

Better Work Haiti: Garment Industry 3rd Biannual Synthesis Report Under the HOPE II Legislation

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List of Acronyms

CP	Compliance Point
CTMO-HOPE	Commission Tripartite de Mise en œuvre de la loi HOPE (Tripartite HOPE Commission)
EA	Enterprise Advisor
HELP	Haiti Economic Lift Program
HOPE	Haitian Hemispheric Opportunity Through Partnership Encouragement
MoLSA	Ministry of Labour and Social Affairs
OFATMA	Office d'Assurance de Travail, de Maladie et de 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
PICC	Performance Improvement Consultative Committee
PPE	Personal Protective Equipment
TAICNAR	Technical Assistance Improvement and Compliance Needs Assessment and Remediation

Section I: Introduction and Methodology

1.1. Structure of the report

This is the third report to be produced by Better Work Haiti in the framework of the HOPE II legislation. The objective of the report is to describe the labour compliance performance of factories participating in the Better Work Haiti programme, including changes in compliance with international labour standards and with national labour law since the publication of the first Biannual Report under the HOPE II Legislation published on 16 October 2010.

The first section of this report gives an overview of the HOPE legislation and the origin of the Better Work programme in Haiti. This section also includes an explanation of the Better Work methodology, including the reports produced in the framework of the Better Work programme and the HOPE legislation.

The second section of the report outlines the compliance assessment findings from the third round of factory assessments conducted between June and September 2011. This section also includes the compliance effort, presenting the changes in compliance from the previous assessment cycle to the current one.

The third section of the report describes Better Work Haiti advisory and training services in the period April to October 2011.

The fourth section of the report outlines the priorities of the Better Work Haiti programme in the upcoming months. Finally, the last section of the report describes the efforts made by the factories to correct the compliance needs identified in the Better Work Haiti compliance assessments. As required by the HOPE II legislation, information provided for each of the participating factories includes: the compliance needs for each compliance cluster and each compliance point; the improvement priorities; efforts made by the factory to remedy the compliance needs as verified in the third assessment visit; and with respect to non-compliance areas that have not been remediated, the amount of time that has elapsed since the first public report.

1.2. Context

The HOPE II legislation and the TAICNAR project

The United States Congress enacted the HOPE II legislation in 2008 to enable the Haitian textile and garment industry to benefit from customs exemptions and establish a new programme for strengthening and monitoring working conditions in the textile and garment sector.

The HOPE II legislation allows for duty-free entry into the United States for a limited number of garments imported from Haiti, provided that 50% of the value of the goods and/or the costs of processing the garments originates in Haiti, the United States, or another country that has a free-trade agreement with the United States. This percentage increases to 55% in the fourth year and 60% in the fifth year of HOPE II implementation.

In order to benefit from HOPE II, 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 International Labour Office (ILO), to develop a programme to assess and promote compliance with core labour standards and national labour law in the factories that enjoy tariff advantages under HOPE II. This was referred to in the legislation as the *Technical Assistance Improvement and Compliance Needs Assessment and Remediation Programme* (TAICNAR). Finally, Haiti needed to develop a mechanism for ensuring that all producers benefiting from the HOPE II trade preferences participated in the TAICNAR programme.

There are two components to the TAICNAR programme. The first of these consists of technical assistance to strengthen the legal and administrative structures for improving compliance in the industry. The scope of these services is extensive, encompassing technical assistance from the ILO in reviewing national laws and regulations to bring them into conformity with international standards, raising awareness of workers' rights, and training labour inspectors, judicial officers and other government personnel. The second element of the TAICNAR programme focuses on assessing compliance with core labour standards and national labour law, supporting remediation efforts, and publicly reporting on progress each factory on the Labour Ombudsman's register.

To encourage compliance with core labour standards and national labour law, the legislation indicates that preferential treatment may be withdrawn from producers not making sufficient efforts to come into compliance with the core labour standards and national labour law over time.

Better Work Haiti is implementing the TAICNAR programme in collaboration with the HOPE II Commission, a presidential tripartite commission comprising three members of the Haitian government, three members of the private sector and three members of the workers' organizations. It is supervised by a President and guided by an Executive Director and a consultant. As of August 2011, the HOPE II Commission serves as Better Work Haiti's Project Advisory Committee.

There are no external factors currently restricting the implementation of the Better Work Haiti programme. Nonetheless, since Michel Joseph Martelly was elected as President in the November 2010 elections, no new government has been put into place. This situation, without jeopardizing the implementation of the Better Work Haiti programme, slows it down as there is no clear vision or leadership from the Minister of Labour and Social Affairs.

Freedom of association in the Haitian garment industry

On 15 September 2011, a new trade union, SOTA, was created by a group of garment workers in Haiti, with the support of Batay Ouvriye, a local trade union organization that advocates for workers' rights and protection and for social justice. Batay Ouvriye has already been supporting its enterprise-level affiliate SOKOWA at CODEVI, which until recently was the only trade union in the Haitian garment sector. During the week of September 26, six trade union Executive Secretariat members of SOTA, who are also full-time workers, were fired in three different factories in Port-au-Prince.

Better Work is very concerned about the situation and has been following the events closely. Better Work is strongly aware of the need to keep an open door for dialogue with all constituents. Consequently, it will conduct a fact-finding exercise in the factories involved in order to better understand the situation. Given the importance of the garment sector for the country's economy as a whole, it is in the interest of all stakeholders that these conflicts are resolved quickly and justly, and that national law and international standards regarding freedom of association are respected by all parties in the future.

1.3. The Better Work compliance assessment methodology

Better Work compliance assessment framework

The Better Work programme assesses factory compliance with core international labour standards and national labour law. Following assessments, a detailed report is 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 Member States to respect and promote these principles and rights in four areas, whether or not 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 programmes in various countries.

National labour law: The remaining four clusters refer to standards set in national legislation, and therefore vary from one country to another. These categories cover compensation, contracts and human resources, health and safety at work and working time.

Each of the eight categories is divided into key thematic components called “compliance points” (CPs). These thematic subsections remain the same for assessments in all country programmes. However, each compliance point comprises specific questions, which may vary from one country to another. The detailed list of compliance points for each of the clusters is shown in Table 1.

The compliance assessment tool includes internal guidance notes that indicate the applicable legal standard by which to evaluate compliance. Where legal standards do not provide sufficient clarity to assess compliance internal guidance has been developed to ensure consistency in reaching compliance decisions.

Table 1: Better Work compliance assessment framework

	Compliance clusters		Compliance Points
Core Labour Standards	1	Child labour	1. Child Labourers 2. Unconditional Worst Forms 3. Hazardous Work 4. Documentation and Protection of Young Workers
	2	Discrimination	5. Race and Origin 6. Religion and Political Opinion 7. Gender 8. Other Grounds
	3	Forced Labour	9. Coercion 10. Bonded Labour 11. Forced Labour and Overtime 12. Prison Labour
	4	Freedom of Association and Collective Bargaining	13. Union Operations 14. Interference and Discrimination 15. Collective Bargaining 16. Strikes
Working	5	Compensation	17. Minimum Wages 18. Overtime Wages 19. Premium Pay

		20. Method of Payment 21. Wage Information, Use and Deduction 22. Paid Leave 23. Social Security and Other Benefits
6	Contracts and Human Resources	24. Employment Contracts 25. Termination 26. Discipline and Disputes 27. Contracting Procedures
7	Occupational Safety and Health	28. OSH Management Systems 29. Chemicals and Hazardous Substances 30. Worker Protection 31. Working Environment 32. Health Services and First Aid 33. Welfare Facilities 34. Worker Accommodation 35. Emergency Preparedness
8	Working Time	36. Regular Hours 37. Overtime 38. Leave

Calculating non-compliance

In public synthesis reports, Better Work reports on aggregate non-compliance in the participating industry as shown in Chart 1. Non-compliance is reported for each subcategory (compliance point - CP) of the eight main labour standards clusters. A factory is found non-compliant in a subcategory if they are found to be out of compliance on any one aspect of it. 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 non-compliance rate is not sufficient to fully describe the specific issues that Enterprise Advisors have observed during the assessments. Tables presenting non-compliance findings at a more detailed level are also presented in Section II (see “In Focus” tables). These tables allow the reader to fully appreciate the specific challenges in compliance identified in factory assessments. In Focus tables report the number of factories found to be non-compliant with respect to each highlighted question.

Better Work occasionally adjusts the approach used to assess issues covered in the compliance assessment tool. These adjustments typically are made to address issues raised during consultations with ILO experts or in discussions with stakeholders, including the Ministry of Labour and Social Affairs. Some of the changes in non-compliance levels seen in this report arise from these adjustments in approach. These cases are clearly identified in the text of this report.

Better Work and public reporting

The Better Work programme supports fair and transparent public reporting. In all Better Work country programmes, synthesis reports on the industry are prepared on the basis of the individual factory assessment reports and published twice a year. Evidence shows that public reporting of this kind helps encourage continuous improvement and reduces the probability of reversing compliance gains. Gathering and reporting these data over time enables factories to demonstrate their efforts to improve working conditions.

The first Better Work Haiti synthesis report was published in July 2010. It featured aggregated compliance information based on factory assessments conducted by the programme between October and December 2009. In October 2010, Better Work published a second report, which met the requirements of the HOPE II Legislation (see SEC 15403 (D) *Biannual Report* on the HOPE II

legislation in Annex 1). In April 2011, Better Work published a third report, which met the requirements of the HOPE II Legislation as mentioned above.

The current report and all subsequent reports will include both aggregated industry compliance data as well as detailed factory-level analysis of compliance needs, the priorities for remediation identified by the factory and the efforts actually made to remedy the compliance needs.¹

¹ Reports produced under the HOPE II legislation differ in two ways from Better Work public reporting elsewhere: they include (1) factory names and compliance information from the first assessment (other Better Work country programmes name factories after 1 year of engagement and 2 assessments); and (2) more details on compliance needs and factory remediation efforts.

Section II: Findings

2.1. Compliance Assessment Findings (3rd round of assessments)

Non-compliance rates

Chart 1 presents non-compliance findings for the 23 assessed factories in Haiti, showing non-compliance rates as well as the number of factories in non-compliance in brackets. Many improvements have been made to address specific non-compliance issues raised in the second Biannual Report in April 2011. These are demonstrated in Chart 2 showing the compliance effort, i.e. the changes in compliance rates from the last to current assessment visit. The individual factory tables in Section V also reflect the significant improvements that have been taking place.

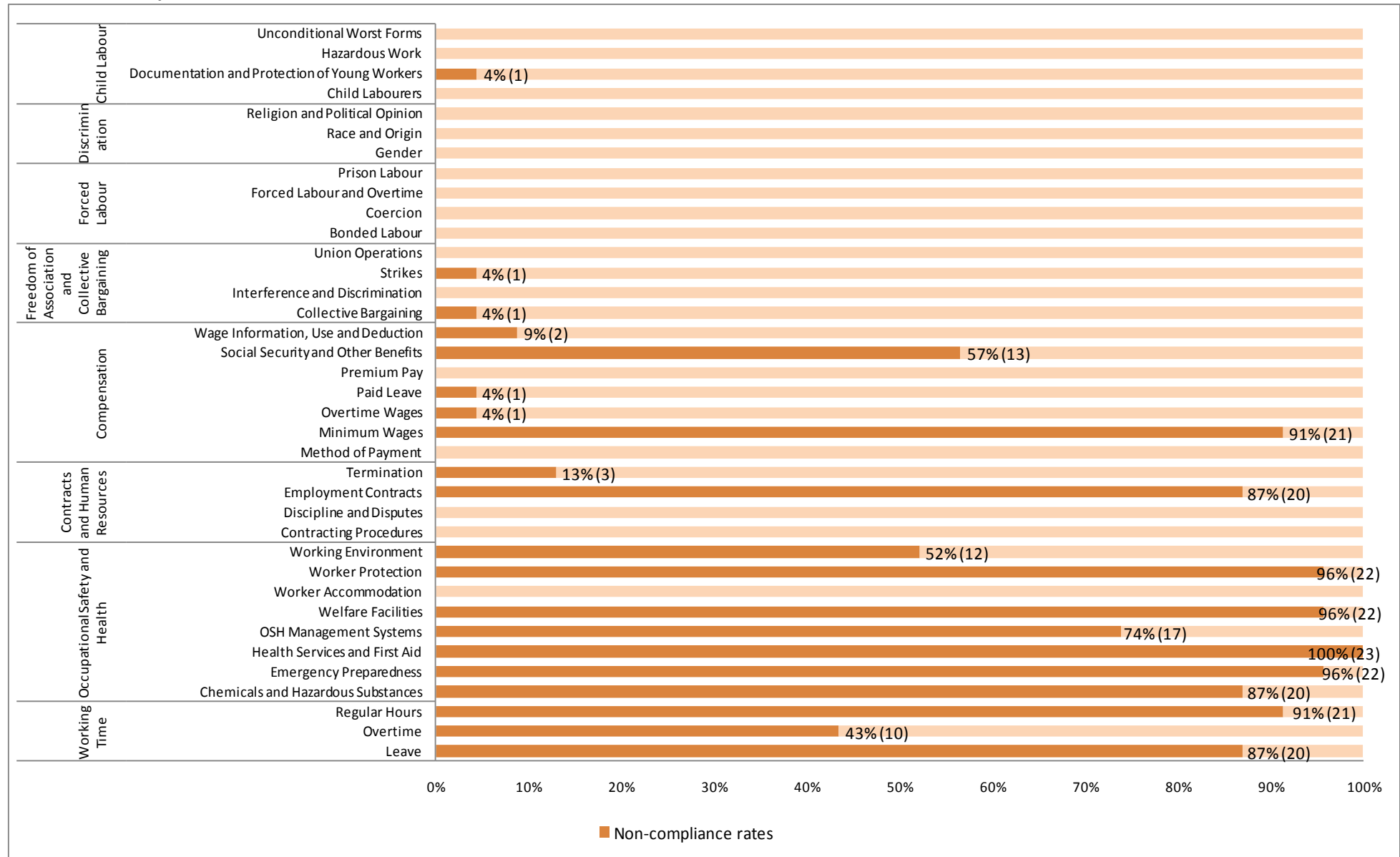
It is important to highlight that certain issues remain very difficult to assess and verify independently. In particular, the following issues are especially relevant to the Haitian context.

