	Provide the necessary personal protective equipment to workers.	Management provided the necessary PPE to workers in the fabric warehouse and in the mechanic shop.	28
Feb-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available in all areas where chemical and hazardous products are used and stored.	Install an eye wash station where chemicals are used and stored.		28

Feb-24	Occupational Safety and Health	OSH Management Systems	The employer has not performed an assessment of occupational safety and health risks in the factory on a regular basis.	Perform an OSH assessment on a regular basis.	OSH assessment is performed regularly.	28
Feb-24	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.	Provide the structural safety certificate.		28
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not send work related accident reports to OFATMA every month as required by the labor code.	Submit the accident report to OFATMA on a monthly basis.	Management submitted the OFATMA accident on a monthly basis.	5
Feb-24	Contracts and Human Resources	Termination	The annual leave payment upon termination is not calculated on the average daily earning.	Calculate the annual leave based on the average daily earning.		37
Feb-24	Contracts and Human Resources	Employment Contracts	The internal rules do not include entry and exit hours, pay locations and times of payment.	Include the missing elements in the internal rules.		28
Feb-24	Contracts and Human Resources	Employment Contracts	The foreign workers' contracts do not include the employer's information as well as the employee's salary.	Include the employer information and the salary in the foreign workers contracts.		28
Feb-24	Compensation	Social Security and Other Benefits	The workers' contribution to OFATMA for maternity and health insurance is not submitted on a monthly basis.	Pay the OFATMA contribution on monthly basis within the first 10 working days.	Last payment was made in June for the month of March 2024.	5
Feb-24	Compensation	Social Security and Other Benefits	The employer contribution to ONA is not submitted on a monthly basis. Last payment was ma	Pay the ONA contribution on monthly basis within the first 10 working days.	Last payment was made in June for the month of May 2024.	5
Feb-24	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA for maternity and health insurance is not submitted on a monthly basis.	Pay the OFATMA contribution on monthly basis within the first 10 working days.	Last payment was made in June for the month of March 2024.	5
Feb-24	Compensation	Social Security and Other Benefits	The workers' contribution to ONA is not submitted on a monthly basis.	Pay the ONA contribution on monthly basis within the first 10 working days.	Last payment was made in June for the month of May 2024.	5
Feb-24	Compensation	Social Security and Other Benefits	The bonus payment does not include worker's overtime payment.	Include the overtime payment in the annual salary supplement.		5

Feb-24	Compensation	Social Security and Other Benefits	Management did not provide the monthly salary statements and authorization for installment payments from OFATMA for the fiscal year 2022-2023.	Provide proof of payment for OFATMA work related accident insurance.		37
Feb-24	Compensation	Paid Leave	The annual leave payment is not calculated on worker's average daily earnings.	Calculate the annual leave based on the average daily earning.		37
Feb-24	Compensation	Wage Information, Use and Deduction	Boiler room workers were paid separately and their total overtime hours were not reported in the payroll.	Ensure that the payroll include all the payment that the workers receive.		5
Feb-24	Compensation	Overtime Wages	The employer does not pays 50% above normal wage for overtime worked at night.	Pay the overtime worked at night accurately.		5
Feb-24	Compensation	Overtime Wages	The operators who stayed after the regular hours receive an incentive which is not reported in the payroll.	Pay the overtime hours 50 percent above normal wage.		28
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.	
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		
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.	
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.		
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.	

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.	
Feb-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several areas.	Keep all aisles free from obstructions.		
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	
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		
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		
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.		
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.		
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.		
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		
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.		
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		
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.		

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.		
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.		
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.		
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.		
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.		
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.		
Feb-23	Compensation	Overtime Wages	Inaccurate overtime payment	Ensure that the attendance records is available during the evaluation period for overtime verification payments.		
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.		
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.	
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.	
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.	

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.	
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.		
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.		
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.	
Feb-23	Working Time	Regular Hours	The required break was not provided to pregnant women.	Give the legally required break to all pregnant women.		
Feb-23	Working Time	Regular Hours	Attendance records was not available during the assessment.	Ensure that documentation is available during the evaluation period.		
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.	
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.	
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.	
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.	
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.	

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.	
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.		
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.		
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.	
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.	
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.	
Feb-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets for men and women.		
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.		
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		
Feb-23	Occupational Safety and Health	Worker Protection	Sewing machines were missing pulley guards.	Install the proper safety guards on all machines.		
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		

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.	
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.		
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.		
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.	

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **Pacific Sports Haiti S.A**
 Location: Port-au-Prince
 Number of workers: **780**
 Date of registration: Oct-09
 Date of last two assessments: Aug-22 Aug-23

Advisory and Training Services

20-Jun-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Initiate the process of renew the bipartite committee with management and union. Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024.
11-Apr-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow up on the process of renew the bipartite committee with management and union. Follow-up on actual number of workers at the factory, last ONA payment and payment for OFATMA accident 2023-2024.
10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
19-Mar-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold.
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
1-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
27-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
12-Oct-23	Industry Seminar	Virtual Leadership Skills
13-Oct-23	Industry Seminar	Virtual Intercultural Communication
1-Sep-23	Advisory services	Virtual OSH to verify improvement made after the last assessment. Meeting with workers' representative to follow up on termination of union leaders Meeting with management to discuss a retrenchment plan.
8-Aug-23	Advisory services	Meeting with union leaders and Management to Follow up on potential termination of Pregnant and breastfeeding workers.
5-Jul-23	Advisory services	Meeting to follow up on the temporary suspension and general update. Discuss notification sent to MAST related to several work stoppage at the factory. Review OSH objectives and target. Discuss the training plan. Discuss HR performance indicator and grievance mechanism.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
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Assessment August 2023						
Aug-23	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures does not include all the necessary elements.	Update and adjust grievance handling and dispute resolution procedures.		11
Aug-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.		11
Aug-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.		11
Aug-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Provide adequate firefighting equipment and ensure regular maintenance is done.		11
Aug-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.		11
Aug-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.		68
Aug-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.		142
Aug-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide appropriate PPE where it is needed for all workers.		22
Aug-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.		33
Aug-23	Contracts and Human Resources	Employment Contracts	The contract for administrative staff and security personnel does not comply with the internal work rules.	Update the contract of all employees in the factory to be in compliance with the internal work rules.		11
Aug-23	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'		85
Aug-23	Compensation	Social Security and Other Benefits	The employer pays 3 percent of workers' salary to OFATMA for work-related accident insurance and has completed the payment for the fiscal 2022-2023 in three installments. However, the management did not give any proof of agreement with OFATMA for a payment by installments.			11

Aug-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Registered the factory with OFATMA for maternity and health insurance and workers will be entitle to 12 weeks of		11
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.		
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.		
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.	
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.	
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	
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.	
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.	
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.		
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	

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	
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.		
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	
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	
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.	
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.	
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.	
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.	

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.		
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		
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	The June 13 decree suspends the 3*8 law..	
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	The Process is underway to finalize with the registration with OFATMA for maternity and health insurance	
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.	
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.	
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.	

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 is underway to finalize with the registration with OFATMA for maternity and health insurance	
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.	
Aug-22	Compensation	Paid Leave	The calculation of annual leave payment. Does not include the lunch break payment.	Discuss legal requirements with the General Pay the lunch break and include it in the annual salary supplement	The June 13 decree suspends the 3*8 law.	

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **Palm Apparel S.A.**
 Location: Port-au-Prince
 Number of workers: **961**
 Date of registration: Jan-11
 Date of last two Mar-22 Mar-23
 Better Work

Notes: Due to civil unrest in the country, BWH was not able to assess the factory when its assessment was due in the first trimester of 2024. Additionally, the factory missed a lot of operating days since the beginning of 2024, because of lack of raw materials and civil unrest.

Advisory and Training Services

7-Jun-24	Advisory meeting	Virtual meeting with the OSH committee about the factory's current operation. Meeting with worker's representative on issues at the factory level and sectorial level. Meeting with the Human Resource team to follow up on Social security contributions and documentation reviews
7-Mar-24	Advisory meeting	Virtual OSH tour with a focus on emergency preparedness. Review of documents to provide recommendation on internal policies and procedures in place.
1-Dec-23	Advisory meeting	Virtual meeting with the bipartite committee on improvement made and discuss the committee's responsibility. Virtual OSH tour with a focus on chemical management. Review pending issues on the improvement plan and conduct a training session on monitoring systems, OSH KPI and targets, OSH Gap analysis.
31-Aug-23	Advisory meeting	Session with the compliance team on the first progress report. Presentation of a monitoring systems for training and daily attendance timesheet for employees. Provide guidance and recommendation for temporary suspension. Meeting with the bipartite committee on the self diagnosis process
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION 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.	15
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..	28
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..	28

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..	28
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	28
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.		72
Mar-23	Compensation	Social Security and Other Benefits	The calculation of the average salary for the payment an annual salary supplement or boni 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
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 last 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.		152
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.		82
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.		152
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.		82
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..	28

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..	28
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..	28
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	28
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.	28
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.	28
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.	50
Mar-23	Occupational Safety and Health	Worker Protection	During the factory tour, assessors notice that the battery terminals in the generator are not properly	The factory needs to ensure that the batteries terminals are insulated.	Every precaution has been taken to ensure that insulators are fitted over the	15
Mar-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets to comply with the law.		80
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		64
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		64
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff for the current workforce.		64

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.		15
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*8 law. The lunch break is no longer part of the regular working hours.	28
Mar-23	Working Time	Regular Hours	The attendance record does not reflect the actual time worked.	Have an accurate attendance recording system.		15
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.	
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	
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.		
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		
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		
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.		

Mar-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets to comply with the law.		
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.		
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		
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.		
Mar-22	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash stations are not available in all areas where chemical	Install eye wash station where chemicals are used in stored.		
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		
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.		
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.		
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.	
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.		
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.		

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.	
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.		
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-	Keep records of the salary statement sent to OFATMA. Pay OFATMA work related accident insurance on time.		
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.		
Mar-22	Compensation	Paid Leave	The lunch break is not compensated.	Discuss legal requirements with the General Manager Pay the lunch break.		
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.		
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		
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		

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: S&H Global 1-6
Location: Arrondissement du Trou du Nord
Number of workers: 3,789
Date of registration: Jul-12
Date of last two Better Work assessments: May-24

Notes : The factory has experienced several temporary closures during this period. The factory has downsized in terms of the number of building as well as workers.