First, it is difficult to identify sexual harassment in the workplace. Unwanted behaviours of a sexual nature may often not be perceived as sexual harassment by workers and therefore may not be reported. Also, cultural perceptions of sexuality may influence the way in which sexual harassment is identified. Furthermore, due to the sensitive nature of the issue, workers experiencing sexual harassment are often reluctant to report it due to fear of stigma or retaliation.

Second, there are limitations in the assessment of freedom of association. Compliance with the right to organize is not measured by the presence or absence of unions in the factory. Indeed, a worker may have the freedom of joining a union but may choose not to do so. In Haiti, however, the lack of access by trade unions to the factories may limit workers' exercise of freedom of association. Better Work Haiti is also aware of allegations of interference with and discrimination against workers wishing to create a union in garment factories reported by national and international trade unions as well as by Haitian NGOs. Better Work Haiti is committed to working together with stakeholders to develop a conducive environment for freedom of association.

Non-compliance as revealed by Better Work Haiti's assessments remains concentrated in the clusters of Occupational Safety and Health, and Working Time.

Chart 1: Non-compliance rates³



³ A factory is found non-compliant in a compliance point if it is found out of compliance on any one aspect of it.

2.2. Compliance effort

Chart 2 presents the compliance effort achieved in the reporting period, i.e. the percentage point changes in non-compliance for each CP between the last public synthesis report and the present one². Compliance effort refers only to the factories that were registered with Better Work Haiti in both reporting periods.

A positive compliance effort signifies an improvement in compliance. A 0% compliance effort means that there has been no change in non-compliance. A negative bar means that non-compliance has increased.

As shown in Chart 2, there have been significant improvements between the second and third Better Work Haiti assessment rounds. In particular, all previously identified issues related to discrimination, which pertained mainly to recruitment materials, have been resolved and there are no longer non-compliances in this cluster. This finding does not necessarily suggest that there may not be cases of gender discrimination, such as unreported sexual harassment, which as discussed above is a highly sensitive issue that is difficult to assess. Improvements have been observed in other core labour standards such as Child Labour and Forced Labour.

OSH remains a focus for Better Work Haiti, and Enterprise Advisors (EAs) were trained prior to this reporting period on how to more effectively assess for OSH issues and systems in factories. Improvements in compliance were noted in OSH Management Systems, following guidance to factories on the establishment of written OSH policies and OSH Committees. Positive compliance effort was also seen in the area of Welfare Facilities, with factories' efforts concentrated on repairs of deficient toilets, as well as the establishment of eating areas to accommodate all workers, including the introduction of shift lunch breaks if the eating area was too small to accommodate all workers at one time. These two subjects were specifically addressed in the OSH advisory meetings that the EAs facilitated in the factories. In terms of Worker Protection, despite factories undertaking significant efforts to provide personal protective equipment (PPE), which have been praised by workers, non-compliance rates have increased. Not all workers have received PPE, and many have not been trained on the use of the equipment.

Going forward, BWH will focus on establishing effective worker-management communication to help drive the change process, as much of OSH non-compliance rests with both managers and workers addressing the issues together. A key instrument of this effort will be the establishment of Performance Improvement Consultative Committees³ (PICCs), enterprise-level advisory committees whose goals are to (1) help bring the enterprise into compliance with Haitian labor law and core international labor standards and (2) improve workplace cooperation. This

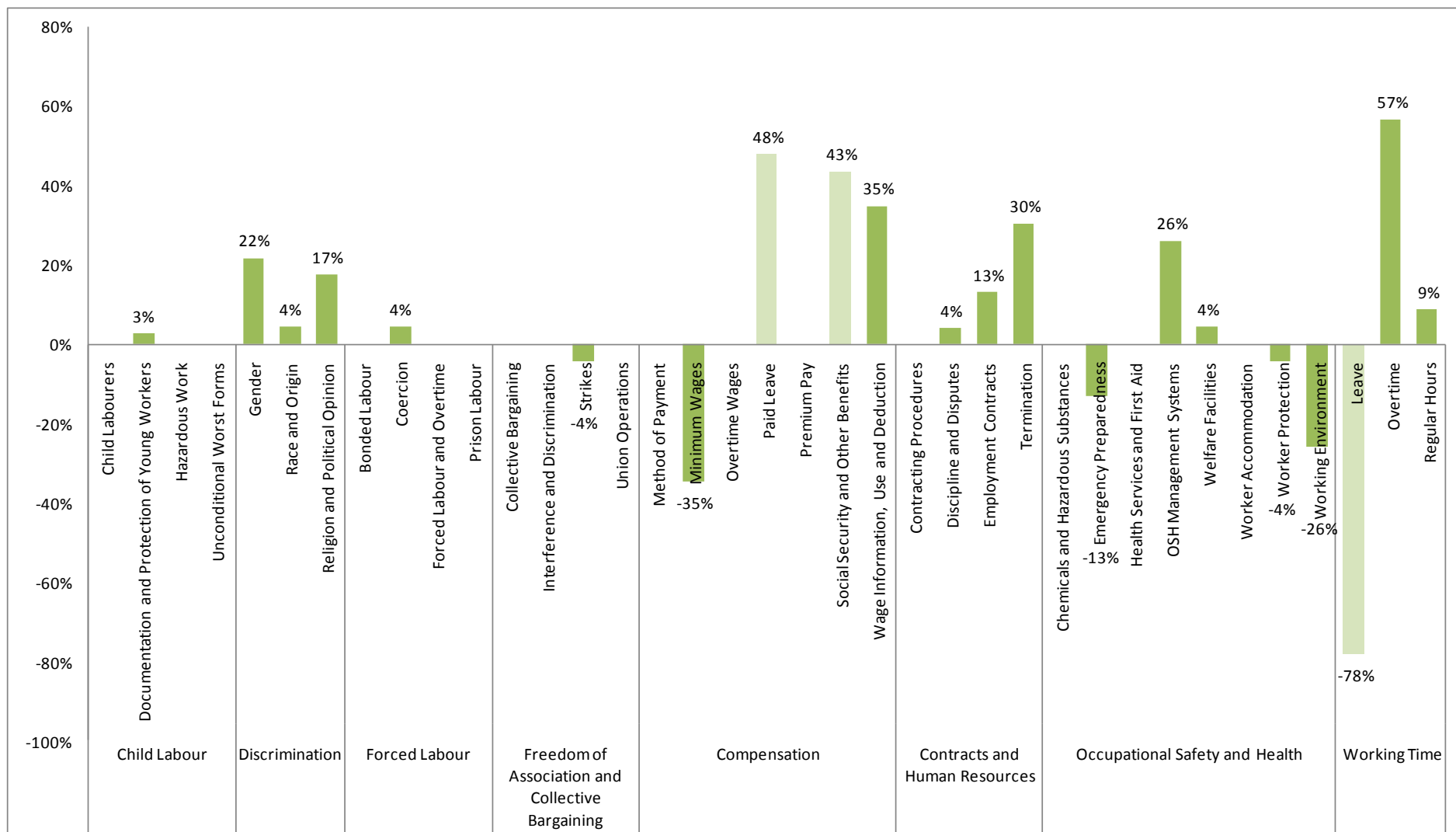
² It must be noted that, as the compliance effort is an aggregate indicator for all factories that have been assessed at least twice by Better Work Haiti, it is sensitive to simultaneous changes in non-compliance. For example, if a factory moves from being non-compliant to compliant and another factory that had no non-compliance findings now is non-compliant in the same CP, the two would level each other out with no change in compliance effort.

committee comprises an equal number of management and worker representatives and is the key vehicle through which Better Work Haiti works with participating factories on improvement activities. For more information regarding the formation of the PICCs in Haiti, please refer to section 3.1. Better Work Advisory Services.

In the area of Compensation, the following issues emerge:

- **Minimum Wages:** Non-compliance has risen by 35%. This change in non-compliance is in some cases due to the fact that Better Work Haiti is no longer considering changes in the style of the product being produced as a justification for workers not reaching 250 Gourdes per day based on their piece-rate earnings. In addition, due to the fact that the minimum wage level had increased shortly prior to the 2nd round of assessments (October 2010), Better Work Haiti had allowed for a certain degree of leeway in assessing the number of workers achieving the production target. By the time of the most recent round of assessments, the 250 Gourdes level had been in place for nearly a year, so Better Work Haiti expected all eligible workers to be earning this level of piece-rate efficiency.
- **Paid Leave:** This CP shows a dramatic compliance effort of 48%. However, this is mainly due to a change in the Better Work Haiti guidelines in assessing the correct payment of workers during breastfeeding breaks. Though the issue was previously assessed as a Paid Leave non-compliance, it is now captured in the Leave CP under Working Time (which indeed saw a negative change in compliance of –78%).
- **Social Security and Other Benefits:** Similarly, this positive compliance effort (43%) is due to a change in Better Work Haiti assessment guidelines. In the previous report, Better Work found all employers in non-compliance with the contributions to the maternity and health insurance system provided by OFATMA. However, as the insurance system is not fully functioning, in the present report Better Work Haiti determines compliance on this issue based on whether the employer collects, forwards and pays contributions for workers who explicitly ask to enrol in the maternity insurance programme, which currently is voluntary. This explains the drop in non-compliance.

Chart 2: Compliance effort



* Lighter-shaded bars represent compliance effort that is partly or entirely due to changes in Better Work assessment guidelines.

2.3. Detailed Findings

1. Core labour standards

A. CHILD LABOUR

There is one non-compliance finding in this category, related to Documentation and Protection of Young Workers. One factory was found to not have a sufficiently robust system for verifying the age of workers prior to hiring.

B. DISCRIMINATION

There are no non-compliance findings in this category. All issues related to discrimination that were identified in the previous synthesis reports, particularly in recruitment materials, have been addressed and resolved. This notwithstanding, instances of discrimination, particularly referring to gender and sexual harassment, may still occur. Better Work Haiti is committed to ensure that these issues, if present, get reported. However, there are several hurdles such as the difficulty of identifying sexual harassment in the workplace; underreporting by workers due to stigma, retaliation and lack of awareness; and the fact that cultural perceptions of sexuality may influence the way in which sexual harassment is identified.

C. FORCED LABOUR

There are no non-compliance findings in this category. The coercion cases reported in the previous report have been addressed quickly upon strong advice from Better Work Haiti to remediate immediately. EAs are monitoring to ensure the remediation actions are long lasting.

D. FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING

In the cluster of Freedom of Association and Collective Bargaining, two non-compliance findings were found. The first finding is in Collective Bargaining. In the Haitian garment industry, only one factory, CODEVI, has a collective bargaining agreement. A supplement to this collective bargaining agreement provides⁴ for daily regular working hours of 6:30–11:00am and 11:45am–4:30pm, Monday to Friday. Therefore, under the CBA, regular working hours are 9.25 hours per day, five days per week, totalling 46.25 hours per week. The 9.25-hour workday runs counter to Art. 96 of the Haitian Labour Code, which limits the workday to 8 hours per day.

In the Strikes compliance point, there is a non-compliance finding related to one employer punishing workers for participating in a strike. The strike occurred in May 2011. It was considered illegal under Haitian Labour Law because it lasted longer than 1 hour, there was no 48-hour notice and some

⁴ The CBA has not been subject to legal review by the government of Haiti. Following the assessment, Better Work Haiti has discussed the issues relating to the CBA with the factory during advisory services. Management has stated that the factory will apply the CBA in a manner that is consistent with the labour law, paying overtime rates for all hours worked beyond the regular hours specified in the labour law.. Better Work Haiti will continue to focus on this issue during advisory services, as well as during the subsequent assessment.

participants in the strike threw stones at the factory windows. Some of the provisions that made the strike illegal are not consistent with international labour standards. As a result, about 140 workers were terminated. The strike lasted 12 days. Although present, police officers did not intervene, nor did they interrupt the strike. The workers in question are pursuing legal remedy. Better Work Haiti will follow the situation closely.

Although no non-compliance findings are cited in the current report under Union Operations, Better Work Haiti notes very significant challenges related to the rights of workers to freely form, join and participate in independent trade unions in the garment industry in Haiti. The Enterprise Advisors investigated this cluster more in depth with the workers trying to understand why factories in Port-au-Prince are not unionized. Depending on the age of workers, the reasons for lack of unionization seem to be different. On one hand, many young workers state that they are not familiar with trade unionsism and that they do not recognize the value added in forming or joining a union. Older workers, on the other hand, experienced violence and the massive consequent employment losses in the early 1990s when industrial relations were quite tense in Haiti. They reported feeling nervous about this experience repeating itself if unions are again mobilized.

In the absence of union representatives in the factories, it seems that workers have identified different ways to communicate their discontent to managers, such as slowing down production activities, a brief production stoppage combined with chanting of demands or by appointing one or few workers who could bring the message to the managers. This demonstrates that, in many cases, workers are willing to take collective action and have established ad hoc mechanisms to highlight problems. Factory owners have put in place ways to encourage more effective shop floor communication on issues and problems. And, Better Work Haiti has not identified evidence of reprisals for these instances of collective action by the employers. Nevertheless, there is concern that discussions between managers and workers regarding problems do not sufficiently address workers' concerns and may be used as a measure of surveillance of workers' activities.

In the ILO database, no complaints have been filed with the ILO's Freedom of Association Committee since 2004. The last case concerning workers who wanted to organize specifically in the garment sector in Haiti was reported in 1999 and has been closed since.

In the first round of assessments by Better Work Haiti, there were non-compliance findings under the Union Operations CP related to trade union access. . Under policies adopted during the general strikes in August 2009 over the minimum wage, the SONAPI authority required all persons to have a badge in order to enter the zone. This was initially considered unduly restrictive by BWH. Further consultations on the SONAPI policy within the ILO have clarified that such provisions do not, on their face, violate international conventions related to freedom of association. Under international standards, the factories and the SONAPI authority cannot unreasonably restrict trade union officials from accessing workplaces where the trade union has members. However, if there are no trade union members in the workplace, access can be subject to greater restrictions. Better Work Haiti has not uncovered evidence of non-compliance regarding trade union access in the latest assessment rounds.

2. Working conditions

E. COMPENSATION

In the Compensation cluster, non-compliance findings are concentrated in the compliance points of Minimum Wages, and Social Security and Other Benefits.

Twenty-one out of 23 factories (91%) were found non-compliant in Minimum Wages. All non-compliance relates to the setting of the production target for piece-rate workers. This assessment follows the official interpretation provided by the Presidential Tripartite Commission on the implementation of the HOPE legislation (CTMO-HOPE) in July 2010, which indicates that while piece rates have to be calculated in such a way that workers can earn 200 Gourdes a day, the official minimum wage for these workers cannot be less than 125 Gourdes, rising to 250 and 150 Gourdes respectively on 1 October 2010. CTMO-HOPE further clarified that the production target is set for workers employed at least three months and those using the same equipment for at least three months.

Better Work Haiti has implemented this interpretation of the law in the following way: first, factories are assessed as to whether all full-time workers (including piece-rate workers but excluding apprentices) are earning a minimum of 150 Gourdes per day (as of October 2010). Second, an assessment of the production targets is done to ensure they allow workers to earn at least 250 Gourdes in an eight hour day (as of October 2010). Better Work Haiti staff further estimate the percentage of staff earning at least 250 Gourdes per day. This proportion is calculated after subtracting those who are recently hired or recently switched to new machines (3 months or less).

In the 21 factories found in non-compliance with the question on production targets, an average of 22% of workers reach their targets and earn at least 250 Gourdes per day for ordinary hours of work. This represents an improvement from the previous report, where 12% of workers were able to reach their targets, but falls significantly short of compliance with the requirement that production targets ought be set to allow workers to earn 250 Gourdes per day.

The second round of Better Work Haiti's assessments took place during or shortly after October 2010, which was the date set for the increase of the minimum wage for piece-rate workers to 250 Gourdes. Factories that were assessed in the period immediately following the increase were paying the previous minimum wage of 200 Gourdes and were found to be compliant. Those that have failed to update the minimum wage to 250 Gourdes in the ensuing period have been found to be non-compliant in the latest round of assessments.

In the Overtime Wages CP, the 4% non-compliance is partially due to the collective bargaining agreement in force at one factory, CODEVI. Due to the provisions in the collective bargaining agreement, the employer did not pay workers 50% above the normal wage for all ordinary overtime hours worked. Non-compliance in this CP also arises from workers at this factory putting in extra hours on Saturdays in order to reach their weekly production quotas. Workers are not paid for the hours they work on Saturdays; instead, they are paid according to the production quota that they were not able to achieve during the week.

Non-compliance in the Paid Leave CP, 4%, is explained by one factory in which the employer did not pay workers correctly for weekly rest days.

Within the Social Security and Other Benefits CP, 13 factories are found in non-compliance. This CP is explored in further detail in the In Focus table below:

In Focus 1: Social Security and Other Benefits

<i>Questions</i>	<i>Number of factories out of compliance</i>
Does the employer collect the required social insurance contribution to ONA from all workers?	7
Does the employer forward workers contributions to ONA?	9
Does the employer pay the required employer contribution to ONA?	11

Does the employer forward workers contributions to OFATMA?	0
Does the employer collect the required contribution to OFATMA from all workers?	0
Does the employer pay 3% of workers' basic salary to OFATMA for work-related accident insurance?	5
Does the employer pay 3% of workers' basic salary to OFATMA for maternity and health insurance?	0
Does the employer pay workers their annual salary supplement or bonus?	1

As noted above, there has been a change in the assessment with regard to questions related to contributions to OFATMA. The Labour Code requires employers to collect, forward and pay contributions to OFATMA for maternity and health insurance. Previously, Better Work Haiti assessed factories based on this principle. However, due to the fact that currently there is no functioning health insurance system in Haiti and the maternity insurance is voluntary for workers, Better Work Haiti has revised its assessment guidelines and determines compliance on this issue based on whether the employer collects, forwards and pays contributions for workers who ask to enrol in the maternity insurance programme. Workers typically are not aware that they can enrol in the maternity insurance programme, so employers are not collecting, forwarding and paying contributions to OFATMA. Better Work is working with employers to encourage them to inform workers about the voluntary maternity insurance benefit. In the event that these insurance programmes become fully functional, Better Work will revise its approach accordingly.

Two factories were found in non-compliance to questions within the Wage Information, Use and Deduction CP, both for keeping double books.

F. CONTRACTS AND HUMAN RESOURCES

The highest average non-compliance rate in the Contracts and Human Resources cluster is in Employment Contracts, where 20 factories out of 23 were found out of compliance with at least one question (87% average non-compliance rate). The In Focus table explores this CP more in detail:

In Focus 2: Employment Contracts

Questions	Number of factories out of compliance
Do the contracts comply with the labour code, collective agreement and internal work rules?	12
Do the employment contracts specify the terms and conditions of employment?	2
Do the internal work rules comply with legal requirements?	17
Do workers understand the terms and conditions of employment?	2
Do all persons who perform work for the factory, both on the premises and offsite, have a contract?	0

In 17 factories, the internal work rules did not comply with legal requirements. In these factories, the internal work rules state that the lunch break is for one hour or less, and there are no provisions for morning or afternoon breaks. This is non-compliant with the Labour Code, which stipulates a 90-minute daily break. It is possible for the internal work rules to provide a different daily break if two conditions apply: workers are consulted and agree to change the daily rest period, and the change is approved by the MoLSA. In most of the factories found in non-compliance, the MoLSA approved the internal work rules, but no proof of consultation with workers was presented to the EAs upon request. In twelve factories, the contracts did not comply with the Labour Code or the factory's internal rules.

G. OCCUPATIONAL SAFETY AND HEALTH

All factories assessed are non-compliant with at least one question within Health Services and First Aid, and 22 out of 23 are non-compliant with Worker Protection, Welfare Facilities and Emergency Preparedness. Each of these CPs is explored in detail in the following In Focus tables.

In Focus 3: Health Services and First Aid⁵

<i>Questions</i>	<i>Number of factories out of compliance</i>
Do workers who have been exposed to work-related hazards receive free health checks?	13
Do workers have a medical check within the first three months of hiring and annual medical checks?	21
Does the employer address safety and health risks to pregnant or nursing workers?	0
Does the workplace have required onsite medical facilities and staff?	22
Has the employer ensured there are a sufficient number of readily accessible first aid boxes/supplies in the workplace?	4
Has the employer provided first-aid training for workers?	17

Twenty-two out of 23 factories did not have the required number of nurses nor weekly doctor visits or an onsite doctor as stipulated in the Labour Code. And in 21 factories, workers did not have a medical check within the first three months after being hired or annual medical checks. This was the case even in factories that had purchased private medical insurance. Furthermore, 13 factories were assessed as non-compliant with requirements to provide workers exposed to work-related hazards with free health checks, though according to the legal requirements, workers who are exposed to work-related hazards are entitled to two medical exams per year.

In Focus 4: Worker Protection⁷

<i>Questions</i>	<i>Number of factories out of compliance</i>
Are workers punished if they remove themselves from work situations that they believe present an imminent and serious danger to life or health?	0
Are appropriate safety warnings posted in the workplace?	3
Are electrical wires, switches and plugs properly installed, grounded, and maintained?	2
Are materials, tools, switches, and controls within easy reach of workers?	0
Are proper guards installed and maintained on all dangerous moving parts of machines and equipment?	19
Are standing workers properly accommodated?	11
Do workers have suitable chairs?	0
Are there sufficient measures in place to avoid heavy lifting by workers?	1
Are workers effectively trained and encouraged to use the personal protective equipment that is provided?	7
Are workers effectively trained to use machines and equipment safely?	13
Does the employer provide workers with all necessary personal protective clothing and equipment?	12

⁵ As explained in the Methodology section, where legal standards are not sufficiently clear, internal guidance has been developed to ensure consistency in reaching compliance decisions.

While factories continue to focus on worker protection issues in their improvement plans, as shown in the factory tables in Section V, this CP remains associated with high non-compliance. In 19 factories, guards (needle guards, eye guards, belt guards, etc) are still not properly installed or maintained on the different moving parts of machines and equipment. In 11 factories, standing workers were not provided with fatigue mats, a footrest, or a chair that is available for them to use when they want to rest. In the past six months, PPE has been purchased; however, Enterprise Advisors have noticed through observation that workers have not been trained to use the PPE and machines correctly. It is often the case that workers do not see the risks, and as a result do not see the value of PPE.

In Focus 5: Welfare Facilities⁶

Questions	Number of factories out of compliance
Does the workplace have adequate accessible toilets?	22
Does the workplace have adequate hand washing facilities and adequate soap?	13
Does the employer provide workers enough free safe drinking water?	2
Does the workplace have all required facilities?	0
Does the workplace have an adequate eating area?	15
Is the workplace clean and tidy?	0

Twenty-two out of 23 factories are found non-compliant with the issue of providing adequate accessible toilets because they do not respect the Labour Code, which requires one toilet for every 15 female workers and one toilet for every 25 male workers. These requirements are set relatively high and in the case of some factories, they would mean constructing a separate building only for toilets. Thirteen factories did not provide adequate hand-washing facilities, paper and soap in toilets, as often reported by workers.

The issue of having an adequate eating area that allows all workers to eat their lunch while seated remains in non-compliance for 15 factories. This is particularly significant for the factories located in the SONAPI industrial park, where there is very limited space to create an eating area. As managers rent the buildings belonging to the Haitian government, most of the managers have requested the General Director of the park to improve the facilities. However, so far improvements have been made only to a limited extent. In April 2011, the factory managers in the SONAPI industrial park held a meeting with the Minister of Commerce and Industry, responsible for the SONAPI industrial park, and the SONAPI General Director to express their concerns, particularly in light of the non-compliance highlighted in Better Work Haiti's assessment reports.

In Focus 6: Emergency Preparedness⁷

Questions	Number of factories out of compliance
Are emergency exits and escape routes clearly marked and posted in the workplace?	10
Are the emergency exits accessible, unobstructed and unlocked during working hours, including overtime?	7

⁶ As explained above, legal standards are complemented by specific internal guidance defining adequacy of welfare facilities.

⁷ As explained specific internal guidance provides details as to the adequacy of emergency preparedness where legal standards are not sufficiently clear or detailed.

Are there enough emergency exits?	2
Does the employer conduct periodic emergency drills?	12
Does the workplace have a fire detection and alarm system?	5
Does the workplace have adequate fire-fighting equipment?	4
Has the employer trained an appropriate number of workers to use the fire-fighting equipment?	14

In the Emergency Preparedness CP, the most common area of non-compliance is that employers did not train an appropriate number of workers to use fire-fighting equipment. In twelve factories, the employers did not conduct periodic emergency drills. The marking of emergency exits and the installation of adequate fire-fighting equipment are areas of significant improvement since the last assessment round.

With respect to chemicals and hazardous substances, the key areas of non-compliance are not providing adequate washing facilities and cleansing materials in the event of exposure to hazardous chemicals (13 factories) and incorrect labelling of chemicals and hazardous substances (12 factories).

The average non-compliance rate for OSH Management Systems is 74%, which constitutes a considerable improvement from the last synthesis report, where all factories were non-compliant. However, 16 factories still did not have a written OSH policy.

The average non-compliance rate for Working Environment is 52%, which arises mainly from unacceptable temperatures in the workplace.

H. WORKING TIME

The Overtime CP has considerably improved since the last synthesis report (43%). In eight factories, the employer did not comply with limits on overtime hours worked. In these cases, workers have performed overtime work of more than 80 hours during a 3-month period, which is the limit stated in the Labour Code. There were findings of factories not requesting the Department of Labour's authorization for overtime work (3 factories) or Sunday work (4 factories) as the Labour Code requires. Many factory managers have presented letters addressed to the MoLSA requesting authorization to perform overtime and/or to work on Sunday; however, at the time of assessment they were still waiting for the MoLSA's authorization. In these cases the factories were found in compliance as they requested the authorization according to the law.

Non-compliance with Regular Hours has also declined, however it remains at 91%.

In Focus 7: Regular Hours

<i>Questions</i>	<i>Number of factories out of compliance</i>
Do regular daily working hours exceed legal limits?	2
Do regular weekly working hours exceed 48 hours?	2
Does the employer keep working time records that reflect the hours actually worked?	4
Does the employer comply with the 1 1/2 hours daily break periods?	20
Does the employer provide required breastfeeding breaks?	0
Does the employer give workers at least one day off per week?	0

Twenty out of 23 factories are non-compliant with providing workers a 90-minute daily break as foreseen in the Labour Code. No morning or afternoon breaks are provided and the lunch break is

not more than one hour. As mentioned in the In Focus 2: Employment Contracts table, it is possible for the internal work rules to provide a different daily break if two conditions apply: workers are consulted and agree to change the daily rest period, and the change is approved by the MoLSA. In three factories, the internal work rules were correct, but they were not implemented. This issue will be addressed in advisory services with the factories in the coming months. Non-compliance in the Leave CP appears to have risen dramatically, but this is a result of reclassification by Better Work Haiti as mentioned above. Previously, this finding was recorded under Paid Leave in the Compensation cluster. However, as the fundamental problem stems from the failure to provide the time off, the non-compliance is now captured in the Leave CP under Working Time. This explains the negative change in compliance in this CP.

Section III: Better Work Haiti Advisory Services and Training

For the improvement cycle covered in this report, advisory services were implemented primarily through a series of training sessions (see below for more information on training). As joint management-worker committees are not yet functional in factories, Enterprise Advisors advise factories in developing an identifying priorities and in creating an improvement plan.

3.1 Better Work Haiti Advisory Services

The Better Work Haiti team concluded the second cycle of assessments at the end of February 2011, which means that three and a half months were given to the provision of advisory services. During that time, the main focus of the advisory services remained on occupational safety and health (OSH) and managerial skills of mid-level managers. With respect to OSH guidance, Enterprise Advisors have advised factory managers to purchase PPE and provide training to encourage workers to use the equipment, to establish OSH and first-aid committees, to provide training to workers on first-aid as well as on fire-fighting, to write an OSH policy, etc. In terms of managerial skills, the main focus has been the support of HR management staff, particularly to address the non-compliance issues related to recruitment documents and to strengthen their capacity (see training information below).