Advisory and Training Services

15-May-24	Advisory services	Meeting with HR officer and compliance officer. Advisor made a presentation on the portal for the new OSH officers. Factory informed about the closure of a building and ongoing issues and requests from trade unions. Advisor recommended dialogue with MAST representative for a smooth transition.
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
1-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
28-Feb-24	Advisory services	Meeting with Management and compliance team to discuss factory updates and challenges. Management explained about the closure of Module 4 scheduled for March and the closure of an another module before the end of the year. EA discussed changes in the compliance team. Discussion were also about OSH issues and priorities. Factory reported about rumors of Sexual Harassment and actions taken. Factory requested Sexual Harassment prevention training for the expats.
28-Nov-23	Advisory services	Review of the GVBH template. Compliance will review current Sexual Harassment policy to add missing elements as per the template submitted. Review of the 2 remaining's points in the Improvement plan. Updates on priorities.
27-Nov-23	Industry Seminar	Workshop on PNCs & Management System
24-Nov-23	Industry Seminar	Problem Solving
16-Nov-23	Industry Seminar	Virtual Grievance Policy on Violence and Harassment
9-Oct-23	Advisory services	Meeting with Management to discuss the factory's improvement. Factory to share the PR1. Factory has a new compliance team. Factory explain that they will be on suspension because of the border closure and lack of raw materials. Factory to share relevant documents.
15-Sep-23	Industry Seminar	Advance Bipartite training
6-Sep-23	Industry Seminar	Supervisory Skills
30-Aug-23	Industry Seminar	Tot Basic Compensation and Benefits management system
26-Jul-23	Advisory services	Meeting with management to review the improvement plan. Management to sent the evidence for the remediations. Management also discussed about concerns regarding decrease in the orders and future closure of another building. EA reminded management to discuss the issues with the union to avoid industrial conflict.
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Working Time	Overtime	Workers in some department work more than 80 hours of overtime during a trimester.	Ensure that workers don't work more than 80 hours of overtime during a trimester		2

May-24	Working Time	Overtime	The factory did not received a notice of approval from the Department of Labor at the time prior to performing overtime.	Ensure to receive the authorization before performing overtime.	Since The factory submitted a letter to the Department of Labor, requesting the authorization for working on Saturday, we've received the approval by the department of labor as requested.	2
May-24	Occupational Safety and Health	Emergency Preparedness	The total number of workers trained in fire-fighting is less 10 percent of the workforce.	Ensure that 10 percent of the workforce is trained in fire-fighting equipment by a certified trainer.		2
May-24	Occupational Safety and Health	Emergency Preparedness	The factory does not conduct fire drills every 6 months, as recommended by Better Work.	Ensure to conduct one evacuation drill every 6 months for all the premises.		2
May-24	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several areas of the factory.	Ensure that the aisles remained unobstructed during the working hours.	Management removed the obstruction and informed the team to let the aisles cleared from obstruction during working hours.	72
May-24	Occupational Safety and Health	Emergency Preparedness	Locked and unidentified exit doors.	Ensure that exit doors are identified and remained open during working hours.	Compliance Officer visited the warehouse building and noticed three (3) exit doors. Two of them are in condition to remain open during working hours and one of them is a well identified no exit door and remain closed during all working hours long. In fact, the authorized front and back exit doors are well opened during working hours and easy to access in case of emergency. In the back of cafeteria, the only one door is now well identified as an exit.	12
May-24	Occupational Safety and Health	Emergency Preparedness	Evacuation plans are inaccurate and evacuation routes are not properly identified.	Remark the evacuation routes in the chemical room. Update the evacuation plan in module 1, 2, and 4.	Management remarked the evacuation routes in the chemical room. and updated the evacuation plan in module 1, 2. The module 4 is now closed.	72
May-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Regularly update the inspection tag as each inspection is completed. Ensure the equipment is properly maintained.	During the assessment visit, the identified fire extinguisher were replaced, recharged and properly label and management revoked all obstruction to their access.	31
May-24	Occupational Safety and Health	Emergency Preparedness	The factory's alarm system was non-functional in several sections of the factory.	Ensure that alarm system is working properly in all buildings.	Management fixed the alarms where they were not properly working.	24
May-24	Occupational Safety and Health	Worker Accommodation	No fire extinguishers in the dormitories and outdated evacuation maps.	Ensure the fire extinguishers in the dormitory are properly maintained.	The fire extinguishers were installed in all floors of the dormitory.	12

May-24	Occupational Safety and Health	Worker Accommodation	Exposed electrical wires on the 2nd and 3rd floors observed in the dormitory.	Ensure that electrical equipment in the dormitory are properly maintained.	The issue was fixed during the assessment visit.	12
May-24	Occupational Safety and Health	Health Services and First Aid	Less than 10 percent of the workforce trained in first aid.	Ensure that first aid training are performed by certified trainer.	The Company makes sure that all first aid trainings are performed by authorized professionals.	2
May-24	Occupational Safety and Health	Health Services and First Aid	Expired medicines and missing supplies in first aid boxes.	Ensure that the first aid boxes are regularly checked.	The expired medicines were replaced.	2
May-24	Occupational Safety and Health	Welfare Facilities	Soap is not available in several toilets in several buildings.	Ensure to provide soap in the toilet.	Management provides soap in the toilets on a daily basis. Refill are available upon request from the person in charge.	12
May-24	Occupational Safety and Health	Welfare Facilities	No paper found in the toilet of module 1.	Provide paper in the toilet.	Paper is now provided in all our toilets and the workers no longer complain about that. COs and FCOs have got the situation under Control	12
May-24	Occupational Safety and Health	Working Environment	The temperature levels in all sections exceeded Better Work's recommended maximum of 30°C.	Ensure to maintain the temperature level under 30 degree.	All factories temperature level is now at 30 degrees C.	25
May-24	Occupational Safety and Health	Worker Protection	Improperly labeled circuit breakers and unmaintained electrical installations, with obstructed electrical boxes.	Label all circuit breakers. Ensure that the electrical installation in the boiler room remained free from obstruction.	compliance team the equipment that was blocking the access to the electrical panel. All circuit breakers were also labelled	2
May-24	Occupational Safety and Health	Worker Protection	The motor section in the boiler of module 1 & 2 is covered with metal frame and clear plastic.	Ensure that boiler equipment is properly maintained.	Management team ensured that motor cover was made in proper material/	12
May-24	Occupational Safety and Health	Worker Protection	Proper PPE is not provided to all workers.	Provide the earplugs for the workers in the compressor room and the safety bell for the heavy lifting module 1 and warehouse.	Management has provides the earplugs for the workers in the compressor room and the safety bell for the heavy lifting module 1 and warehouse.	93
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash stations in several areas where chemicals are used. Obstructed eye wash station in module 2.	Install an eye wash in the chemical floor and everywhere chemical substances are used.	An eye wash is installed next to the chemical area and another one in the CI warehouse.	99
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS are missing for several hazardous chemicals products.	Have the chemical safety data sheets available for all the chemical substances used and stored in the workplace. Train the factory compliance officers on chemical	All chemicals have their safety data sheets available to all users.	25
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical storage in the back of the cafeteria lacking proper protective equipment.	Ensure that the storage area is equipped with safety data sheets and proper hazard signs.		2

May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical products and several chemical products with labels in a foreign language.	Label and translate the label in the local language. Train the factory compliance team in chemical management,	All the chemical products were labelled, Labels have been translated to the locals language.	59
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Inaccurate inventory of chemical and hazardous products.	Ensure that the inventory of chemicals is accurate and updated on a regular basis.	The factory updated the inventory with the missing and specify the location.	25
May-24	Compensation	Paid Leave	Assessors found discrepancies in payrolls from February to April 2024, with holidays not paid at the average daily salary.	Pay the holiday based on the average of daily earnings.	The Factory has solved the issue of the payroll of holidays which were not paid on average daily salary to all workers for all modules due to the repairing of the system.	2
Assessment May 2023						
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 labelled 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.	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	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

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: Sewing International S.A.
Location: Port-au-Prince
Number of workers: 1,556
Date of registration: Oct-09
Date of last two Aug-22

Sep-23

Better Work
Assessment:

Advisory and Training Services

11-Apr-24	Advisory services	Session on HR management systems and training monitoring plan. Review and validate pending issues on the improvement plan.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
27-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
25-Jan-24	Advisory services	Virtual meeting to develop the training plan, session on OSH and HR performance Indicators. Review the last assessment findings to identified the root causes.
5-Dec-23	Advisory services	Virtual meeting with the compliance team to review social security payment and compensation. Session on BW assessment process.
30-Aug-23	Advisory services	Virtual meeting with the bipartite committee to validate pending issues in the improvement plan. Meeting with the compliance team to review payment of Social security, session on management systems.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment September 2023						
Sep-23	Occupational Safety and Health	OSH Management Systems	The OSH policy did not establish measurable objectives and improvement targets and was not developed in consultation with workers and their representatives.	Develop a policy in consultation with worker representatives. Establish measurable objectives and periodically monitor and review the policy.		31
Sep-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.		31
Sep-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a proper accident investigation procedure.	Develop an accident investigation procedure that includes: Root cause analysis and Focus on sustainable solutions.		31
Sep-23	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of: Regular management review of performance on measurable objectives and targets.	Review the procedure to include performance on measurable objectives and targets.		31
Sep-23	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.	Review the procedure and include clear options for submitting grievances and disputes that ensure anonymity and non-retaliation.		31
Sep-23	Contracts and Human Resources	Employment Contracts	The disciplinary procedures do not include: The right to representation during disciplinary processes and Legal notice periods and termination payments.	Include the following steps in the procedure:- The right to representation during disciplinary processes;- Legal notice periods and termination payments;		31
Sep-23	Occupational Safety and Health	Emergency Preparedness	Several evacuation routes were obstructed by boxes and sewing tables.	Develop a procedure when conducting general inventory. Ensure that aisles remain unobstructed.	The compliance officer and the health and safety auxiliaries are in charge of the daily weekly checks.	8