Better Work Haiti has also elaborated a strategy on how to strengthen its advisory services by establishing Performance Improvement Consultative Committees in three pilot factories by the end of 2011. To help build capacity for this activity, the programme has identified two well-known Haitian institutions for the provision of training. Sofitraining, a Haitian training center specializing in management skills which has worked with IFC to provide their Business Edge programme in Haiti, will work with managers in the selected factories. And the Centre de Promotion de la femme ouvrière (CPFO), a Haitian NGO with expertise in women's issues, will provide soft skills trainings to worker representatives. Towards the end of the training, both organizations will join to provide a joint training session to the management and workers representatives. These two organizations have been selected in consultation with the national stakeholders and international trade union representatives. An international consultant will provide a training of trainers (ToT) to qualified trainers from Sofitraining and CPFO in November prior to the start of their work.

3.2 Better Work Haiti Factory Training

A. HAZARDS SELF-ASSESSMENT IN THE WORKPLACE

Since September 2010, Better Work Haiti Enterprise Advisors have been providing training to OSH Committee members on how to conduct a self-assessment of the hazards in the factory. The goal of the training is to raise awareness of the committee members on the different hazards they may face in the factory and become actors of change. The training starts by providing information on the different hazards in the garment factories. Then members gather into small groups, each group being equipped with a camera and a specific department to assess. They all have 15 minutes to walk through their departments and identify the hazards. When they return, the groups look at the pictures and explain the hazards. For each hazard, they must identify a remediation action to put in place. They are encouraged to repeat the activity without Better Work Haiti's presence to constantly reduce the hazards in the workplace.

B. EFFICIENT MANAGERS

Aiming to increase the capacity of middle managers, a training titled “Become more efficient managers” was offered to the factories by Sofitraining. Ten participants representing 7 factories attended the training.

C. HR MANAGEMENT

As of May 2011, Better Work Haiti, in collaboration with IFC Business Edge, offered to factory HR managers a 50-hour training course comprising five HR-management modules. Twenty participants from 15 factories have participated in the course, which was oriented to tool development and practical application. The course covered Human Resources Planning, Establishing Compensation & Benefit, Recruiting for Key Management Positions, Organizing Successful Training & Development Activities, and Retaining Top Employees.

D. SPECIAL EVENT: OSH AWARENESS RAISING DAY

On Saturday, 30 April, Better Work Haiti, in partnership with the Association des Industries d’Haïti (ADIH), welcomed over 1,600 apparel factory workers for a first-of-its-kind Safety and Health at Work Fair at the SONAPI Industrial Park in Port-au-Prince. The fair, part of the International Labour Organization’s celebration of World Day for Safety and Health at Work 2011, brought together workers and managers from 19 factories in the nation’s capital to promote better understanding of risks and preventive measures that managers and workers alike can take at their factories.

Educational videos were shown throughout the day, and workers had the opportunity to win prizes by participating in quizzes on OSH topics. In addition, 200 workers attended an OSH training session presented by Better Work Haiti. Health checks were also offered at no cost by several partner organizations in Haiti.

Section IV: Next Steps

ADVISORY SERVICES

Establishment of Performance Improvement Consultative Committees

As Enterprise Advisors were told during the last cycle of assessments, meetings between management and workers representatives do happen when needed to resolve a situation that is not to the satisfaction of the workers. However, at present, no permanent structures exist. Better Work Haiti offers to each factory the opportunity of establishing a permanent structure of social dialogue to work on the improvement plan of the factory. During fall 2011, the programme will initiate a pilot project with three factories and support each in the establishment of a Performance Improvement Consultative Committee (PICC). Based on that experience and lessons learned, six additional PICCs will be implemented in 2012.

As mentioned above, two Haitian organizations will support Better Work Haiti to train factory managers and workers on communication, mediation, negotiation skills, among others, in order to build capacity for greater workplace cooperation. Selected trainers from Sofitraining and CPFO will be trained by an international consultant based on training materials that were developed by Better Work. Trainings with managers and workers of three factories will be launched before the end of 2011. Another six factories will receive training in 2012.

Developing social dialogue in Haiti will not be easy, as it is currently not a common practice in Haitian factories. Support to the training organizations is crucial, and EAs will have to concentrate efforts in this area to help managers and workers build trust. As has been the Better Work experience, changing attitudes, not just behaviour, can be time-consuming and challenging.

TRAINING SERVICES

Emergency Preparedness

Emergency preparedness activities are expected to start soon in all the participating factories. The overall goal is to improve the compliance of the industry nationwide, as non-compliance rates have averaged 85% in past assessment reports. The specific objectives are to raise awareness with managers and workers alike on the importance of emergency preparedness procedures and to support them in establishing an emergency preparedness organizational structure in the factory. The activity will be conducted by a Haitian agency with an expertise in emergency preparedness and will last nine months. Following an evaluation to identify a factory's weaknesses in terms of emergency preparedness, a report will be submitted to the managers with recommendations for improvements. Follow-up visits are planned to support managers with their remediation plans. Factories will be encouraged to create an emergency preparedness committee and to write a policy. An emergency drill will be conducted with the newly established and trained committee.

HR Management

Better Work Haiti has just recruited an Enterprise Advisor with expertise in HR management. Her first task is to follow up on the training recently provided by Sofitraining, in order to support the factory HR managers with their improvement plans, as well as help them strengthen the capacity of their HR departments.

Occupational Health and Safety

Enterprise Advisors will continue to advise managers on providing PPE and training workers to wear the protective equipment provided to them to increase their own safety.

Advisory services will also focus on encouraging factory managers to comply with the labour law regarding medical examinations that must be provided for free to workers, as well as onsite medical facilities and staff required by the law.

Workers' Training

Better Work believes that if workers know more about their rights and responsibilities, both in and around the workplace, it can lead to positive effects on working conditions and workplace cooperation. Better Work, in collaboration with Levi Strauss Foundation, has developed a Life Skills training kit for garment workers. The training is a series of hour-long, highly participatory, classroom-based training sessions. All materials are designed to fit with a low-literacy environment, and be gender inclusive and appropriate to a target group with a high proportion of young women workers. The training will be learner-centered, which means that it focuses on what participants need, rather than what trainers have. Contents are delivered in a way that is appropriate to participant learning styles, and through various fun and light-hearted activities.

Better Work Haiti will be piloting these new training sessions mid-October. Trainers have been carefully selected and trained on specific skills in order to be able to adequately provide the training to workers. In general, given the time needed to adapt worker training courses to specific contexts and cultural challenges, Better Work workers' training courses are implemented after management training has begun.

Factories will be requested to allow approximately 20-25 workers to attend each session for these test trainings. The sessions could be conducted during extended lunch breaks. Better Work Haiti would also seek the possibility of identifying peer-educators among the workers participating in the pilot. These workers would receive extra training on the materials and could then train their peers in the factories. This way more workers could be reached with important life-skills messages and lessons.

The first Better Work Haiti comic book, which addresses OSH issues, will soon be launched. The comic book is intended for workers and will be distributed in factories. A short training will also be provided to raise awareness on OSH issues in the workplace and to inform workers about the free medical services they are entitled to.

Freedom of Association

Concerned with the recent developments regarding the dismissal of trade union leaders in the aftermath of the creation of a new trade union, Better Work Haiti has begun a fact-finding mission in the factories involved in order to better understand what happened. Given the importance of the garment sector for the country's economy as a whole, it is in the interest of all stakeholders that these conflicts are resolved quickly and justly, and that national law and international standards regarding freedom of association are respected by all parties in the future.

Section V: Factories in Detail

5.1 List of the factories

As of June 2011, 24 factories were registered with Better Work Haiti. From the 28 registered factories in June 2010, 3 factories have shut down their operations while 2 others have merged into a new factory. The programme has been implementing assessment and advisory services in participating factories, following the six-month cycle established in the country. Since the programme began providing services, 15 factories have already been assessed three times, while another 13 have been assessed twice. At the time of the third cycle of assessments, one factory was temporarily closed as they were moving out of the SONAPI industrial park. As a result, 23 factories have been assessed.

Table 2: Number of workers in factories registered to Better Work Haiti

	June 2010	December 2010	June 2011
N° of workers in factories registered to BWH	22,598	27,264	27,000
Of these, N° of women workers	14,796	16,978	15,783

Table 3 lists all the factories in the Haitian garment sector detailing their current status.

Table 3: List of factories

Name of factory	Status
Astro Embroidery & Screen Printing	Temporarily shut down their operations to move out of the SONAPI industrial park
Codevi	Registered in 2009
DKDR HAITI S.A.	Registered in 2009
Fairway Apparel S.A.	Registered in 2010
Fox River Caribe, INC	Registered in 2009
Genesis S.A.	Registered in 2009
Global Manufacturers & Contractors S.A.	Registered in 2010
Horizon Manufacturing S.A.	Registered in 2010
InterAmerican Knits S.A. ⁸	Registered in 2010
InterAmerican Tailor S.A.	Merged with One World Apparel S.A.
InterAmerican Wovens S.A.	Registered in 2009
Island Apparel S.A.	Registered in 2009
Johan Company	Registered in 2009
Lucotex Manufacturing CO	Registered in 2010
Magic Sewing MFG. S.A.	Registered in 2009
Modas Gloria Apparel S.A	Registered in 2009
Multiwear S.A.	Registered in 2009

⁸ Interamerican Knits is shipping under Interamerican Wovens.

One World Apparel S.A.	Registered in 2009
Pacific Sports Haiti S.A.	Registered in 2009
Palm Apparel S.A.	Registered in 2009
Premium Apparel S.A./AGA GROUP	Registered in 2009
Sew Rite Manufacturing ⁹	Registered in 2010
Sewing International S.A.	Registered in 2009
The Willbes Haitian I S.A.	Out of operations
The Willbes Haitian II S.A.	Registered in 2010
The Willbes Haitian III S.A.	Registered in 2010
The Willbes Haitian V /AZTECA	Out of operations

5.2. Findings from the factories

This section reports on efforts made by the factories to address their non-compliance findings as outlined in the previous HOPE II biannual reports (October 2010 and April 2011). Following Better Work Haiti cycle, after receiving the assessment report factories have to identify their improvement priorities detailing them in an Improvement Plan. Better Work Haiti works alongside the factory through advisory services documenting progress made against these priorities in the Progress Report. The factory tables presented in this section provide detailed information derived from each factory's Improvement Plan and Progress Report.

As required by the HOPE II legislation, the following information is given for each factory that has been assessed twice by Better Work Haiti:

- compliance needs by compliance cluster and by compliance point: black dots (●) represent non-compliance identified in the baseline assessment and non-compliance that has not been addressed by the factory in its improvement plan. Half-black dots (◐) represent areas where factories have made several improvements but are still in non-compliance;
- improvement priorities identified by the factory;
- efforts made by the factory to remedy the compliance needs as verified in the third assessment visit;
- with respect to non-compliance areas that have not been remediated, the amount of time that has elapsed since the first public report.

In this report, the efforts made by these factories have been verified during the third factory assessments by Better Work Haiti EAs.

⁹ Sew Rite is shipping under Lucotex.

CODEVI

Location Ouanaminthe
No. of workers 4390
Registration Date 24 September 2009

Advisory Services and Training

Management introduction meeting was held on April 11. Advisory services provided on May 23-24 and on June 14-16. The Better Work Haiti Enterprise Advisors facilitated a meeting with the OSH Committee in order to identify the training needs of OSH committee members. Consequently, the members were trained on good and bad OSH practices. In addition, a factory tour was organized in order to identify OSH hazards at the factory with the OSH committee members.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☐	☒	☐	Application forms should be corrected in order not to refer to marital status.	The application form was corrected and is now applied for recruitment processes.	
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☒	☐	Conditions of work should be the same for all workers regardless their race and origin.	Appropriate signs will be posted for better understanding.	
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and Collective Bargaining	Collective Bargaining	☐	☒	☒	The collective bargaining agreement will be reviewed to meet the Haitian labour code requirements.		

5	Compensation	Interference and Discrimination	☐	☐	☐		
		Strikes	☐	☐	☐		
		Union Operations	☐	☐	☐		
		Method of Payment	☐	☐	☐		
		Minimum Wages	☒	☐	☐	Revise the daily wage.	The daily wage was revised during the assessment conducted in February from 150 Gourdes to 157.50 Gourdes and revised again from 157,50 Gourdes to 173,60 Gourdes next to advisory services provided by BWH EAs.
		Overtime Wages	☒	☐	☒	¹⁰	6 months
		Paid Leave	☒	☐	☒	¹¹	6 months
		Premium Pay	☐	☐	☐		
		Social Security and Other Benefits	☐	☒	☐	The contributions to the “Office national d’assurance vielllesse” (ONA) have to be paid every month.	ONA contributions are paid.
		Wage Information, Use and Deduction	☒	☒	☐	Workers should better understand their payroll.	Training on the payroll was provided to workers.
6	Contracts and Human Resources	Contracting Procedures	☐	☐	☐		
		Discipline and Disputes	☐	☐	☐		
		Employment Contracts	☐	☒	☐	Revise contracts.	Written contracts were revised.
		Termination	☐	☐	☐		

¹⁰ NB: In the second round of assessment, the factory was paying overtime wages correctly. In the third round, it was again found non-compliant on the same issue.

¹¹ NB: In the second round of assessment, the factory was paying workers correctly for weekly rest days. In the third round, it was again found non-compliant on the same issue.

7	Occupational Safety and Health	Chemicals and Hazardous Substances	●	●	◐	Provide all the buildings with inventory for chemicals and hazardous substances and properly store and label the chemicals.	Chemical inventory is available in two buildings and MSDS are posted. However, in building FW1 chemicals are used, but no inventory is provided and no MSDS are available in the spot cleaning area in building MD.	12 months
		Emergency Preparedness	●	◐	○	Provide fire-fighting equipment in all departments.	Fire-fighting equipment is now available in all departments.	
		Health Services and First Aid	●	●	●			12 months
		OSH Management Systems	○	●	●			6 months
		Welfare Facilities	●	◐	◐	Provide enough functional toilets.	Factory added 8 more toilets and 8 additional toilets are under construction. However, in order to comply with the Haitian Labour Code, CODEVI would have to install more toilets.	12 months
		Worker Accommodation	○	○	○			
		Working Environment	○	○	● ¹²			
		Worker Protection	●	◐	◐			12 months
8	Working Time	Leave	○	○	○			
		Overtime	●	◐	●	Obtain authorization from the Ministry of Labour to work overtime including on Sundays.	Authorization from the Ministry obtained.	12 months
		Regular Hours	●	◐	●	Change the attendance reports so that they reflect all hours worked.	The technology department has reviewed the attendance system, but working records do still not reflect the time workers work on Saturdays and on Sundays.	12 months

¹² NB: In the third round of assessment, the factory floor was found to be over the acceptable temperature.

DKDR Haiti S.A.

Location Port-au-Prince
No. of workers 1538
Registration date 9 October 2009

Advisory Services and Training

Participation to the BWH OSH event on April 30 (81 workers). Participation to the HR management training provided by Sofitraining from May to July 2011. Advisory services provided on May 14 and May 17.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☒	☐	☐		Application form was revised and corrected.	
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☐	☐			
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and Collective Bargaining	Collective Bargaining	☐	☐	☐			
	Interference and Discrimination	☐	☐	☐			

5	Compensation	Strikes					
		Union Operations		¹³			
		Method of Payment					
		Minimum Wages				ⁱ	12 months
		Overtime Wages					
		Paid Leave					
		Premium Pay					
		Social Security and Other Benefits				ⁱⁱ	12 months
6	Contracts and Human Resources	Wage Information, Use and Deduction					
		Contracting Procedures					
		Discipline and Disputes					
		Employment Contracts					6 months
7	Occupational Safety and Health	Termination					
		Chemicals and Hazardous Substances				Keep an inventory of hazardous substances and identify and properly label all chemical containers.	Most of the chemical products are labelled. However, there are still a few that need to be labelled. 12 months
		Emergency Preparedness				Provide adequate masks to spot cleaners. Properly mark the escapes routes and unblock all emergency exists during working hours.	Factory provided masks to spot cleaners. All emergency exits are unblocked, but some emergency routes are not yet clearly marked. An emergency drill was conducted in the factory in May 2011. 12 months

¹³ In the first round of assessments by Better Work Haiti, there were non-compliance findings under the Union Operations CP referring to trade union access to factories. Under policies adopted during the general strikes in August 2009 over the minimum wage, the SONAPI authority required all persons to have a badge in order to enter the zone. This was initially considered unduly restrictive by BWH. Further consultations on the SONAPI policy within the ILO have clarified that such provisions do not, on their face, violate international conventions related to freedom of association. Under international standards, the factories and the SONAPI authority cannot unreasonably restrict trade union officials from accessing workplaces where the trade union has members. However, if there are no trade union members in the workplace, access can be subject to greater restrictions. Better Work Haiti has not uncovered evidence of non-compliance regarding trade union access in the latest assessment rounds.

	Health Services and First Aid	●	◐	◐	Establish a policy for pregnant women. Provide training on first aid to workers.	Management is establishing a policy for pregnant women but this policy has not yet been published. The factory provided first aid training to 20 workers. Better Work recommends to train at least 10 percent of the workforce.	12 months
	OSH Management Systems	●	◐	◐	Elaborate a written OSH policy.	Management is still in the process of elaborating an OSH policy.	12 months
	Welfare Facilities	●	●	●			12 months
	Worker Accommodation	○	○	○			
	Working Environment	●	○	● ¹⁴			
	Worker Protection	●	◐	◐	Provide Personal Protective Equipment to all workers in the spot cleaning area and train workers on the use of the equipment.	Some, but not all spot cleaners were provided with masks.	12 months
Working Time	Leave	●	○	●			
	Overtime	●	●	◐	Obtain authorization from the Ministry of Labour to work overtime on Sunday.	Factory sent a letter to ask authorization for working on Sundays.	12 months
	Regular Hours	●	●	●	Provide breastfeeding breaks.	Factory is still in the process of elaborating a breastfeeding policy.	12 months

¹⁴ NB: In the third round of assessment, the factory floor was found to be over the acceptable temperature, over the acceptable noise levels and with insufficient lighting.

Fairway Apparel S.A.

Location Port-au-Prince
No. of workers 511
Registration date 22 October 2010

Advisory and Training Activities

Middle management and HR managers as well as workers participated in the awareness-raising event on OSH organized by Better Work on 30 April 2011 at the occasion of the World Day on Safety and Health at work.

The Better Work Enterprise Advisors facilitated an OSH training for 20 OSH committee members on good and bad OSH practices. Furthermore, they conducted a factory tour together with the OSH committee members in order to identify hazards in the workplace. The findings of the factory tour were used as a basis for the establishment of the Improvement Plan. Advisory services provided on May 11 and May 17.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐			
	Documentation and Protection of Young Workers	☐	☐			
	Hazardous Work	☐	☐			
	Unconditional Worst Forms	☐	☐			
2 Discrimination	Gender	☒	☐		The recruitment material that used to refer to the applicant's gender has been corrected.	
	Other Grounds	☐	☐			
	Race and Origin	☐	☐			
	Religion and Political Opinion	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐			
	Coercion	☐	☐			
	Forced Labour and Overtime	☐	☐			
	Prison Labour	☐	☐			
4 Freedom of Association and CB	Collective Bargaining	☐	☐			
	Interference and Discrimination	☐	☐			
	Strikes	☐	☐			

5	Compensation	Union Operations	☐	☐			
		Method of Payment	☐	☐			
		Minimum Wages	●	● ⁱ			6 months
		Overtime Wages	☐	☐			
		Paid Leave	●	☐	Annual leave should be paid to workers when factory shuts down for holidays in December.	Factory will pay the unpaid annual leave from 2010 together with the annual leave for 2011 in December 2011.	
		Premium Pay	☐	☐			
		Social Security and Other Benefits	●	☐	Pay the required employer contribution to ONA.	The factory has an agreement with ONA to pay the unpaid contributions by August 2011.	
6	Contracts and HR	Wage Information, Use and Deduction	●	☐	Put in place an accurate payroll system.	Factory changed its payroll register and does therefore not have multiple payrolls anymore.	
		Contracting Procedures	☐	☐			
		Discipline and Disputes	☐	☐			
		Employment Contracts	●	☐			
		Termination	●	☐			
7	Occupational Safety and Health	Chemicals and Hazardous Substances	●	●	Properly maintain the chemical inventory. Provide eye wash station.	Factory set up a system to control the use of chemicals in the workplace. Eye wash bottles are now stored near the spot cleaning area.	6 months
		Emergency Preparedness	☐	●			
		Health Services and First Aid	●	●			6 months
		OSH Management Systems	●	●			6 months
		Welfare Facilities	●	●	Fix all toilets and maintain them in good conditions.	Factory has 15 functioning toilets for women and 5 for men.	6 months
		Worker Accommodation	☐	☐			
		Working Environment	☐	● ¹⁵			
		Worker Protection	●	●	Train the workers on the use of the guards on machines.	Workers are trained and use the guards.	6 months

¹⁵ NB: In the third round of assessment, the factory floor was found to be over the acceptable temperature and noise levels.

8	Working Time	Leave	☐	☐		
		Overtime	☒	☒	Fix a target at such a level that it can be reached within ordinary hours of work. Quota decreased since the factory has a new customer with long-term commitment.	6 months
		Regular Hours	☒	☒		6 months

Fox River Caribe Inc.

Location Port-au-Prince
No. of workers 36
Registration date 29 September 2009

Advisory Services and Training

24 workers from Fox River Caribe Inc participated in the awareness-raising event on OSH organized by Better Work on 30 April 2011 at the occasion of the World Day on Safety and Health at work. The participation in the training allows them to be more effectively engaged in the OSH committee. Advisory services provided on May 24.

Human Resource staff participated in a training course organized by Sofitraining from May to July 2011.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☐	☐	☐			
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☐	☐			
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and	Collective Bargaining	☐	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
	Collective Bargaining						
	Interference and Discrimination						
	Strikes						
	Union Operations						
5	Compensation						
	Method of Payment						
	Minimum Wages			i			12 months
	Overtime Wages						
	Paid Leave						
	Premium Pay						
	Social Security and Other Benefits						
	Wage Information, Use and Deduction						
6	Contracts and Human Resources						
	Contracting Procedures						
	Discipline and Disputes						
	Employment Contracts				Modify the internal rules so that they comply with the Labour Code.	Internal rules were modified so that the daily breaks sum up to one hour, which is however still less than what is required by the law. Factory was advised to seek agreement with the workers on the one-hour breaks and have it approved by the Ministry of Labour.	12 months
	Termination						
7	Occupational Safety and Health						
	Chemicals and Hazardous Substances				Keep an inventory for all chemical, label all chemical containers and post MSDS where chemicals are stored and used.	The chemicals used for the boiler are labelled.	
	Emergency			16			

¹⁶ NB: In the third round of assessment, the factory did not carry out regular emergency drills. All other issues were solved.

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
	Preparedness						
	Health Services and First Aid	●	◐	◐	Establish an onsite medical facility and hire a nurse. Provide first aid training to workers.	Factory does not need onsite facility because it only has 36 workers. However factory provided 2 nurse visits from DASH per week and free doctor consultation when needed Factory asked Red Cross to provide first aid training for workers.	12 months
	OSH Management Systems	●	◐	◐	Write up an OSH policy and establish an OSH committee.	The factory formed an OSH Committee.	12 months
	Welfare Facilities	●	◐	○	Build an eating area for the workers.	Factory built an eating area that can accommodate most workers during lunch.	
	Worker Accommodation	○	○	○			
	Working Environment	●	○	○			
	Worker Protection	●	◐	●			12 months
8 Working Time	Leave	○	○	◐	Factory needs to have a breastfeeding break policy		
	Overtime	○	●	○	Obtain authorization from the Ministry of Labour to work overtime and on Sundays.	Factory does not work OT , Saturday and Sunday	
	Regular Hours	●	●	●	Provide daily breaks according to the law, as well as breastfeeding breaks.	Factory sought agreement with workers on the one-hour break and asked the Ministry of Labour for permission.	12 months

Genesis S.A.

Location Port-au-Prince
No. of workers 1316
Registration date 28 October 2009

Advisory Services and Training

Management introduction meeting held on March 17. Participation to the BWH OSH event on April 30 (12 workers). Participation to the HR management course provided by Sofitraining from May to July 2011.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐			
	Documentation and Protection of Young Workers	☐	☐			
	Hazardous Work	☐	☐			
	Unconditional Worst Forms	☐	☐			
2 Discrimination	Gender	☐	☐			
	Other Grounds	☐	☐			
	Race and Origin	☐	☐			
	Religion and Political Opinion	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐			
	Coercion	☐	☐			
	Forced Labour and Overtime	☐	☐			
	Prison Labour	☐	☐			
4 Freedom of Association and CB	Collective Bargaining	☐	☐			
	Interference and Discrimination	☐	☐			
	Strikes	☐	☐			

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
5 Compensation	Union Operations	☐	☐			
	Method of Payment	☐	☐			
	Minimum Wages	☒	☒ i			
	Overtime Wages	☐	☐			
	Paid Leave	☒	☐			
	Premium Pay	☐	☐			
	Social Security and Other Benefits	☒	☒ ii			
	Wage Information, Use and Deduction	☐	☐			
6 Contracts and HR	Contracting Procedures	☐	☐			
	Discipline and Disputes	☐	☐			
	Employment Contracts	☒	☒			
	Termination	☐	☐			
7 Occupational Safety and Health	Chemicals and Hazardous Substances	☒	☐	Keep updated inventory of chemicals	Chemicals inventory is available	
				Post MSDS in point of storage and point of use of chemicals	MSDS are posted	
	Emergency Preparedness	☒	☐	Inspect fire extinguishers	Inspection has been conducted in May	
				Conduct evacuation drills	Proof of evacuation drills is available	
	Health Services and First Aid	☒	☒			
	OSH Mgt. Systems	☒	☒			
	Welfare Facilities	☒	☐	Clean and repair existing toilets	All toilets are functional	
	Worker Accommodation	☐	☐			
	Working Environment	☒	☐	Lower sound system volume	Sound problem has been corrected	
	Worker Protection	☒	☒			
8 Working Time	Leave	☐	☐			
	Overtime	☒	☐	Obtain authorization to work overtime	Authorization obtained by the MoLSA	
	Regular Hours	☒	☒			

Global Manufacturers & Contractors S.A.

Location Port-au-Prince
No. of workers 2280
Registration date 19 September 2010

Advisory Services and Training

Management introduction meeting March 17. Participation to the BWH OSH Event April 30 (16 workers). Participation to the HR Management course provided by Sofitraining from May to July 2011.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐			
	Documentation & Protection of Young Workers	☐	☐			
	Hazardous Work	☐	☐			
	Unconditional Worst Forms	☐	☐			
2 Discrimination	Gender	☐	☐			
	Other Grounds	☐	☐			
	Race and Origin	☐	☐			
	Religion and Political Opinion	☒	☐	Reformulate application form in order not to refer to religion or political opinion.	Application form was corrected.	
3 Forced Labour	Bonded Labour	☐	☐			
	Coercion	☐	☐			
	Forced Labour and Overtime	☐	☐			
	Prison Labour	☐	☐			
4 Freedom of Association and CB	Collective Bargaining	☐	☐			
	Interference and Discrimination	☐	☐			
	Strikes	☐	☐			
	Union Operations	☐	☐			
5 Compensation	Method of Payment	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
6	Minimum Wages	●	● ⁱ			12 months
	Overtime Wages	○	○			
	Paid Leave	○	○			
	Premium Pay	○	○			
	Social Security and Other Benefits	●	● ⁱⁱ			12 months
	Wage Information, Use and Deduction	●	○	Inform workers about wage payments and deductions.	Workers are now systematically informed about wage payments during the hiring process. The factory also provides handouts to workers during the year.	
	Contracting Procedures	○	○			
	Discipline and Disputes	○	○			
	Employment Contracts	●	●			12 months
	Termination	●	○			
7	Occupational Safety and Health					
	Chemicals and Hazardous Substances	●	●			12 months
	Emergency Preparedness	●	●			12 months
	Health Services & First Aid	●	●			12 months
	OSH Management Systems	●	●			12 months
	Welfare Facilities	●	◐	Fix toilets and maintain them in good condition.	The existing toilets are maintained in good condition. However, in order to comply with the Haitian Labour Code, the factory would have to install more toilets.	12 months
				Systematically provide soap and paper.	Soap and paper are always available.	
	Worker Accommodation	○	○			
	Working Environment	●	◐	Install better ventilation.	GMC opened new windows for better ventilation. Fan instalment is also in process.	12 months
	Worker Protection	●	◐	Fix all electrical hazards.	Electrical installations are properly maintained.	12 months
8	Working Time					
	Leave	●	●			12 months
	Overtime	●	●			12 months
	Regular Hours	●	●			12 months

Horizon Manufacturing S.A.