Sep-23	Occupational Safety and Health	Emergency Preparedness	During the assessment visit, assessors observed that there were no smoke detector in the compressor room.	Identify area where combustible materials are stored.	Area where combustible materials are stored have been identified.	8
Sep-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff.		115
Sep-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	- Increase the number of toilets		125
Sep-23	Occupational Safety and Health	Working Environment	The floor is neither clean nor tidy, and there is a water leak from the toilet.	Develop a preventive maintenance plan.	The auxiliary of health and safety is in charge to conduct some regular inspection.	8
Sep-23	Occupational Safety and Health	Working Environment	The lux level is below Better Work recommended limit.	Take action to increase the lux level in the workplace such as installing LED light.		8
Sep-23	Occupational Safety and Health	Working Environment	Temperature level exceed Better Work recommended limit of 30 C in building 1,2,3,4.	Take action to reduce the temperature such as opening in the roof, water curtain, additional fans, or cooling systems.		109
Sep-23	Occupational Safety and Health	Worker Protection	Several chairs were in very poor condition. Several were missing their back rests.	Provide chairs in good conditions in all sectionsDevelop a monitoring plan	The chairs have been replaced by new ones and the factory has developed a monitoring plan.	8
Sep-23	Occupational Safety and Health	Chemicals and Hazardous Substances	During the evaluation visit, the assessors noticed that some eye wash stations were missing their water bottle.	Provide eye wash bottles and cleansing materials	Eye wash bottles and cleaning materials have been provided to workers. The compliance officer and the auxiliaries of health and safety will conduct regular checks.	8
Sep-23	Occupational Safety and Health	Chemicals and Hazardous Substances	During the evaluation visit, assessors noticed that a tank of diesel was not properly identified.	Define who control the chemical container on receipt from supplier and control the label.	the compliance officer is in charge of the labelling and the mechanic team has the responsibility to pour them. All the containers are labelled.	31
Sep-23	Occupational Safety and Health	OSH Management Systems	The employer was not able to provide the required structural safety certificate.	Request a structural safety certificate from the city council or a certified engineering firm to validate the safety of the building..		8
Sep-23	Contracts and Human Resources	Termination	The employer compensates workers for unused paid annual leave upon termination. However, the calculation is not based on the average of daily earnings.	Discuss legal requirement with the General Manager. Ensure the calculation for unused paid annual leave upon termination is based on the average daily earnings.		31
Sep-23	Compensation	Social Security and Other Benefits	The factory did not share any proof that last workers' pay slip was sent to OFATMA for sick leave and maternity leave payment.	Keep records of workers' pay slip sent to OFATMA for sick leave and maternity leave payment.	Workers' pay slip are sent to OFATMA on a regular basis.	8
Sep-23	Compensation	Social Security and Other Benefits	The employer collects and forward the workers' contribution to OFATMA. However, the payment were made late consistently.	Forward workers' contribution to OFATMA on time as required by law. Contributions to OFATMA should be submitted within the first 10 working days of the subsequent month.		109

Sep-23	Compensation	Social Security and Other Benefits	The employer consistently paid the required employers' contribution to ONA late.	Forward employers' contribution to ONA on time as required by law. Contributions to ONA should be submitted within the first 10 working days of the subsequent month.		109
Sep-23	Compensation	Social Security and Other Benefits	The employer pays employers' contribution to OFATMA. However, the payment were made late consistently.	Forward employers' contribution to OFATMA on time as required by law. Contributions to OFATMA should be submitted within the first 10 working days of the subsequent month.		109
Sep-23	Compensation	Social Security and Other Benefits	The employer forwards the workers' contribution to ONA consistently late.	Forward workers' contribution to ONA on time as required by law. Contributions to ONA should be submitted within the first 10 working days of the subsequent month.		109
Sep-23	Compensation	Social Security and Other Benefits	The employer did not forward 3 percent of workers 'salary to OFATMA for work-related accident insurance on time.	Forward 3 percent of workers 'salary to OFATMA for work-related accident insurance on time.		48
Sep-23	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings.	Discuss legal requirements with the General Manager and calculate the annual leave payment based on worker's average daily earnings.		8
Sep-23	Compensation	Overtime Wages	A review of the payroll showed that the overtime hours were not registered for the supervisors and the non-production workers such as mechanics and administrative staff.	Pay overtime hours to all workers as required by law.	Overtime hours are paid to all workers as required by law.	8
Sep-23	Compensation	Overtime Wages	A review of the payroll showed that the overtime hours were not registered for the supervisors and the non-production workers such as mechanics and administrative staff.	Pay overtime hours to all workers as required by law.	Overtime hours are paid to all workers as required by law.	8
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.		
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.	
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	

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.	
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	
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	
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.		
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.		
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.	
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.	
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.	
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.		
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	
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	

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	
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.		
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	
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.	
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.	
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.	
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.	
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.		
Aug-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as required by law.		
Aug-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff based on the total workforce.		
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.		
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.	
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.		
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.		

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.	
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.	
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.	
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.	
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 procedures		
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.		
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.		

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: Superior Sourcing
Location: Ouanaminthe
Number of workers: 1,616
Date of registration: Jan-20
Date of last two Better Work assessments: May-23

May-24

Advisory and Training Services

10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
1-Apr-24	Advisory services	Virtual meeting with the Compliance coordinator to explain the implications and changes that should be made in the factory payroll following the 3*8 law which is no longer in application, Follow-up on the training plan, session on the training monitoring plan. and OSH key performance indicators.
27-Mar-24	Industry Seminar	Virtual Supervisory Skills
26-Mar-24	Industry Seminar	Virtual Supervisory Skills
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
26-Feb-24	Advisory services	Virtual meeting to discuss the training plan for the year with the bipartite committee. Then, review and validate pending issues in the improvement plan.
26-Jan-24	Training	GBVH Introduction
26-Jan-24	Advisory meeting	Delivered Intro to GBVH training to 14 participants. The training lasted one hour.
16-Nov-23	Industry Seminar	Virtual Grievance Policy on Violence and Harassment
15-Nov-23	Advisory services	Virtual Advisory visit to discuss several issues such as: OSH policy and OSH investigation procedures, ONA and OFATMA payments, disciplinary procedures and First aid training.
25-Oct-23	Industry Seminar	Bipartite Committee
21-Sep-23	Advisory services	Meeting to conduct OSH tour, meeting with the bipartite committee to review and validate the improvement plan.
20-Sep-23	Industry Seminar	Human Resources Management (HRM)
13-Sep-23	Industry Seminar	ToT Problem Solving
8-Sep-23	Industry Seminar	Negotiation Skills
31-Aug-23	Industry Seminar	Industrial Relations
31-Jul-23	Advisory services	Advisory visit to update the factory about the new decree concerning the 3*8 law. Review and update the improvement plan
28-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigates monitors and measures OSH issues	Develop OSH performance indicators and have follow-up meetings with management on the indicators		46
May-24	Contracts and Human Resources	Employment Contracts	The factory's disciplinary and termination procedures does not include all the necessary steps..	Include the right to defend oneself prior to termination and to representation during the disciplinary process.		46
May-24	Working Time	Overtime	The factory did not obtain authorization from MAST before working on overtime.	Request prior authorization from MAST before working on overtime.		2

May-24	Working Time	Overtime	A review of attendance records revealed that several workers were found to have completed more than 80 hours overtime per trimester.	Inform all the department about the limit of overtime allow per trimester. Monitor the quantity of overtime hours worked with Production.	2
May-24	Working Time	Overtime	The factory did not obtain authorization from MAST before working on Saturday and Sunday.	Request prior authorization from MAST before working Saturday and Sunday.	2
May-24	Working Time	Regular Hours	A review of documents revealed that the factory had no prior authorization from MAST before working at night.	Request prior authorization from MAST before working at night.	2
May-24	Working Time	Regular Hours	The employer did not post the factory's working hours for all shifts, including break time in all buildings.	Post the factory's working hours for all shifts, including break time in all buildings.	2
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Discuss legal requirements with the General Manager. make updates to the internal regulations and the employment contract	2
May-24	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 system	2
May-24	Occupational Safety and Health	Emergency Preparedness	Source of ignition is not properly safeguarded. Rechargeable lamps wrapped in a piece of fabric which represents a fire hazard.	Train supervisors and workers about fire hazards and the need to report hazards.	15
May-24	Occupational Safety and Health	Emergency Preparedness	The floors need to be marked in several areas in one building. In addition, the evacuation plan needs	Update the evacuation map and Paint yellow lines on the floor to show the exit pathway.	46
May-24	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers were obstructed and another one was missing.	Mark on the floor space that should not be obstructed.	46
May-24	Occupational Safety and Health	Emergency Preparedness	The fire detection alarm system in building 2 is not functioning and one alarm switch was obstructed in building 1.	Have a fire detection and alarm system suitable for the factory conditions. Specify who is in charge of regularly checking its functioning and include this in the system of daily-weekly checks.	2
May-24	Occupational Safety and Health	Health Services and First Aid	First aids boxes are missing several items. Additionally, one first aid box was obstructed.	Equip first aid box and define responsibility for refilling.	2
May-24	Occupational Safety and Health	Health Services and First Aid	insufficient number of medical Staff.	Increase the number of medical staff.	46

May-24	Occupational Safety and Health	Welfare Facilities	The toilets did not have soap during working hours.	Provide soap dispenser and define who will check that soap is available all the time.		15
May-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets based on the quantity of workers as required by law.		46
May-24	Occupational Safety and Health	Working Environment	Workplace temperature exceed the recommended limit of 30C.	install additional fans and specify who is in charge of regular maintenance of the fans.		46
May-24	Occupational Safety and Health	Worker Protection	During the factory tour assessors found 17 chairs missing back rest.	Provide chairs with back rest.		2
May-24	Occupational Safety and Health	Worker Protection	Improperly labelled circuit breakers found in three electrical boxes.	Labelled all circuit breakers. Ensure that the factory electrician conduct more regularly checks.		15
May-24	Occupational Safety and Health	Worker Protection	10 percent of the single-needle and double needle machines were missing their finger guards.	Install all machine guards and develop a preventive maintenance plan.		2
May-24	Occupational Safety and Health	Worker Protection	The employer did not provide proper PPE for heavy lifting.	Provide worker proper PPE for heavy lifting.		2
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors did not observe any eye wash in the compressor room, where chemicals has been used.	Provide eye wash bottles and specify who will conduct regular checks of the functioning of the eyewash.	Management took corrective action during the assessment.	2
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS' were available for several chemical products used in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		46
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous products found in several areas of the workspace.	Define who control the chemical container on receipt from supplier and control the label.		46
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory does not list all the products used in the workplace.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		46
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an OSH committee.	1. Change the composition of the committee 2. Conduct regular meeting 3. Keep minutes of meetings		2
May-24	Contracts and Human Resources	Termination	The annual salary supplement or bonus did not include payment for weekly rest day,	Pay workers their annual salary supplement or bonus upon termination and include payment for weekly rest day in the calculation.		2