Location Port-au-Prince
No. of workers 371
Registration date 25 August 2010

Advisory Services and Training

Management introduction meeting on March 18. Participation to the BWH OSH event on April 30 (32 workers). Advisory services on May 14. Participation to the HR management course from May to July 2011.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐			
	Documentation and Protection of Young Workers	☐	☐			
	Hazardous Work	☐	☐			
	Unconditional Worst Forms	☐	☐			
2 Discrimination	Gender	☐	☐			
	Other Grounds	☐	☐			
	Race and Origin	☐	☐			
	Religion and Political Opinion	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐			
	Coercion	☐	☐			
	Forced Labour and Overtime	☐	☐			
	Prison Labour	☐	☐			
4 Freedom of Association and CB	Collective Bargaining	☐	☐			
	Interference and Discrimination	☐	☐			
	Strikes	☐	☐			
	Union Operations	☐	☐			
5 Compensation	Method of Payment	☐	☐			

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
6	Minimum Wages	●	● ⁱ			6 months
	Overtime Wages	○	○			
	Paid Leave	●	○			
	Premium Pay	○	○			
	Social Security and Other Benefits	●	○			
	Wage Information, Use & Deduction	●	○	Modify the payslip so that workers understand the calculations and deductions.	Payslip was simplified.	
	Contracting Procedures	○	○			
	Discipline and Disputes	○	○			
	Employment Contracts	●	●			6 months
	Termination	○	○			
7	Occupational Safety and Health	○	● ¹⁷			
	Emergency Preparedness	○	● ¹⁸			
	Health Services and First Aid	●	◐	Exposed workers should receive free health checks.	Factory has an agreement with OFATMA and 80 percent of the exposed workers have received free medical checks.	6 months
	OSH Management Systems	●	○	Send records of work-related accidents to OFATMA.	Recorded accidents were sent to OFATMA.	
	Welfare Facilities	●	◐	Repair broken toilets.	The dysfunctional toilets were repaired. However, the factory would need to install additional toilets in order to comply with the Haitian Labour Code.	6 months
	Worker Accommodation	○	○			
	Working Environment	○	● ¹⁹			

¹⁷ NB: In the second round of assessment, the factory did not properly label chemicals. There were no other non-compliance issues.

¹⁸ NB: In the second round of assessment, the factory did not conduct periodic emergency drills. There were no other non-compliance issues.

¹⁹ NB: In the second round of assessment, the factory floor was over the appropriate temperature. There were no other non-compliance issues.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
8	Worker Protection	○	● ²⁰			
	Working Time					
	Leave	○	●			
	Overtime	●	○	Obtain authorization from the Ministry of Labour to work overtime and on Sundays.	An authorization letter was sent to the Ministry of Labour.	
	Regular Hours	●	◐	Improve the attendance system in order to make it more reliable.	The factory is working on a computerized attendance system.	6 months

²⁰ NB: In the second round of assessment, the factory did not provide nor train workers on PPE.

Interamerican Knits S.A.

Location Port-au-Prince
No. of workers 509
Registration date 9 November 2010

Advisory Services and Training

Management introduction meeting on March 17. Participation to the BWH OSH event on April 30 (12 workers). Advisory services provided on May 12 and June 1st. Participation to the HR management course provided by Sofitraining from May to July 2011.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐			
	Documentation and Protection of Young Workers	☐	☐			
	Hazardous Work	☐	☐			
	Unconditional Worst Forms	☐	☐			
2 Discrimination	Gender	☒	☐	Remove reference to gender from the application form.	The form was revised and corrected.	
	Other Grounds	☐	☐			
	Race and Origin	☐	☐			
	Religion and Political Opinion	☒	☐	Remove reference to religion from the application form.	The form was revised and corrected.	
3 Forced Labour	Bonded Labour	☐	☐			
	Coercion	☐	☐			
	Forced Labour and Overtime	☐	☐			
	Prison Labour	☐	☐			
4 Freedom of Association and CB	Collective Bargaining	☐	☐			
	Interference and Discrimination	☐	☐			
	Strikes	☐	☐			
	Union Operations	☐	☐			
5 Compensation	Method of Payment	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
6	Minimum Wages	●	● ⁱ			6 months
	Overtime Wages	○	○			
	Paid Leave	●	○			
	Premium Pay	○	○			
	Social Security and Other Benefits	●	● ⁱⁱ			6 months
	Wage Information, Use and Deduction	●	○			
	Contracting Procedures	○	○			
	Discipline and Disputes	○	○			
	Employment Contracts	●	●			6 months
	Termination	●	○			
7	Occupational Safety and Health	●	●	Label all chemical substances in the factory. Keep an updated inventory of chemical substances.	The chemicals at both storage and point of use were correctly labelled. Inventory of chemical substances is available	6 months
	Emergency Preparedness	●	○	Inspect the fire extinguishers and position them near sensitive areas.	Fire extinguishers were inspected.	
	Health Services and First Aid	●	●			6 months
	OSH Management Systems	●	●	Send monthly accident reports to OFATMA.	Monthly reports are sent regularly.	6 months
	Welfare Facilities	●	●	Systematically provide toilets with soap and paper. Ensure a functioning water treatment system.	Soap and paper are provided. Water system works reliably.	6 months
	Worker Accommodation	○	○			
	Working Environment	○	○			
	Worker Protection	●	●			6 months
	Leave	●	●			6 months
	Overtime	●	○	Obtain authorization from Ministry of Labour to work overtime.	Authorization for the current trimester received.	
8	Working Time	●	●			6 months

Interamerican Wovens S.A.

Location Port-au-Prince
No. of workers 860
Registration date 28 October 2009

Advisory Services and Training

Management introduction meeting held on March 17. Participation to the BWH OSH event on April 30 (14 workers) Follow-up visit on improvement plan (12 May 2011). Follow-up visit on improvement plan (20 May 2011)

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☒	☒	☐	Remove gender information from application form	Form has been corrected	6 months
	Other Grounds	☐	☐	☐			
	Race	☐	☐	☐			
	Religion and Political Opinion	☒	☒	☐	Remove religion information from application form	Form has been corrected	
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and Collective Bargaining	Collective Bargaining	☐	☐	☐			
	Interference and	☐	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
5	Discrimination						
	Strikes	○	○	○			
	Union Operations	● ²¹	○	○			
	Method of Payment	○	○	○			
	Minimum Wages	○	●	● ⁱ			6 months
	Overtime Wages	○	○	○			
	Paid Leave	○	●	○			
	Premium Pay	○	○	○			
	Social Security and Other Benefits	●	●	● ⁱⁱ			12 months
	Wage Information, Use and Deduction	○	●	○			
6	Contracts and Human Resources						
	Contracting Procedures	○	○	○			
	Discipline and Disputes	○	○	○			
	Employment Contracts	○	●	●			6 months
7	Termination	●	○	○			
	Occupational Safety and Health						
	Chemicals and Hazardous Substances	●	●	◐	Label chemical substances. Keep updated inventory of chemical substances. Provide MSDS in storage area and at point of use.	Chemicals in storage area and point of use are now labelled. There is an updated inventory.	12 months

²¹ In the first round of assessments by Better Work Haiti, there were non-compliance findings under the Union Operations CP referring to trade union access to factories. After the general strikes in August 2009 over the minimum wage, the SONAPI park authority had restricted access to union representatives. During subsequent assessments, it was determined after consultations between Better Work Haiti and the ILO labour standards department, that in order to be granted access, permission from the SONAPI authority was required. Under these circumstances, Better Work Haiti has not uncovered evidence of non-compliance.

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
					MSDS needs to be translated into Creole and the text enlarged.		
	Emergency Preparedness	○	●	◐	Inspect fire extinguisher Position the fire extinguishers near critical areas.	Proper inspection tag is shown on fire extinguishers.	6 months
	Health Services and First Aid	●	●	●			
	OSH Management Systems	●	◐	◐	Send monthly accident reports to OFATMA.	April monthly report sent.	12 months
	Welfare Facilities	●	◐	◐	Provide toilets with adequate soap Ensure that water treatment system is functioning.	Soap was available during factory tour Water treatment system is now functioning and in a restricted area to ensure high quality water to workers.	12 months
	Worker Accommodation	○	○	○			
	Working Environment	○	○	●			
	Worker Protection	●	◐	◐	Provide workers with equipment such as fork-lift for lifting heavy items Provide workers with personal protective equipment and adequate training	Workers confirmed that the equipment is available. Proper use of personal protective equipment was observed during factory tour.	12 months
	8 Working Time						
	Leave	○	○	●			
	Overtime	●	●	○	Obtain authorization to work overtime	Authorization is available	
	Regular Hours	●	●	●			12 months

Island Apparel S.A.

Location Port-au-Prince
No. of workers 1632
Registration date 9 September 2009

Advisory Services and Training

Management introduction meeting on March 18. Participation to the BWH OSH event on April 30 (408 workers). Trainings: Become more efficient managers on February 4th. HR management from May to July 2011. Advisory services: March 25, May 24.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☐	☐	☐			
	Other Grounds	☐	☐	☐			
	Race	☐	☐	☐			
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☒	☐	☐		Workers are now free to leave the factory during lunchtime.	
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and Collective Bargaining	Collective Bargaining	☐	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
5	Compensation	Interference and Discrimination	☐	☐			
		Strikes	☐	☐			
		Union Operations	☐	☐			
	Compensation	Method of Payment	☐	☐			
		Minimum Wages	☒	☐			
		Overtime Wages	☒	☐			
		Paid Leave	☒	☐			
		Premium Pay	☐	☐			
		Social Security and Other Benefits	☐	☒			
		Wage Information, Use and Deduction	☐	☐			
6	Contracts and Human Resources	Contracting Procedures	☐	☐			
		Discipline and Disputes	☒	☐			
		Employment Contracts	☒	☐	Provide daily breaks according to the law.	Factory is working on an agreement with workers to provide a half an hour break instead of 1,5 hours daily breaks as requested by the Haitian Labour Code.	12 months
		Termination	☒	☐			
7	Occupational Safety and Health	Chemicals and Hazardous Substances	☒	☐	Maintain an inventory of hazardous substances. Identify and label all chemicals containers in the workplace.	Factory has established an inventory of all chemical products. A special form is attached to each chemical product in order to indicate initial quantity, the used quantity and the final quantity of each product for each month.	
		Emergency Preparedness	☒	☐			12 months
		Health Services and First Aid	☒	☐	Provide free medical health checks to workers.	Most workers have received a medical check this year by a private doctor that visits the factory every Monday, Wednesday and Friday.	12 months
		OSH Management	☒	☐	Send all accident reports to OFATMA on a	The nurse sends regularly the monthly	

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
	Systems				monthly basis.	reports to OFATMA.	
	Welfare Facilities	●	◐	◐	Clean and repair existing toilets.	Toilets are clean. Factory has established 12 additional toilets. However, in order to comply with the Haitian Labour Code, Island would need to install more toilets.	12 months
	Worker Accommodation	○	○	○			
	Working Environment	●	○	● ²²			
	Worker Protection	●	○	● ²³			
8 Working Time	Leave	○	○	●			
	Overtime	●	◐	○	Comply with limit of overtime for security personnel.	Security guards are not working overtime anymore.	
	Regular Hours	●	◐	◐	Provide workers with breastfeeding breaks.	Breastfeeding breaks are provided. Information sessions for workers are organized.	12 months

²² NB: In the third round of assessment, the factory floor was over the appropriate temperature. There were no other non-compliance issues.

²³ NB: In the third round of assessment, the factory did not provide standing mats. There were no other non-compliance issues.

Johan Company

Location Port-au-Prince
No. of workers 217
Registration date 23 September 2009

Advisory Services and Training

Advisory services on how to develop an improvement plan (1 May 2011). Access was denied to the Enterprise Advisor even though an appointment had been made. Subsequently, the visit took place on 14 May 2011. A misunderstanding between the two managers was the reason for not greeting the EA.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☒	☐	Put a system in place to verify workers ages prior to hiring.	The employer now has a system to verify workers' age that includes birth certificate and photo ID.	
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☐	☐	☐			
	Other Grounds	☐	☐	☐			
	Race	☐	☐	☐			
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and Collective Bargaining	Collective Bargaining	☐	☐	☐			
	Interference and	☐	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
5	Discrimination						
	Strikes	○	○	○			
	Union Operations	○	○	○			
	Method of Payment	○	○	○			
	Minimum Wages	●	○	● ⁱ			
	Overtime Wages	●	○	○			
	Paid Leave	●	○	○			
	Premium Pay	○	○	○			
	Social Security and Other Benefits	●	●	● ⁱⁱ	Make employer payments to OFATMA and ONA		12 months
	Wage Information, Use and Deduction	●	◐	○	Develop an accurate payroll		
6	Contracts and Human Resources						
	Contracting Procedures	○	○	○			
	Discipline and Disputes	●	○	○			
	Employment Contracts	●	●	●	Ensure that workers' files have all documents required		12 months
7	Termination	○	●	○			
	Occupational Safety and Health						
	Chemicals and Hazardous Substances	●	●	●	Create a chemical inventory Properly label chemical substances Encourage and train workers to wear PPE Post MSDS in the factory where chemicals are used Install a washing facility where chemicals are used		12 months
	Emergency Preparedness	●	●	●	Prepare for emergencies		12 months
	Health Services and First Aid	●	●	◐	Provide free health check to workers exposed to work-related hazards Provide newly hired workers free health checks Arrange for more nurses and doctor visits	Factory is working with OFATMA and DASH on providing free health check and doctor visits. Plans to hire more nurses.	12 months
	OSH Management Systems	●	●	◐	Develop an OSH policy Send record of work-related accidents to	OSH policy will be ready next month Record will be sent to OFATMA next month	12 months

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
8					OFATMA		
	Welfare Facilities	●	●	◐	Provide enough functioning toilets Provide a lunch area for workers	More toilets are under construction Factory owner is working on a project for a cafeteria and to provide cheap food to workers	12 months
	Worker Accommodation	○	○	○			
	Working Environment	○	●	○			
	Worker Protection	●	●	◐	Provide standing workers with fatigue mats Electrical rail should be removed from floor Provide spot cleaners protective masks Train workers to wear PPE and use machine equipment safely Install guards on machines	Fatigue mats have been ordered Electrical rail has been removed from floor	12 months
	Working Time						
	Leave	○	○	●			
	Overtime	●	●	○	Obtain authorization from MAST to work OT and Sundays		
	Regular Hours	●	●	●			12 months

Lucotex Manufacturing Co.

Location Port-au-Prince
No. of workers 47
Registration date 19 October 2010

Advisory and Training Services

Advisory services provided on May 10. BWH provided a training on how to conduct a self-assessment of the risks on May 24. Participation to the BWH OSH event on April 30 (41 workers).

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐			
	Documentation and Protection of Young Workers	☐	☐			
	Hazardous Work	☐	☐			
	Unconditional Worst Forms	☐	☐			
2 Discrimination	Gender	☐	☐			
	Other Grounds	☐	☐			
	Race and Origin	☐	☐			
	Religion and Political Opinion	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐			
	Coercion	☐	☐			
	Forced Labour and Overtime	☐	☐			
	Prison Labour	☐	☐			
4 Freedom of Association and CB	Collective Bargaining	☐	☐			
	Interference and Discrimination	☐	☐			
	Strikes	☐	☐			
	Union Operations	☐	☐			

	Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
5	Compensation	Method of Payment					
		Minimum Wages		ⁱ			
		Overtime Wages					
		Paid Leave					
		Premium Pay					
		Social Security and Other Benefits		ⁱⁱ			6 months
		Wage Information, Use and Deduction					
6	Contracts and Human Resources	Contracting Procedures					
		Discipline and Disputes					
		Employment Contracts					
		Termination					
7	Occupational Safety and Health	Chemicals and Hazardous Substances					
		Emergency Preparedness					6 months
		Health Services and First Aid					6 months
		OSH Management Systems					6 months
		Welfare Facilities			Clean the work place.	Workplace was cleaned.	6 months
		Worker Accommodation					
		Working Environment			Install better ventilation system and improve the light level.	Lucotex opened a new window in order to improve the ventilation and lightening of the work place.	6 months
		Worker Protection					6 months
8	Working Time	Leave					
		Overtime					
		Regular Hours			Improve the attendance system to make it more reliable.	Management is using a piece rate workers’ daily production form to register the workers’ hours.	6 months

Magic Sewing Manufacturing S.A.

Location Port-au-Prince
No. of workers 322
Registration date 1 October 2009

Advisory Services and Training

Management Intro Meeting and follow up on actions taken since assessment (13 April 2011). Participation to the BWH OSH event on April 30 (61 workers), follow-up meeting/ Factory tour to verify improvements (14 May 2011)

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☒	☒	☐	Remove gender information from application form	Form has been corrected	
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☐	☐			
	Religion and Political Opinion	☒	☒	☐	Remove religion information from application form	Form has been corrected	
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and Collective Bargaining	Collective Bargaining	☐	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
5	Interference and Discrimination	○	○	○			
	Strikes	○	○	○			
	Union Operations	○	○	○			
	Compensation	○	○	○			
	Method of Payment	○	○	○			
	Minimum Wages	●	◐	● ⁱ			12 months
	Overtime Wages	●	○	○			
	Paid Leave	●	○	○			
	Premium Pay	○	○	○			
	Social Security and Other Benefits	○	●	○	Update payments for ONA and OFATMA and forward the required contributions to ONA and OFATMA	Factory has made ONA payments for unpaid months. Last receipt shown was for the month of February 2011. March payment was not yet sent but check was shown to EA OFATMA payment is updated	
6	Wage Information, Use and Deduction	●	◐	○	Include all hours worked (both regular and overtime) in payroll records	Payroll now shows overtime hours worked	
	Contracts and Human Resources	○	○	○			
	Contracting Procedures	○	○	○			
	Discipline and Disputes	○	○	○			
	Employment Contracts	○	●	◐	Make contract for workers and include contract in each worker's file	Contracts are made	6 months
7	Termination	○	●	◐	Give written warning to workers at fault, include them in their file When terminating workers, include reason of termination in the file	Factory is working on the warning form which will also include reason of termination	6 months
	Occupational Safety and Health	●	◐	◐	Maintain an inventory of all chemicals Post MSDS where chemicals are used and stored Make available eyewash stations for quick eye washing Train workers on the use of chemicals.	Factory maintains inventory of chemicals MSDS are available but not yet posted where chemicals are used and stored The place for eyewash station has not yet been determined because new equipment will soon be delivered and the layout has yet not been finalized	12 months
	Emergency Preparedness	●	◐	◐	Install fire alarm system in cutting building Make sure all extinguishers are inspected in	Factory has bought fire alarm, but it has not been installed yet	12 months

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
8					both buildings Open a new exit in cutting building and mark all escape routes	Extinguishers are inspected (date of last inspection, May 2011). Exit door was opened in cutting building but door's direction needs to be reversed	
	Health Services and First Aid	●	◐	●			12 months
	OSH Management Systems	●	◐	◐	Develop an OSH policy Submit records of work-related accidents to OFATMA	Factory is writing up an OSH policy	12 months
	Welfare Facilities	●	◐	●			12 months
	Worker Accommodation	○	○	○			
	Working Environment	○	○	○			
	Worker Protection	●	◐	◐	Provide PPE (gloves, masks, support belts) to workers and train them on the use of the PPE Provide fatigue mats to standing workers in cutting building Install guards on machines (eye guard on bar tack machines, pulley guards on sewing machines) and train workers on the use of the guards	Masks are provided to spot cleaners and factory will order support belt for workers Fatigue mats are provided to standing workers	12 months
	Leave	○	○	●			
	Overtime	●	●	●	Obtain authorization from Ministry of Labour to work overtime	Factory's administration is writing up the letter	12 months
	Regular Hours	●	●	●	Provide breastfeeding breaks according to the Law Keep working time records that reflect hours actually worked Comply with daily break periods	Factory is developing a policy for pregnant women	12 months

Modas Gloria Apparel S.A.

Location Port-au-Prince
No. of workers 920
Registration date 8 October 2009

Advisory Services and Training

Intro meeting with Management to discuss assessment findings and finalize Improvement Plan (17 May 2011)

Participation to the BWH OSH event on April 30 (35 workers)

Participation to the HR management training provided by Sofitraining from May to July 2011

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☐	☐	☐			
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☐	☐			
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and CB	Collective Bargaining	☐	☐	☐			
	Interference and Discrimination	☐	☐	☐			
	Strikes	☐	☐	☐			

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
5	Union Operations	● ²⁴	○	○			
	Method of Payment	○	○	○			
	Minimum Wages	●	○	● ⁱ			
	Overtime Wages	○	○	○			
	Paid Leave	●	◐	○			
	Premium Pay	○	○	○			
	Social Security and Other Benefits	●	◐	○			
6	Wage Information, Use and Deduction	●	○	○			
	Contracting Procedures	○	○	○			
	Discipline and Disputes	●	○	○			
	Employment Contracts	●	●	●			12 months
7	Termination	●	○	○			
	Chemicals and Hazardous Substances	●	◐	●			12 months
	Emergency Preparedness	●	◐	●			12 months
	Health Services and First Aid	●	◐	●	Factory started to provide medical exams during the 2 nd assessment but had stopped doing it at time of 3 rd assessment		12 months
	OSH Management Systems	●	◐	○			
	Welfare Facilities	●	◐	◐	Provide adequate drinking water	Water treatment system using pre-treated water is available	12 months
	Worker Accommodation	○	○	○			
	Working Environment	○	○	● ²⁵			

²⁴ In the first round of assessments by Better Work Haiti, there were non-compliance findings under the Union Operations CP referring to trade union access to factories. After the general strikes in August 2009 over the minimum wage, the SONAPI park authority had restricted access to union representatives. During subsequent assessments, it was determined after consultations between Better Work Haiti and the ILO labour standards department, that in order to be granted access, permission from the SONAPI authority was required. Under these circumstances, Better Work Haiti has not uncovered evidence of non-compliance.

²⁵ NB: In the second round of assessment, the factory floor was over the appropriate temperature and noise levels. There were no other non-compliance issues.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
8	Worker Protection	●	◐	◐	Provide workers with proper equipment for lifting heavy items	Proper equipment are provided to workers	12 months
					Install eye guards on bar tack machines	Some machines are equipped with guards	
					Provide standing workers with anti-fatigue mats	At time of factory visit, some workers had mats	
	Working Time						
	Leave	○	○	●			
	Overtime	●	●	○			
	Regular Hours	●	◐	○			

Multiwear S.A.

Location Port-au-Prince
No. of workers 1966
Registration date 5 October 2009

Advisory Services and Training

Participation to the BWH OSH event on April 30 (392 workers). Advisory services provided on May 14. Participation to the HR management course provided by Sofitraining from May to July 2011.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☐	☐	☐			
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☐	☐			
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☒	☐	☐		Workers are now free to leave the factory floor at any time.	
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and Collective Bargaining	Collective Bargaining	☐	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
5	Interference and Discrimination	○	○	○			
	Strikes	○	○	○			
	Union Operations	● ²⁶	○	○			
	Method of Payment	○	○	○			
	Minimum Wages	●	○	○			
	Overtime Wages	●	◐	○			
	Paid Leave	●	◐	○			
6	Premium Pay	○	○	○			
	Social Security and Other Benefits	●	●	● ⁱⁱ			12 months
	Wage Information, Use and Deduction	○	○	○			
	Contracting Procedures	○	○	○			
	Discipline and Disputes	○	○	○			
	Employment Contracts	●	◐	◐	Post the internal rules at the workplace.	Generally, internal rules have been posted, but are still lacking in building 37.	12 months
	Termination	○	○	○			
7	Chemicals and Hazardous Substances	●	◐	◐	Improve ventilation at storage and chemical point of use and display MSDS nearby.	MSDS were posted and ventilation has been improved.	12 months
	Emergency Preparedness	●	◐	◐	Inspect fire extinguishers in buildings 37, 38 and 39.	Inspection tags can be found on fire extinguishers.	12 months
					Install fire alarm system in buildings 37 and 39.	Fire alarm was tested and is working.	

²⁶ In the first round of assessments by Better Work Haiti, there were non-compliance findings under the Union Operations CP referring to trade union access to factories. After the general strikes in August 2009 over the minimum wage, the SONAPI park authority had restricted access to union representatives. During subsequent assessments, it was determined after consultations between Better Work Haiti and the ILO labour standards department, that in order to be granted access, permission from the SONAPI authority was required. Under these circumstances, Better Work Haiti has not uncovered evidence of non-compliance.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
8					Conduct period emergency drills.	Emergency drill was conducted.	
	Health Services and First Aid	●	◐	◐	Request annual or pre-hiring health check from OFATMA.	Health check has been requested for newly recruited workers.	12 months
	OSH Management Systems	●	◐	○	Send monthly accident reports to OFATMA.	Reports are sent regularly to OFATMA.	
	Welfare Facilities	●	◐	●			12 months
	Worker Accommodation	○	○	○			
	Working Environment	●	●	●			12 months
	Worker Protection	●	◐	●			12 months
	Leave	○	○	●			
	Overtime	●	◐	◐	Obtain authorization from the Ministry of Labour to work overtime.	Authorization for the current trimester has been obtained.	12 months
	Regular Hours	●	◐	●			12 months

One World Apparel S.A.

Location Port-au-Prince
No. of workers 1640
Registration date 27 October 2009

Advisory Services and Training

No progress report was written on May 2011 as One World Apparel was merged with Interamerican Tailors and therefore was quite busy organising the transition and the move into a new building. Management introduction meeting on March 17. Participation to the OSH Event (30 workers). Participation to the HR management course.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3^d Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☐	☐	☐			
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☐	☐			
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and Collective Bargaining	Collective Bargaining	☐	☐	☐			
	Interference and Discrimination	☐	☐	☐			

Compliance cluster		Compliance point	1 st Assessment	2 nd Assessment	3 ^d Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
5	Compensation	Strikes						
		Union Operations						
		Method of Payment						
		Minimum Wages			i			
		Overtime Wages						
		Paid Leave						
		Premium Pay						
		Social Security and Other Benefits			ii			12 months
		Wage Information, Use and Deduction						
6	Contracts and Human Resources	Contracting Procedures						
		Discipline and Disputes						
		Employment Contracts						6 months
		Termination						
7	Occupational Safety and Health	Chemicals and Hazardous Substances						12 months
		Emergency Preparedness						12 months
		Health Services and First Aid						12 months
		OSH Management Systems						12 months
		Welfare Facilities						12 months
		Worker Accommodation						
		Working Environment						
		Worker Protection						12 months
8	Working Time	Leave						
		Overtime						
		Regular Hours						12 months

Pacific Sports S.A.

Location Port-au-Prince
No. of workers 1070
Registration date 11 November 2009

Advisory services and Training

Managers from Pacific Sports S.A. participated in the seminar organized by Sofitraining on how to become efficient managers in February. As well HR managers participated in the HR management training provided by Sofitraining from May to July 2011. Advisory services provided on May 14. Participation to the BWH OSH event on April 30 (124 workers)

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☒	☐	☐		Recruitment materials referring to applicants' gender have been corrected.	
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☐	☐			
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and CB	Collective Bargaining	☐	☐	☐			
	Interference and	☐	☐	☐			

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>	
5	Discrimination							
		Strikes	○	○	○			
		Union Operations	● ²⁷	○	○			
	Compensation	Method of Payment	○	○	○			
		Minimum Wages	●	○	● ⁱ			
		Overtime Wages	●	○	○			
		Paid Leave	●	◐	○			
		Premium Pay	○	○	○			
		Social Security and Other Benefits	○	●	○			
		Wage Information, Use and Deduction	○	○	● ²⁸			
6	Contracts and HR	Contracting Procedures	○	○	○			
		Discipline and Disputes	○	○	○			
		Employment Contracts	○	●	●			6 months
		Termination	●	○	○			
7	Occupational Safety and Health	Chemicals and Hazardous Substances	●	◐	◐	Establish an inventory for chemical substances and provide MSDS in spot cleaning areas and in storage in building 15.	Inventory and MSDS were established.	12 months
						Label tanks in warehouse and keep propane tank away from charging batteries.	Labels are in place and propane tank has been moved.	
		Emergency Preparedness	○	●	◐	Install fire-fighting equipment in sensitive places.	Fire extinguishers were installed.	6 months

²⁷ In the first round of assessments by Better Work Haiti, there were non-compliance findings under the Union Operations CP referring to trade union access to factories. After the general strikes in August 2009 over the minimum wage, the SONAPI park authority had restricted access to union representatives. During subsequent assessments, it was determined after consultations between Better Work Haiti and the ILO labour standards department, that in order to be granted access, permission from the SONAPI authority was required. Under these circumstances, Better Work Haiti has not uncovered evidence of non-compliance.