May-24	Contracts and Human Resources	Termination	The average salary used for the payment of unused annual paid leave upon termination does not include the payment for weekly rest day.	Pay workers their annual leave when they resign or terminated and include payment for weekly rest day in the calculation.	2
May-24	Contracts and Human Resources	Termination	Workers received proper notice of termination when they resign or terminated. However, the average salary used to do the calculation did not include payment for weekly rest day.	Pay workers their notice of termination when they resign or terminated and include payment for weekly rest day in the calculation.	2
May-24	Contracts and Human Resources	Employment Contracts	The Internal work rules Has not been approved by MAST.	Request Approval of the internal work rules from MAST.	46
May-24	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 workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	46
May-24	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for maternity and health insurance. However, the factory does not collect and forward workers' contributions to OFATMA.	Calculate workers' contribution to OFATMA on Workers' basic salary. Then collect and forward the contribution to OFATMA within the first 10 business days of the next month for the previous month.	46
May-24	Compensation	Social Security and Other Benefits	Employer's contributions to ONA are based on the minimum salary because money for production and allocation are not included in the calculation.	Calculate employer's contribution to ONA on Workers' basic salary. Then forward the contribution to ONA within the first 10 business days of the next month for the previous month.	46
May-24	Compensation	Social Security and Other Benefits	The Factory is affiliated with OFATMA for maternity and health insurance. At the time of assessment visit, the last recent payment for the employer's contribution was for March 2024.	Calculate employer's contribution to OFATMA on Workers' basic salary. Then forward the contribution to OFATMA within the first 10 business days of the next month for the previous month.	46
May-24	Compensation	Social Security and Other Benefits	Workers' deductions for ONA H are based on the minimum salary because money for production and allocation are not included in the calculation.	Calculate workers' contribution on Workers' basic salary. Then forward the contribution to ONA within the first 10 business days of the next month for the previous month.	46
May-24	Compensation	Paid Leave	A review of the payroll showed that the holidays are not paid on average daily salary to all workers.	Make adjustments in the Payroll system. Pay holidays on average daily salary to all workers.	2
May-24	Compensation	Paid Leave	The weekly rest day is not paid to workers who have accumulated 48 hours during the work week.	Pay the rest day when worker works for 48 hours or 6 consecutive days.	2

May-24	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 based on labor Code.	Pay the weekly rest day when worker works for 48 hours or 6 consecutive days and include the payment in the calculation of the average salary for maternity leave. The factory must ensure that worker entitled to maternity leave receives 12 weeks of payment.		46
May-24	Compensation	Paid Leave	Payment of sick leave is not accurate.	Pay the rest day when worker works for 48 hours or 6 consecutive days and include the payment in the calculation of the average salary for sick leave.		2
May-24	Compensation	Wage Information, Use and Deduction	A review of the payroll showed that the overtime hours were not registered for several workers on fix salary. Therefore, this category of employees were not compensated for overtime hours worked.	Register hours of overtime for the supervisors, workers on fix salary and the non-production workers such as administrative staff. Then, pay overtime hours worked as required by law.		2
May-24	Compensation	Overtime Wages	Assessors noted that overtime performed on weekly rest day were pay 50 percent above the normal overtime wage.	Make adjustments in the payroll system and ensure that overtime work hours performed beyond 6 PM for day shift are paid 100 percent above normal wage		2
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	Several articles of the collective are not implemented.	Implement all provisions of the collective agreement.		15
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 induction.		
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.		
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigates monitors and measures 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		
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.		

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.		
May-23	Contracts and Human Resources	Employment Contracts	The normal working hour in the Dominican contracts is different form the working time in the internal work rules.	Update the internal work rules.		
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		
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.	
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.	
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.	
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.	
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.		
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	
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	

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.	
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 basic. 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.	
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.		
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.	
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.		
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.		
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.		

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 all chemical products. Evidence has been shared.	
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 have a dedicated person or persons to be responsible to keep, update and manage their chemical inventory. The person should keep track of the chemical containers to ensure that they are properly labelled.		
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 have 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.	
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.		
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.	The factory needs to register for OFATMA maternity and health insurance as required by law. The factory needs to contribute 3% of workers' basic/ average daily salary to OFATMA. Contributions should be submitted monthly, with the first 10 working days of the current month, for the previous month's payment.		
May-23			The employer collects and forwards 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.		

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.		
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.		
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.		
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.		
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*8 law.	
May-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	Tee 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.		

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **Top Choice Apparel Corp**
 Location: **Ouanaminthe**
 Number of workers: **2,236**
 Date of registration: **Jan-20**
 Date of last two Better Work assessments: **May-23** **May-24**

Advisory and Training Services

10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
2-Apr-24	Advisory services	Virtual meeting with the HR staff and OHS officer to: Explain the implications and changes that should be made in the factory payroll following the 3*8 law which is no longer in application, Follow up on the training plan, and conduct a session on the training monitoring plan
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
4-Mar-24	Advisory services	Advisory visit with the HR manager and assistant manager to Explain BWH cycle and to review some of the policies that HR should focus on for the next 2 months.
22-Feb-24	Advisory services	Virtual Advisory visit to discuss the training plan with members of Bipartite committee. Meeting with the compliance team to review pending issues in the Improvement plan. Conducted a video tour to verify some OSH issues.
16-Nov-23	Industry Seminar	Virtual Grievance Policy on Violence and Harassment
15-Nov-23	Advisory services	Virtual Advisory visit to explain Better Works cores services process to the new HR manager and to discuss several NC points in the improvement plan. Meeting was held with representatives of the bipartite committees of both buildings.
25-Oct-23	Industry Seminar	Bipartite Committee
13-Oct-23	Industry Seminar	Virtual Leadership Skills
13-Oct-23	Industry Seminar	Virtual Intercultural Communication
22-Sep-23	Advisory services	To conduct OSH tour then meet with new bipartite committee of building. Meeting with union members and validate the improvement plan.
20-Sep-23	Industry Seminar	Human Resources Management (HRM)
13-Sep-23	Industry Seminar	ToT Problem Solving
8-Sep-23	Industry Seminar	Negotiation Skills
31-Aug-23	Industry Seminar	Industrial Relations

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE IMPROVEMENT PRIORITIES		REMEDATION EFFORTS	MONTHS
Assessment May 2023						
May-24	Contracts and Human Resources	Employment Contracts	No. The factory does not have an appropriate grievance handling and dispute resolution procedures.	Develop a grievance handling and dispute resolution procedures that includes communication of changes made or resolution, fair review and appeal process.		41
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an appropriate recruitment procedure.	Develop a recruitment procedure that includes: Hiring criteria that are applied equally to all job applicants.		41

May-24	Contracts and Human Resources	Employment Contracts	The factory does not have a disciplinary and termination procedure.	Include in the procedure a clear specification of unacceptable behaviors or performance.		41
May-24	Contracts and Human Resources	Employment Contracts	The employer does not properly investigate violations of HR policies and procedures	Develop an HR system performance indicator. Investigate violations of HR policies and procedures and review the procedures accordingly.		41
May-24	Contracts and Human Resources	Employment Contracts	The employer does not adequately communicate and implement HR policies.	Communicate and implement HR policies through : Induction training for workers and staff. Conduct staff training on how to carry out policies and procedures.		41
May-24	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 in local language.		41
May-24	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.	Develop an HR policy that is signed by top management and 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		41
May-24	Working Time	Leave	The factory did not provide 15 days of annual leave to all workers. They provided the payment for some days in place of annual leave.	Provide 15 days of annual leave to all mechanic workers.		
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST before working on overtime.	Request prior authorization from MAST before working on overtime.		2
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not investigate, monitor and measures OSH issues.	Conduct regular meeting with management to define and review Occupational safety target and performance.		41
May-24	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of workers were trained in fire-fighting equipment.	Train at least 10 percent of workers in fire-fighting equipment.		41

May-24	Occupational Safety and Health	Emergency Preparedness	Sources of ignition are not properly safeguarded.	Inform workers about fire hazards and the need to report hazards for correction.		2
May-24	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted on twice a year as recommended by Better Work.	Conduct at least 2 emergency drill per calendar year.		41
May-24	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in the sewing areas.	Provide additional space for storing goods and ensure that aisles are not obstructed.	The tables and boxes have been removed.	15
May-24	Occupational Safety and Health	Emergency Preparedness	One exit door was lock during work hours.	Provide instructions not to close the exit door in case of fire.	Management issued instructions and all the exit doors remain unlocked during working hours.	2
May-24	Occupational Safety and Health	Emergency Preparedness	The floor need to be repainted and evacuation maps need to be updated.	Update the evacuation map in Top choice 3- Paint evacuation arrows and signs in Top Choice 2.	The evacuation plan has been updated and the floor has been remarked.	2
May-24	Working Time	Overtime	Several workers accumulated more than 80 hours overtime during a trimester.	Ensure that overtime worked per trimester is less than 80 hours.		2
May-24	Occupational Safety and Health	Emergency Preparedness	Several fire extinguishers were not properly maintained.	Provide adequate firefighting equipment and ensure regular maintenance.		41
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST before working on Sunday.	Request prior authorization from MAST before working on Sunday.		2
May-24	Working Time	Regular Hours	Workers complain that they are not receiving the full amount of their salary because the punch system is	Have an accurate attendance recording system. Train workers on clock in / clock out procedure.		2
May-24	Working Time	Regular Hours	The working hours posted on the floors is not accurate.	Display the factory's working hours for all shifts.		2
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Change the regular daily or weekly hours to comply with the labor code.		2
May-24	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 than 10 percent of the workforce in first Aid.		41

May-24	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks for workers were present in worker's files.	Pay OFATMA work related accident including the CDS for the fiscal year 2023-2024. Request OFATMA to conduct the annual medical checks.		41
May-24	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 free medical checks for workers exposed to work-related hazards twice a year.		41
May-24	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 for work related accident and request the health cards within the first 3 months of hiring.		41
May-24	Occupational Safety and Health	Welfare Facilities	During interview workers said they never find soap in the toilets.	- Provide soap dispenser - Define who will check that soap is available and include this in the system of daily-weekly checks		2
May-24	Occupational Safety and Health	Working Environment	Insufficient lux level in several areas of the workspace.	Increase the lux level in Packing and sewing section to at least 500 lux.		15
May-24	Occupational Safety and Health	Working Environment	The temperature exceed Better Work recommended limit of 30 C.	Install additional fans in the workplace		2
May-24	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 expressed that workers have access to use the medical facilities of the industrial park.	Hire the required medical staff.		41
May-24	Occupational Safety and Health	Worker Protection	The factory did not provide any training records on the use of personal protective equipment, for supervisors and inspectors who used chemicals.	Develop an internal training plan and train all worker on the use of PPE.		2
May-24	Occupational Safety and Health	Worker Protection	Several chairs were missing back rest.	Provide chair with back rest.		2

May-24	Occupational Safety and Health	Worker Protection	Several sewing machines are missing eye guards, finger guards and belt guards.	Define who is in charge of installing and regularly maintaining the machine guards .		41
May-24	Occupational Safety and Health	Worker Protection	The employer does not provide all the necessary PPE to all workers.	- Consult the MSDS to see which PPE is required for each product - Provide proper PPE to workers working with chemicals.		31
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash station has been installed where chemicals are used and stored.	Provide eye wash bottles and specify who will conduct regular checks of the functioning of the eyewash.		41
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory did not provide training to all workers using chemical and hazardous products.	Train workers and supervisors on chemical management.		2
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area is not isolated and does not have the proper conditions to prevent unnecessary exposure of workers to chemicals.	Improve isolation from the chemical such as separate room for spot cleaning.		41
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS's are missing for several chemical and hazardous products.	. Keep chemical MSDS for all hazardous chemicals used in the workplace.		41
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical storage areas on both floors do not meet all safety requirements.	Train workers on proper storage of chemicals and specify who conducts regular chemical safety checks.		41
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous substances found in the workspace.	Define who control the chemical container on receipt from supplier and control the label.		41
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not send the report of work related accident to OFATMA monthly.	Record work related accidents and send them to OFATMA monthly.		41
May-24	Contracts and Human Resources	Termination	The annual salary supplement or bonus is not accurate.	Include payment for weekly rest day in the calculation of payment of annual salary supplement or bonus upon termination.		41

May-24	Contracts and Human Resources	Termination	The average salary for annual leave when worker resign or are terminated is not accurate.	Include the payment for weekly rest day in the calculation of unused paid annual leave when worker resign or terminated.		41
May-24	Contracts and Human Resources	Termination	The calculation of the payment for the notice period did not include payment for weekly rest day.	Include the payment for weekly rest day in the calculation of payment for the notice period.		41
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor and posted in the workplace.	Update the internal work rules and send it to MAST for approval.		41
May-24	Contracts and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor (MAST), as legally required.	Request approval for the apprentice contracts. make an amendment to workers' contracts to include all the information as stated in the labor code.		41
May-24	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.	Register with OFATMA for maternity and health insurance. Then, send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave		41
May-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers' contributions to OFATMA for maternity and health	Collect and forward workers' contributions to OFATMA for maternity and health insurance.		41
May-24	Compensation	Social Security and Other Benefits	The factory submits employer's contributions to ONA. However, ONA deduction are based on the minimum.	Forward employer's contributions to ONA on time. Moreover, ensure that ONA deduction is based on the basic salary including the weekly rest day payment.		41
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous substances does not the location where they are stored in all building.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		41
May-24	Compensation	Social Security and Other Benefits	The Factory is affiliated with OFATMA for maternity and health insurance. The last recent payment for the employer's contribution was made in November 2023.	Forward employer's contribution to OFATMA maternity and health insurance on time. Furthermore, ensure the calculation for the payment is based on the basic salary.		41

May-24	Compensation	Social Security and Other Benefits	ONA deduction are based on the minimum salary.	Calculate ONA deduction on the basic salary including money for production and allocation. Then, forward contribution on time.		41
May-24	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus did not include payment for weekly rest day.	Include payment for weekly rest day in the calculation of annual salary supplement or bonus.		41
May-24	Compensation	Social Security and Other Benefits	The factory did not provide any documents and the proof of payment for the fiscal year 2023-2024, for OFATMA work related accident insurance.	Pay OFATMA work related accident for the fiscal year 2023-2024.		41
May-24	Compensation	Paid Leave	A review of the payroll showed that the holidays are not paid on average daily salary to all workers.	Calculate holiday payment on average daily salary to all workers.		2
May-24	Compensation	Paid Leave	The factory does pay workers for the weekly rest day.	Pay the rest day when worker works for 48 hours or 6 consecutive days.		2
May-24	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.	Pay the rest day when worker works for 48 hours or 6 consecutive days and include the payment in the calculation of the average salary for the payment of maternity leave. The factory must ensure that worker entitled to maternity leave receives 12 weeks		41
May-24	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of unused paid annual leave does not include the payment for weekly rest day.	Include the payment for weekly rest day in the calculation of unused paid annual leave when worker resign or terminated.		41
May-24	Compensation	Paid Leave	Payments for sick leave are based on the minimum salary and did not include payment for weekly rest day.	Include the payment for the weekly day of rest in the calculation of the average salary for payment of sick leave.		41
May-24	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of the notice period does not include payment for weekly rest day.	Include the payment for weekly rest day in the calculation of payment for the notice period.		2

May-24	Compensation	Paid Leave	Payments for annual leave are based on the minimum salary and did not include payment for weekly rest day.	Include payment for weekly rest day in the calculation of annual leave.		2
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor and posted in the workplace.	Update the internal work rules and send the internal work rules to MAST for approval.		41
May-24	Compensation	Wage Information, Use and Deduction	Overtime hours were not registered for workers on fixed salary and the non-production workers.	Register overtime hours for the supervisors, workers on fixed salary and the non-production workers such as administrative staff and pay them in accordance with the law.		2
May-24	Compensation	Overtime Wages	Overtime work hours performed beyond 6 PM for day shift were paid 50 percent above normal wage instead of 100 percent.	Modify the payroll system and pay the overtime work performed beyond 6 PM for day shift were paid 100 percent above the normal wage.		2
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	The employer failed to implement all the provisions of the collective agreement.	Implement all the provisions of the collective agreement.		15
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		
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.		
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.		

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		
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.		
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		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have a 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		
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		

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		
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.		
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		
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.		
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		
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.		

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.		
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.		
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		
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.		
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.		
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		
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.		
May-23	Occupational Safety and Health	Emergency Preparedness	Improper Maintenance of fire extinguisher.	Inspect the fire extinguishers regularly and place the proper inspection tag.		
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.		
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.		

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		
May-23	Occupational Safety and Health	Health Services and First Aid		Management needs to discuss their needs CODEVI administration.	Management expressed that workers have access to use the medical facilities of the industrial park.	
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.		
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.		
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.		
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.		
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.		

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.		
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.		
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.		
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.		
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.	
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.		
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		
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.		

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.		
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.	
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.	
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.	
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	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
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		
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		

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.		
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.	
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.		
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.	
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.	
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 payment.	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.	
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.	

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: Uniwell Apparel, LLC.
Location: Ouanaminthe
Number of workers: 543
Date of registration: Jan-20
Date of last two Better Work assessments: May-23 May-24

Advisory and Training Services

26-Jun-24	Industry Seminar	Virtual Supervisory Skills
26-Mar-24	Industry Seminar	Virtual Supervisory Skills
26-Mar-24	Advisory services	Virtual meeting with the bipartite committee to validate pending issues and discuss about emergency preparedness. Verification of the payroll such as Overtime hours worked and holiday payment.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
23-Feb-24	Advisory services	Virtual meeting to conduct a session on role and responsibilities of the bipartite committee. Follow up on compensation and OSH internal assessment. Review and validate pending issues in the Improvement plan.
23-Nov-23	Advisory services	Factory tour to verify the changes in the layout and share recommendations2) Bipartite meeting on different priorities3) Documentations review such as training records, internal audit, chemicals inventory and accident reports
20-Sep-23	Industry Seminar	Human Resources Management (HRM)
13-Sep-23	Advisory services	Conduct a factory OSH tour with a focus on emergency preparedness, interview with OSH committee members to understand the root causes of Persistent OSH non compliance.
8-Sep-23	Industry Seminar	Negotiation Skills
31-Aug-23	Industry Seminar	Industrial Relations
28-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
27-Jul-23	Advisory services	Meeting to conduct a session with the compliance to review the action plan for Persistent non compliances and the improvements that have been made after the assessment. Meeting with the bipartite committee to validate the improvement plan. Conduct OSH tour on chemical management

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	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 and include measurable objectives and improvement targets in the ..		40

May-24	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 hierarchy of controls that is used to select effective controls- A risk register that drives the implementation of controls.		40
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an 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		40
May-24	Occupational Safety and Health	OSH Management Systems	Management did not define accountability and/or responsibilities for OSH officer as well as top management	- Appoint an OSH officer with sufficient expertise - Ensure effective functioning of the OSH committee		40
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate grievance handling and dispute resolution procedures.	Translate the procedure in local language and ensure it include anonymity.		40
May-24	Contracts 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.	review the policy to include :- The right to representation during disciplinary processes;- Timeframe for payments.		40
May-24	Contracts and Human Resources	Employment Contracts	The employer did not share evidence related to violations of HR policies and procedures.	Develop a procedure on HR system performance indicator.		40
May-24	Contracts and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include Induction all the necessary steps.	Provide Induction training for workers and staff. Post Policies and internal regulations in the factory.		40
May-24	Working Time	Overtime	A review of documents revealed that the factory had no prior authorization from MAST to perform overtime.	Request prior authorization from MAST to perform overtime.		2

May-24	Working Time	Overtime	A review of documents revealed that the factory had no prior authorization from MAST to perform overtime on Sundays.	Request prior authorization from MAST to perform overtime on Sundays.		2
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime. According to the law, only MAST can determine the necessity and approval for	Request prior authorization from MAST before working overtime.		2
May-24	Working Time	Regular Hours	The internal work rules are not aligned with the actual working hours.	Ensure the working hours are aligned with the internal work rules.		2
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Change the regular daily or weekly hours to comply with the labor code.		2
May-24	Occupational Safety and Health	Emergency Preparedness	Less 10 percent of worker in the use of firefighting equipment.	Train at least 10 percent of worker in the use of firefighting equipment.		40
May-24	Occupational Safety and Health	Emergency Preparedness	During the evaluation visit, the assessors noticed sources of ignition not properly safeguarded.	-Post appropriate safety warnings in the workplace. - Include this aspect in the daily-weekly checklist	Safety warnings has been posted around the workplace.	15
May-24	Occupational Safety and Health	Emergency Preparedness	During the factory tour, assessors observed that the floor needs to be remarked in the packing and warehouse area.	- Paint evacuation arrows and signs - Paint yellow lines on the floor to show the exit pathway		40
May-24	Occupational Safety and Health	Emergency Preparedness	Although the factory has enough fire extinguishers installed, the fire extinguisher on the forklift did not have any inspection tag.	Provide adequate firefighting equipment. Ensure regular maintenance.	All fire extinguishers have been inspected	40
May-24	Occupational Safety and Health	Health Services and First Aid	The number of workers trained in first aid is less than 10% as recommended by OSHA	Train at least 10 percent of workers in first Aid.		40

May-24	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.	Make a contract with a health care unit in the surroundings or Hire the required medical staff.		40
May-24	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Pay the health card to OFATMA for all workers and request medical checks for all workers.		40
May-24	Occupational Safety and Health	Health Services and First Aid	Workers interviews revealed that workers who have been exposed to work-related hazards did not receive two free health on a yearly basis.	Provide free health checks to workers who have been exposed to work-related hazards twice a year.		40
May-24	Occupational Safety and Health	Health Services and First Aid	Worker interviews revealed that employees did not receive health cards within the first three months of hiring.	Pay the health card to OFATMA for all workers and request medical checks for newly hired workers.		40
May-24	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.		40
May-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilet.	Increase the number of toilets based on the workforce as required by law.		40
May-24	Occupational Safety and Health	Worker Protection	The assessors observed 8 chairs found without back rest.	Provide chairs with backrest to workers.		2
May-24	Occupational Safety and Health	Worker Protection	During the factory tour, the assessors noticed exposed wires in the compressor	Insulate the exposed electrical wires.	The exposed wire has been removed.	2
May-24	Occupational Safety and Health	Worker Protection	70% of single needle machines are missing finger guards.	Define who is in charge of installing & regularly maintaining the machine guards.		2
May-24	Occupational Safety and Health	Worker Protection	Proper PPE is not provided to all workers.	Provide safety belt for workers doing heavy lifting in the cutting department.		40

May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	An eye wash station is not installed in all areas where chemical and hazardous products are used and stored.	Provide 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.	Eye wash bottles have been installed in the mechanic workshop.	40
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area lacks proper conditions to prevent workers from unnecessary exposure to chemicals.	1. Improve isolation from the chemical and have a separate room for spot cleaning 2. Repair the vacuum		40
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS is not available for all chemicals product.	Keep MSDS for all hazardous chemicals used in the workplace.		40
May-24	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.		40
May-24	Contracts and Human Resources	Termination	The employers pays workers their annual salary supplement upon termination. However, the calculation of the average earnings does not include the	Include the weekly rest day payment in the calculation for annual salary supplement upon termination.		2
May-24	Contracts and Human Resources	Termination	The calculation of the payment for unused paid annual leave upon termination does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation of unused paid annual leave when they resign or are terminated.		2
May-24	Contracts and Human Resources	Termination	The calculation of the average earnings for the applicable notice period when the time is not provided is not accurate.	Include the weekly rest day payment in the calculation of the notice period when the time is not provided.		2
May-24	Contracts and Human Resources	Employment Contracts	The factory has internal work rules, which have not been approved by the Ministry of Labor.	Translate the internal work rules in local language and send it to MAST for approval.		40
May-24	Contracts and Human Resources	Employment Contracts	Worker's contract does not comply with the labor code.	Review and update Worker's contract including the duration of the workday and the hours during which it must be		2

May-24	Compensation	Social Security and Other Benefits	The factory does not submit workers' pay slips to OFATMA for sick leave or maternity leave payments.	Submit workers' pay slips to OFATMA for sick leave or maternity leave payments.		40
May-24	Compensation	Social Security and Other Benefits	The employer is affiliated with OFATMA for maternity and health insurance. However, no proof of payment was shared with the	Register with OFATMA for maternity and health insurance. Then collect and forward the contributions monthly.		40
May-24	Compensation	Social Security and Other Benefits	The factory has not submitted the required employer contribution to ONA in 2023 and 2024.	Forward employer contribution to ONA for 2023 and 2024.		40
May-24	Compensation	Social Security and Other Benefits	The employer is affiliated with OFATMA for maternity and health insurance. However, no proof of payment was shared with the assessors.	Register with OFATMA for maternity and health insurance.		40
May-24	Compensation	Social Security and Other Benefits	The factory has not forwarded the workers' contribution to ONA in 2023 and 2024.	Forward workers' contribution to ONA on Time as required by law.		40
May-24	Compensation	Social Security and Other Benefits	The employer pays workers for annual salary supplement or bonus. However, the calculation does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation for annual salary supplement or bonus.		40
May-24	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for accident insurance and paid 50 percent of the fiscal year 2023-2024 including the health card (CDS).	Pay OFATMA work related accident on time for the fiscal year 2023-2024 including the health card (CDS).		40
May-24	Compensation	Paid Leave	Non working holiday payment is not based on the average earning but on the CODEVI's agreed minimum wage of reference.	Calculate the payroll for non working holiday on the average earning.		2

May-24	Compensation	Paid Leave	The weekly rest day is compensated, when workers accumulate 48 hours within five days or less.	Pay the rest day when worker works for 48 hours or 6 consecutive days.		2
May-24	Compensation	Paid Leave	The factory has only paid 6 weeks of maternity leave, whereas eligible workers are entitled to 12 weeks of paid leave.	Pay the rest day when worker works for 48 hours or 6 consecutive days and include the payment in the calculation of the average salary for maternity leave.		40
May-24	Compensation	Paid Leave	Sick leave payment is not paid on the average earning since it does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation of sick leave payment.		40
May-24	Compensation	Paid Leave	The annual leave calculation is not based on the average daily earning and does not include the weekly rest day.	Include the weekly rest day payment in the calculation of annual leave.		40
May-24	Compensation	Wage Information, Use and Deduction	Some employees were not compensated for overtime while they confirm to perform overtime.	Register hours of overtime for workers on fix salary and the non-production workers. Then, pay overtime hours worked as required by law.		2
May-24	Compensation	Premium Pay	Although the employer pays 50 percent above the normal wage on legally mandated holidays, the payment is based on the agreed basic salary and does not include production salary, incentives and weekly rest day payment.	Make adjustments in the payroll system and ensure that payment legally mandated holidays is based on the average salary and include production incentives.		2
May-24	Contracts and Human Resources	Termination	The employers pays workers their annual salary supplement upon termination. However, the calculation of the average earnings does not include the production salary.	Include the weekly rest day payment in the calculation for annual salary supplement upon termination.		2
May-24	Compensation	Overtime Wages	The employer does not pay workers 100 percent above the normal wage for overtime hours worked on legally mandated holidays.	Make adjustments in the payroll system and ensure that overtime hours worked on legally mandated holidays are paid 100 percent above normal wage.		2

May-24	Contracts and Human Resources	Termination	The calculation of the average earnings for the payment of unused paid annual leave does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation of unused paid annual leave when they resign or are terminated.		2
May-24	Compensation	Overtime Wages	Assessors noted that overtime performed beyond 6 pm, workers not paid the night time increase rate.	Make adjustments in the payroll system and ensure that overtime work hours performed beyond 6 PM for day shift are paid 100 percent above normal wage		2
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	The factory failed to implement some provisions of the collective agreement.	Implement all provisions of the collective agreement.		40
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	MSDS not available for all chemicals product.	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 arD92:D96eas where chemical products are used.	Install eye wash facilities were 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	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		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 ...	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	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	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		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 number of toilet.	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



Factory: **The Willbes Haitian 2A S.A.**
 Location: Port-au-Prince
 Number of workers: **1,218**
 Date of registration: Sep-10
 Date of last two Better Work assessments: Oct-22 Oct-23

Notes : Factory experienced several days of closures due to lack of materials. Security unrest made it difficult for them to receive and ship goods.

Advisory and Training Services

23-Apr-24	Advisory services	Meeting with PICC members on priorities. Members pointed out issues such as verbal abuses from supervisors and lack of communication during challenging times. Advisor will have a meeting with the HR managers so they can implement some changes.
12-Mar-24	Advisory services	Meeting with HR Managers on the priorities for the year. Factory faces several days of suspension due to the country situation. Managers fear about workers' security and shortage of raw materials.
01-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
08-Dec-23	Industry Seminar	Virtual Awareness on Convention 190 & Recommendation 206
28-Nov-23	Advisory services	Meeting with Management and Trade union on an social dialogue. Trade union members report an incident that happened with the HR manager. Senior management will follow up and address the situation.
16-Nov-23	Industry Seminar	Virtual Grievance Policy on Violence and Harassment
09-Nov-23	Advisory services	Meeting with the compliance team to train them on the PR1 and follow up on improvements. Meeting with the OSH committee on the responsibilities of the OSH committee. EA review 5 whys technique with members with practical example on their OSH monitoring tasks.
13-Oct-23	Industry Seminar	Virtual Leadership Skills
28-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
24-Jul-23	Advisory services	Meeting with the compliance team on the Improvement plan. There were very few updates. Compliance to share evidence of remediations. EA also explain regarding the 3x8 being amended and its implications.
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment October 2023						
Oct-23	Occupational Safety and Health	OSH Management Systems	The OSH policy is not signed by top management and does not establish measurable objectives and improvement	Ensure to have a OSH policy signed by top management.	Facility already has the OSH policy signed by top management.	20
Oct-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedures.	Develop an adequate hazard/risk management and control procedure.		20

Oct-23	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of that the employer investigates monitors and measures OSH issues.	Ensure to file evidence that management investigates and monitors 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	Facility performed OSH inspection on a monthly basis. files are kept.	20
Oct-23	Occupational Safety and Health	OSH Management Systems	Management has not assigned accountability at the level of OSH committee for carrying out Health and Safety	Ensure to assign accountability at the level of OSH committee for carrying out Health and Safety responsibilities.		20
Oct-23	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures are not adequate.	Include the missing elements in the disciplinary and termination procedures.		11
Oct-23	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and procedures.	Establish proper performance evaluation procedures and evidence of investigations for violations of HR policies and procedures to identify weaknesses and make necessary adjustments.		11
Oct-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Ensure that the medical staff can service the worker's needs.		135
Oct-23	Occupational Safety and Health	Welfare Facilities	During the assessment visit soap was not available in 2 buildings.	Ensure that soap is available in the restrooms.	Facility has provided soap, in the toilets, at all time.	11
Oct-23	Occupational Safety and Health	Welfare Facilities	Insufficient functioning toilets for women.	Ensure to have appropriate numbers of toilets for men and women.		50
Oct-23	Occupational Safety and Health	Working Environment	The level of lighting was insufficient in sewing and cutting sections.	Ensure that lux level are adequate in all section of the workplace.		58
Oct-23	Occupational Safety and Health	Working Environment	The temperature level exceeded 30C in several sections.	Ensure that the temperature levels do not exceed 30 C.		58
Oct-23	Occupational Safety and Health	Worker Protection	Standing mats were not provided to some workers in the inspection section. Also, several chairs were without backrest in another building.	Provide standing mats to workers in the inspection section and ensure that workers are provided chairs with backrests.	Standing mats and chairs with backrest are provided to workers.	28

Oct-23	Occupational Safety and Health	Worker Protection	Management did not provide ladder for the storage of boxes in the trim warehouse.	Provide ladder for the storage of boxes in the trim warehouse.	A ladder was provided to workers in the trim warehouse.	11
Oct-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors found machine oil without chemical safety data sheets in the chemical warehouse.	Ensure that all chemical used and stored in workplace have their MSDS.	Machine oil was provided with MSDS.	50
Oct-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors found unlabeled chemical containers in a toilet and the spot cleaning area of two buildings.	Ensure that all chemicals and hazardous substances are properly labeled.	All chemical containers are properly labeled.	50
Oct-23	Occupational Safety and Health	OSH Management Systems	Management did not provide a structural safety certificate, and assessors observed cracks in the chemical warehouse but could not verify the safety issues for workers.	Ensure to have the building structural safety certificate readily accessible.		11
Oct-23	Contracts and Human Resources	Termination	The annual leave payment upon termination is not calculated on the average daily earnings.	Ensure that annual leave upon termination is based on the average daily earnings.		28
Oct-23	Contracts and Human Resources	Employment Contracts	The internal work rules does not cover the break times, different categories of workers and their wages, date and time for wage payment.	Ensure that the internal work rules cover all categories of workers and their benefits.		28
Oct-23	Compensation	Paid Leave	Documentation as well as workers and management interviews revealed that workers are entitled to full payment of annual leave. Although the annual leave payment is calculated on worker's average salary, it is	Ensure that annual leave is based on the average daily earnings.		28
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.		

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		
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.		
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.		
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	

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	
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	
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		
Oct-22	Working Time	Regular Hours	The employer has not posted the factory's working hours for all shifts including break time	Post the working hours for all shifts on the factory floor.	Facility will ensure to post the working hours including the break time.	

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%	
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.	
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.	
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.	
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%	
Oct-22	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Have adequate number of nurses.		
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.		
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.		
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.		
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.		
Oct-22	Occupational Safety and Health	Working Environment	Temperature exceeded 30C in all working sections.	Keep the temperature level at 30C or lower.		

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.	
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.	
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.	
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.	
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.	
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.	
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.	
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.	
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.	
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.	

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.	
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	
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	

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	
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	

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.	
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	

Oct-22	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.	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.	
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	

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.	
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	

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: The Willbes Haitian S.A (HT-2B)
Location: Port-au-Prince
Number of workers: 445
Date of registration: Feb-18
Date of last two Better Work assessments: Aug-22 Sep-23

Advisory and Training Services

27-Jun-24	Industry Seminar	Virtual Supervisory Skills (SST)
23-Apr-24	Advisory services	Meeting with PICC members on current situation and its impact. OSH officers exposed difficulty to follow up on some tasks. Review of the OSH checklist.
1-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
8-Dec-23	Industry Seminar	Virtual Awareness on Convention 190 & Recommendation 206
6-Dec-23	Advisory services	Meeting with management to review the highlights of the year. EA reviewed the Improvement and asked compliance officer to follow up regarding the PR1. Factory will share proof of the remediations. Management asked regarding the annual leave payment and EA shared the recommendation based on article 148.
16-Nov-23	Industry Seminar	Virtual Grievance Policy on Violence and Harassment
9-Nov-23	Advisory services	Meeting to train compliance on the PR1 and follow up on improvements. Meeting with the OSH committee on the responsibilities of the OSH committee. EA review 5 Whys technique with members with practical example on their OSH monitoring tasks,
13-Oct-23	Industry Seminar	Virtual Leadership Skills
28-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
3-Jul-23	Advisory services	Meeting with the compliance team on the Improvement plan. Several are not updated. Compliance to share evidence of remediations. EA also explain regarding the 3x8 being amended and its implications.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment September 2023						
Sep-23	Occupational Safety and Health	OSH Management Systems	The OSH policy does not establish measurable objectives and improvement targets.	Update the OSH policy to include measurable objectives and improvement targets. Ensure that OSH policy is signed by the top management.	The OSH policy is signed by top management.	22
Sep-23	Occupational Safety and Health	OSH Management Systems	The factory lacks a hazard/risk management procedure that covers all the necessary elements.	Review the procedure and add the missing elements such as systematic identification, risk prioritization, control hierarchy, and a risk register.		22
Sep-23	Occupational Safety and Health	OSH Management Systems	Management did not show any evidence of investigating or monitoring OSH issues through tests, surveys, inspections, or system reviews.	Provide evidence of investigation and monitoring of OSH issues through regular tests, survey and inspections Logging and analysis of violations of procedures.		22

Sep-23	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.	Hold regular meeting and assign accountability at the level of the OSH committee for carrying out Health and Safety responsibilities. Ensuring effective functioning of the OSH committee.		22
Sep-23	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 on the disciplinary and termination procedures, such as: Timeframes for warnings and payments-Legal notice periods and termination payments		22
Sep-23	Contracts and Human Resources	Employment Contracts	Management did not have documented evidence of performance evaluation procedures nor any investigations for violations of HR policies and procedures.	Document and properly filed evidence of performance evaluation procedures or any investigations for violations of HR policies and procedures to identify weaknesses and make necessary		22
Sep-23	Occupational Safety and Health	Emergency Preparedness	One fire alarm trigger switch was not working properly.	Ensure that fire-fighting equipment are properly working.	Managed fixed the issue during the visit.	
Sep-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Ensure to have the adequate number of medical staff that can serve effectively the workforce.		65
Sep-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for the women.	Ensure to have the adequate number of toilet regarding the workforce as per the Labor Code.		65
Sep-23	Occupational Safety and Health	Working Environment	Light levels were inadequate.	Ensure that lux level is adequate in all section of the workplace.		65
Sep-23	Occupational Safety and Health	Working Environment	Workplace temperatures exceeding Better Work's recommended maximum of 30°C in all sections.	Keep the temperature level under 30 C.		65
Sep-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 chemical used and stored in the workplace.	The MDSS were placed where the chemicals are stored and used.	31
Sep-23	Occupational Safety and Health	OSH Management Systems	Management failed to provide a structural safety certificate, and assessors noted cracks in the chemical warehouse.	Provide the building 's structural safety certificate.		11
Sep-23	Contracts and Human Resources	Termination	The annual leave upon termination is not calculated based on the average daily earnings.	Calculate the annual leave upon termination based on the average daily earnings.		31
Sep-23	Contracts and Human Resources	Employment Contracts	The internal work rules is not adequate.	Update the internal work rules cover the break times and the different categories of workers in the workplace.		31

Sep-23	Compensation	Paid Leave	Annual leave is not calculated based on the average daily earnings.	Calculate the annual leave based on the average daily earnings.		31
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.		
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.		
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.		
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.		
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.		
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.		
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.		
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.		
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.	
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.		

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.	
Aug-22	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire adequate number of nurses.		
Aug-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for the women.	Increase the number of toilets according to the workforce.		
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.		
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.		
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.	
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.	
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.	
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.	

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	
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	

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 seek them starting in	
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.		
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	

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	
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	

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	
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	

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	
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	

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	
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 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	

BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: The WILLBES Haitian III S.A
Location: Port-au-Prince
Number of workers: 613
Date of registration: Sep-10
Date of last two Aug-22 Sep-23
Better Work

Notes : Factory experienced several days of closures due to lack of materials. Security unrest made it difficult for them to receive and ship goods.

Advisory and Training Services

23-Apr-24	Advisory services	Meeting with PICC members. The discussion was on verbal abuse by supervisors and Lack of communication.
12-Apr-24	Advisory services	Meeting with Managers on the priorities for the year. Factory faces several days of suspension due to the country situation. Managers fear about workers' security and shortage of raw materials.
01-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
08-Dec-23	Industry Seminar	Virtual Awareness on Convention 190 & Recommendation 206
06-Dec-23	Advisory services	Meeting with management to review the highlights of the year. EA review the Improvement and ask compliance officer to follow up regarding the PR1. Factory will share proof of the remediations. Management asked regarding the annual leave payment and EA share the recommendation based on article 148.
16-Nov-23	Industry Seminar	Virtual Grievance Policy on Violence and Harassment
09-Nov-23	Advisory services	Meeting with to train compliance on the PR1 and follow up on improvements. Meeting with the OSH committee on the responsibilities of the OSH committee. EA review 5 whys technique with members with practical example on their OSH monitoring tasks.
13-Oct-23	Industry Seminar	Virtual Leadership Skills
28-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
24-Jul-23	Advisory services	Review of the Improvement plan with management. Virtual factory with OSH and PICC representatives members to observe the remediation
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
21-Jul-23	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment September 2023						
Sep-23	Occupational Safety and Health	OSH Management Systems	The OSH policy is not signed by top management and does not establish measurable objectives and improvement targets.	Ensure that OSH policy is signed by the top management.	The Osh policy is already signed by top management.	22

Sep-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedures.	Include the missing criteria in the hazard/risk management and control procedure.		22
Sep-23	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of that the employer investigates monitors and measures OSH issues.	Keep the evidences of the test, survey and inspections Logging and analysis of violations of OSH procedures readily accessible for one's review		22
Sep-23	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.	Assign an OHS officer to be in charge of the committee and hold meeting on a monthly basis.		22
Sep-23	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures are not adequate.	Include the missing criteria in the disciplinary and termination procedures.		22
Sep-23	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and procedures.	Investigate violations of HR policies and procedures to identify weaknesses and make necessary adjustments.		22
Sep-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire sufficient staff medical to efficiently serve all the workers in the workplace.		142
Sep-23	Occupational Safety and Health	Welfare Facilities	Insufficient toilets for women.	Ensure to have the adequate number of toilet as prescribed by the labor code.		151
Sep-23	Occupational Safety and Health	Working Environment	The level of lighting was insufficient in several sections.	Ensure that lux level is adequate in all section of the workplace.		83
Sep-23	Occupational Safety and Health	Working Environment	The temperature level exceeded 30C in several sections.	Keep the temperature level under 30 C in all sector of the workplace.		58

Sep-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 chemical used and stored in the workplace.		84
Sep-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors found Chemicals such as K7M and Motor oil not properly labelled in the workplace.	Ensure that chemical and hazardous substances are properly labelled in the workplace.		73
Sep-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals is not accurate and missing items.	Keep the inventory of chemical accurate. Include the names and locations of all chemical products that are used in the factory.		63
Sep-23	Occupational Safety and Health	OSH Management Systems	Management did not provide a structural safety certificate, certifying the structure of the buildings meets the safety requirements for an industrial structure.	Provide the building's structural safety certificate.		11
Sep-23	Contracts and Human Resources	Termination	The annual leave payment upon termination is not calculated on the average daily earning.	Calculate the annual leave upon termination based on the average daily earnings.		36
Sep-23	Contracts and Human Resources	Employment Contracts	The internal work rules does not cover the break times, different categories of workers and their wages, date and time for wage payment.	Ensure that the internal work rules cover all the categories of workers in the workplace.		36
Sep-23	Compensation	Paid Leave	The annual leave payment is not calculated on the average daily earnings.	Calculate the annual leave based on the average daily earnings.		36
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.		

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.		
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.		
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.		
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.		
Aug-22	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and	Submit and record actions and procedures to investigate, monitor and measure violations of HR policies.		
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.		
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.		
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.	
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.	

Aug-22	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Have a number of nurse compatible with the workforce.		
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.		
Aug-22	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for women.	Have a sufficient number of toilets for women.		
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		
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.		
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.	
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.	
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.	
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	Provide foot rest or shock absorbing mats to all standing workers.	Shock absorbing mats were purchased.	
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.		

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.	
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.	
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.	
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.	
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	

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	
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	
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.		

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.		
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	
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.		

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	
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	

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	
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	

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	
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	

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	
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	
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		

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.		
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.		

Location: Port-au-Prince

Date of registration: Feb-18

Date of last two	Aug-22	Jul-23
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Better Work

28-Jun-24	Industry Seminar	Virtual Supervisory Skills
26-Jun-24	Industry Seminar	Virtual Supervisory Skills
21-Jun-24	Advisory meeting	Virtual meeting with HR team to work on compensation issues and update the improvement plan.
25-Jun-24	PICC Meeting	Meeting to review the progress and monitoring of the action plan Improvement of the working environment.
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
27-Mar-24	Industry Seminar	Virtual Supervisory Skills
26-Mar-24	Industry Seminar	Virtual Supervisory Skills
26-Mar-24	Advisory services	Virtual meeting with a summary of the last meeting, participation of the factory in Better Work training, current situations and changes made at the factory, payroll precisely payment for holidays.
26-Mar-24	PICC meeting	Virtual meeting with the bipartite committee to validate pending issues on the improvement plan. Meeting with the HR team to verify the payroll and employee contracts.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
23-Jan-24	Advisory services	Virtual OSH tour on emergency preparedness. Payroll Review such as ONA, OFATMA, BONI payroll, ANNUAL LEAVE payment.
8-Dec-23	Industry Seminar	Virtual Awareness on Convention 190 & Recommendation 206
16-Nov-23	Industry Seminar	Virtual Grievance Policy on Violence and Harassment
28-Oct-23	PICC Meeting	Meeting about support needed for new employees and process for obtaining OFATMA health card.
13-Oct-23	Industry Seminar	Virtual Leadership Skills
13-Oct-23	Industry Seminar	Virtual Intercultural Communication
13-Oct-23	Advisory services	Virtual meeting to conduct a session on the first progress Report. Verify Social security updates for Work related accidents. Verify if the manual attendance system is link to the payroll. Provide guidance on how to develop an emergency preparedness procedure.
30-Sep-23	PICC Meeting	Meeting on emergency preparedness procedure and risks identification in the factory.
28-Aug-23	Advisory services	Virtual OSH tour on chemical management, Meeting with the bipartite committee to identify the root cause of the last assessment findings. Meeting with the compliance team to present a manual attendance sheet, review the payment of Social security, discuss about the participation of the factory in BW trainings.
26-Aug-23	PICC Meeting	Meeting to discuss about the different problems faced by employees.
12-Jul-23	Advisory services	Virtual OSH tour on emergency preparedness. Session on Self diagnosis and meeting with management to review the Internal work rules and management systems.

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

Jul-23	Occupational Safety and Health	OSH Management Systems	During the assessment visit, management failed to provide the emergency preparedness procedure.	Develop a procedure on emergency preparedness that includes: Reporting fires and other emergencies.		30
Jul-23	Contracts and Human Resources	Employment Contracts	There is no evidence that the factory investigates or uncovers shortcomings in Human Resource performance followed by a change in practice or procedure.	Develop a procedure on HR performance indicators.		11
Jul-23	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.	The factory use a manual attendance system with workers' signature.	42
Jul-23	Occupational Safety and Health	Emergency Preparedness	The assessors noticed source of ignition not properly safeguarded. Wires plug directly into an outlet in the mechanic shop.	Install electrical connector and add this aspect in the daily or weekly checks. Develop a proper procedure on emergency preparedness.	The Wires have been removed.	11
Jul-23	Occupational Safety and Health	Emergency Preparedness	Assessors observed that there is no fire extinguisher in the diesel stock area.	Install a fire extinguisher in the Diesel stock area. Add this aspect in the daily or weekly checklist.	A Fire extinguisher has been installed and the weekly checklist has been updated	80
Jul-23	Occupational Safety and Health	Health Services and First Aid	Medical staff is not available.	Hire the required medical staff.		11
Jul-23	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Install additional light Develop a preventive maintenance plan.		11
Jul-23	Occupational Safety and Health	Working Environment	Workplace temperatures exceed Better Work recommended temperature 30 C or below.	Take action to reduce the temperature such as opening in the roof, water curtain, additional fans.		80
Jul-23	Occupational Safety and Health	Working Environment	Noise levels are unacceptable in the workplace.	1. Noise level should not exceed 90 dba for workers exposed to noise 8 hours/day. 2. Measure again the noise level & compare with threshold value		11
Jul-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 staff members responsible for updating inventories of hazardous substances in the various locations where they are stored or used.		84

Jul-23	Occupational Safety and Health	Chemicals and Hazardous Substances	During factory tour, assessors found 1 container with no labelling indicating chemical classification, hazards and safety precautions.	Define who control the chemical container on receipt from supplier and control the label.		42
Jul-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.	Request a structural safety certificate from the city council or an Engineer firm.		11
Jul-23	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor. However, management shared with assessors a copy the internal work rules sent to MAST for proper authorization.	Develop an Internal regulation and send it to MAST for approval.	The Internal work rules is sent to MAST for approval and it has been approved.	11
Jul-23	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for accident insurance (Art 25 Annexe VIII code du travail), and they have paid late. The factory's management did not share the salary statement sent to OFATMA for fiscal year 2022-	Have an agreement with OFATMA regarding the payment process. Keep records of the salary statement sent to OFATMA and proof of payments.	The factory reached an agreement with OFATMA to pay its debts in several instalments.	42
Jul-23	Compensation	Wage Information, Use and Deduction	A review of the working time records and interviews with workers revealed that only the management is responsible for clocking employees in and out, without any verification by the workers themselves.	Install an operational electronic punch system. Attendance record and payment must be consistent.	The factory has developed a daily attendance checklist that is reflected in the payroll.	11
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.		
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.		
Aug-22	Working Time	Regular Hours	The attendance record is not accurate.	Have an accurate attendance recording system.		
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.		
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.		

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.	
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.	
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.	
Aug-22	Occupational Safety and Health	Welfare Facilities	Water test is not conducted monthly.	Defines who organize monthly test about the quality of the drinking water. Keep result of the water test.		
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.	
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		
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.		
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	The factory displayed the MSDS	
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.		
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.		
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.		

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.		
Aug-22	Occupational Safety and Health	OSH Management Systems	The factory does not conduct regular assessments of general occupational safety and health.	Conduct an OSH assessment on a monthly basis in consultation with workers' representative.	The factory started to record general OSH reports since the last assessment visit.	
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	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	
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 leave upon termination.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	
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.	
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.		
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	
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	
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	

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	
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.	
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.	
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' pay slip to OFATMA.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer	
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.	
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' pay slip to OFATMA	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	
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	

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