²⁸ NB: In the second round of assessment, the hours worked are recorded differently in the payroll record and attendance record. There were no other non-compliance issues.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
	Health Services and First Aid	●	●	●			12 months
	OSH Management Systems	○	●	◐	Regularly send report on work-related accidents to OFATMA.	Reports have been regularly submitted.	6 months
	Welfare Facilities	●	●	◐	Clean and repair existing toilets.	Existing toilets are clean and functional.	12 months
	Worker Accommodation	○	○	○			
	Working Environment	○	○	● ²⁹			
	Worker Protection	●	◐	○	Provide spot cleaners with adequate masks. Reduce noise level in generator's room.	Spot cleaners are equipped with adequate masks. Generator's noise has been eliminated.	
8 Working Time	Leave	○	○	●			
	Overtime	●	●	◐	Obtain authorization for overtime from the Ministry of Labour.	Authorization obtained.	12 months
	Regular Hours	●	◐	◐			12 months

²⁹ NB: In the second round of assessment, the factory floor was over the appropriate temperature, noise levels and had insufficient lighting.

Palm Apparel S.A.

Location Port-au-Prince
No. of workers 1019
Registration date 17 November 2009

Advisory Services and Training

Management introduction meeting held on May 13. Advisory services provided on May 20. Participation to the HR management training provided by Sofitraining from May to July 2011.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☐	☐	☐			
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☐	☐			
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and Collective Bargaining	Collective Bargaining	☐	☐	☐			
	Interference and Discrimination	☐	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
5 Compensation	Strikes	☐	☐	☐			
	Union Operations	☐	☐	☐			
	Method of Payment	☐	☐	☐			
	Minimum Wages	●	☐	● ⁱ			
	Overtime Wages	☐	☐	☐			
	Paid Leave	☐	☐	☐			
	Premium Pay	☐	☐	☐			
	Social Security and Other Benefits	●	◐	◐ ⁱⁱ	Forward the workers' and employer's contribution to ONA and OFATMA for all workers.	The factory is issuing the ONA payments, but the factory is still negotiating with OFATMA.	12 months
	Wage Information, Use and Deduction	●	☐	☐			
6 Contracts and Human Resources	Contracting Procedures	☐	☐	☐			
	Discipline and Disputes	☐	☐	☐			
	Employment Contracts	●	●	◐	Correct the night shift contract. Obtain agreement from the Ministry of Labour to include 1 hour breaks in the contracts instead of 1,5 hours daily break. Raise the awareness of the workers on the internal work rules.	Factory does not work night shift anymore Authorization from Ministry obtained. The internal work rules were posted on the factory floor.	12 months
	Termination	☐	●	☐			
7 Occupational Safety and Health	Chemicals and Hazardous Substances	●	◐	◐	Improve the ventilation system in the chemical storage room and properly store the chemicals.	All containers in the chemical room are properly stored and a ventilation system has been improved.	12 months
	Emergency Preparedness	●	◐	◐			12 months
	Health Services and First Aid	●	●	◐			12 months
	OSH Management Systems	●	◐	◐			12 months

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
8	Welfare Facilities	●	●	◐		Toilets were all fixed and they are currently building new toilets	12 months
	Worker Accommodation	○	○	○			
	Working Environment	●	○	○			
	Worker Protection	●	◐	◐	Remove electrical wires from the floor.	Wires were removed.	12 months
	Leave	○	○	●			
	Overtime	●	●	○	Obtain authorization from the Ministry of Labour to work overtime and on Sundays.	The Ministry confirmed authorization.	
	Regular Hours	●	●	●			12 months

Premium Apparel S.A.

Location Port-au-Prince
No. of workers 1163
Registration date 28 October 2009

Advisory Services and Training

Management introduction meeting, March 17. Participation to the BWH OSH Event, April 30 (10 workers). Advisory services provided on May 17. Participation to the HR Management course from May to July 2011.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☒	☐	☐		Application form has been revised and corrected	
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☐	☐			
	Religion and Political Opinion	☒	☐	☐		Application form has been revised and corrected	
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of Association and CB	Collective Bargaining	☐	☐	☐			
	Interference and Discrimination	☐	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
5 Compensation	Strikes	☐	☐	☐			
	Union Operations	☐	☐	☐			
	Method of Payment	☐	☐	☐			
	Minimum Wages	●	●	● ⁱ			12 months
	Overtime Wages	●	☐	☐			
	Paid Leave	●	☐	☐			
	Premium Pay	☐	☐	☐			
	Social Security and Other Benefits	●	●	◐ ⁱⁱ			12 months
	Wage Information, Use and Deduction	☐	●	☐	Modify the payslip in order to make it understandable for workers.	Payroll was simplified.	
6 Contracts and Human Resources	Contracting Procedures	☐	☐	☐			
	Discipline and Disputes	☐	☐	☐			
	Employment Contracts	☐	●	●			6 months
	Termination	●	☐	☐			
7 Occupational Safety and Health	Chemicals and Hazardous Substances	●	◐	●	Provide adequate masks to spot cleaners.	Factory has provided adequate mask to spot cleaners.	12 months
	Emergency Preparedness	●	☐	● ³⁰			
	Health Services and First Aid	●	●	◐	Provide free annual health checks to workers. Train workers on first aid.	The factory has an agreement with the Bernard Mevs Hospital, but medical checks are not conducted systematically. 10 workers were trained on first aid, which is less than the recommended 10% of the workforce.	12 months
	OSH Management	☐	●	☐	Establish an OSH Policy.	OSH policy was elaborated.	

³⁰ NB: In the second round of assessment, the factory did not have periodic emergency drills. There were no other non-compliance issues.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
8	Systems				Send work-related accidents records to OFATMA.	Records of accidents are send to OFATMA every month.	
	Welfare Facilities	●	◐	◐	Install enough well functioning toilets.	8 toilets were added for women and 8 additional toilets are in construction. This number is still not sufficient to comply with the legal requirements.	12 months
	Worker Accommodation	○	○	○			
	Working Environment	●	●	●			12 months
	Worker Protection	●	◐	◐	Provide personal protective equipment to all workers in spot cleaning area.	All spot cleaners received adequate protective masks.	12 months
	Leave	○	○	●			
	Overtime	●	●	◐	Obtain authorization from the Ministry of Labor to work on overtime and on Sundays.	The authorization for overtime was received, but the Sunday authorization is still outstanding.	12 months
	Regular Hours	●	●	●	Approval of internal work rules by the MoLSA	Daily break time is stipulated in internal rules and approved by MAST	12 months
					Consultation with workers		

Sew Rite Manufacturing

Location Port-au-Prince
No. of workers 58
Registration date 19 October 2010

Advisory and Training Services

Advisory services provided on May 10, May 14 and June 1st.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐			
	Documentation and Protection of Young Workers	☒	☒ ³¹			6 months
	Hazardous Work	☐	☐			
	Unconditional Worst Forms	☐	☐			
2 Discrimination	Gender	☐	☐			
	Other Grounds	☐	☐			
	Race and Origin	☐	☐			
	Religion and Political Opinion	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐			
	Coercion	☐	☐			
	Forced Labour and Overtime	☐	☐			
	Prison Labour	☐	☐			
4 Freedom of Association and CB	Collective Bargaining	☐	☐			
	Interference and Discrimination	☐	☐			
	Strikes	☐	☐			

³¹ NB: the factory does not maintain an appropriate system for age verification of workers, such as requiring the provision of national ID upon recruitment.

	Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
5	Compensation	Union Operations					
		Method of Payment					
		Minimum Wages		i			6 months
		Overtime Wages					
		Paid Leave					
		Premium Pay					
		Social Security and Other Benefits		ii			6 months
		Wage Information, Use and Deduction					
6	Contracts and Human Resources	Contracting Procedures					
		Discipline and Disputes					
		Employment Contracts			Provide newly hired workers with a written contract. Modify the internal work rules, in order to reflect the agreement with workers on daily breaks.	A new contract format was elaborated and newly hired workers will from now on all receive written contracts. New internal rules were established.	6 months
		Termination					6 months
7	Occupational Safety and Health	Chemicals and Hazardous Substances					
		Emergency Preparedness					6 months
		Health Services and First Aid					6 months
		OSH Management Systems					6 months
		Welfare Facilities					6 months
		Worker Accommodation					
		Working Environment					
		Worker Protection					6 months
8	Working Time	Leave					
		Overtime					6 months
		Regular Hours					6 months

Sewing International S.A.

Location Port-au-Prince
No. of workers 1856
Registration date 25 September 2009

Advisory Services and Training

Management introduction meeting held on May 13. Advisory Services on OSH provided on May 20: slides presentation on good and bad factory practices. OSH Self assessment (identification of hazards with Committee members. Pictures of hazards taken during factory tour). Meeting to talk about findings and how to set up an improvement plan.

Participation to the BWH OSH event held on April 30 (16 workers). Participation to the HR management training provided by Sofitraining from May to July 2011.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐	☐			
	Documentation and Protection of Young Workers	☐	☐	☐			
	Hazardous Work	☐	☐	☐			
	Unconditional Worst Forms	☐	☐	☐			
2 Discrimination	Gender	☐	☐	☐			
	Other Grounds	☐	☐	☐			
	Race and Origin	☐	☐	☐			
	Religion and Political Opinion	☐	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐	☐			
	Coercion	☐	☐	☐			
	Forced Labour and Overtime	☐	☐	☐			
	Prison Labour	☐	☐	☐			
4 Freedom of	Collective Bargaining	☐	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	3 rd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
Association and Collective Bargaining	Interference and Discrimination	●	○	○			
	Strikes	○	○	● ³²			
	Union Operations	○	○	○			
5 Compensation	Method of Payment	○	○	○			
	Minimum Wages	●	○	● ⁱ			
	Overtime Wages	○	○	○			
	Paid Leave	●	◐	○			
	Premium Pay	○	○	○			
	Social Security and Other Benefits	●	◐	○			
	Wage Information, Use and Deduction	●	●	○			
6 Contracts and Human Resources	Contracting Procedures	○	○	○			
	Discipline and Disputes	○	○	○			
	Employment Contracts	●	◐	◐	Fix internal rules for daily breaks.	The internal rules were signed by the Ministry of Labour.	12 months
	Termination	○	○	○			
7 Occupational Safety and Health	Chemicals and Hazardous Substances	●	●	◐	Establish an inventory of chemicals.	Inventory is available.	12 months
					Label all chemical containers.	Chemical containers are labelled.	
					Improve the storage of chemicals.	Factory has improved chemical storage.	
					Provide eye wash station at the point of use of chemicals and at the chemical storage.	Eye wash bottles are now posted near the spot cleaning area.	

³² NB: the factory dismissed approx. 140 workers following an illegal strike.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>3rd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
	Emergency Preparedness	●	●	◐	Post an evacuation plan and mark the escape routes.	Evacuation plan is posted.	12 months
					Indsutry wide activity to be launched in October 2011.		
	Health Services and First Aid	●	●	●			12 months
	OSH Management Systems	●	◐	○			
	Welfare Facilities	●	●	●			12 months
	Worker Accommodation	○	○	○			
	Working Environment	○	○	○			
	Worker Protection	●	◐	◐	Provide the necessary personal protective equipment to all workers.	PPE are provided and fatigue mats were installed.	12 months
8 Working Time	Leave	○	○	●			
	Overtime	●	●	●			12 months
	Regular Hours	●	●	●			12 months

The Willbes Haitian II S.A.

Location Port-au-Prince
No. of workers 391
Registration date 27 August 2010

Advisory and Training Services

Management introduction meeting on April 5. Workers Awareness Raising at the April OSH Event: 6 workers participated in the training that supported their engagement in the OSH Committee.

OSH Advisory Services at the factory (15 OSH Committee Members): The Better Work Enterprise Advisors advised the factory on good and bad OSH practices. OSH Self Assessment (15 OSH Committee Members): The Better Work Enterprise Advisors supported the OSH committee to identify hazards in the factory. A follow-up meeting was organized in order to assess the findings and set up an improvement plan.

One Manager from Willbes II participated in the seminar organized by Sofitraining on how to become efficient managers. HR manager attended the HR management training also provided by Sofitraining.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐			
	Documentation and Protection of Young Workers	☐	☐			
	Hazardous Work	☐	☐			
	Unconditional Worst Forms	☐	☐			
2 Discrimination	Gender	☐	☐			
	Other Grounds	☐	☐			
	Race and Origin	☐	☐			
	Religion and Political Opinion	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐			
	Coercion	☒	☐	Allow workers free exit from the workplace at all times.	Factory hung up posters to make workers aware that they are free to leave the workplace at any time.	
	Forced Labour and	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
4 Freedom of Association and Collective Bargaining	Overtime					
	Prison Labour	○	○			
	Collective Bargaining	○	○			
	Interference and Discrimination	○	○			
	Strikes	○	○			
	Union Operations	○	○			
5 Compensation	Method of Payment	○	○			
	Minimum Wages	○	◐			
	Overtime Wages	○	○			
	Paid Leave	●	○	Pay workers for breastfeeding breaks.	Factory has established a policy for pregnant women and provided information on breastfeeding breaks to nursing women.	
	Premium Pay	○	○			
	Social Security and Other Benefits	●	○			
	Wage Information, Use and Deduction	○	○			
6 Contracts and Human Resources	Contracting Procedures	○	○			
	Discipline and Disputes	○	○			
	Employment Contracts	●	●	Correct internal rules for daily breaks.	Internal rules have been corrected in order to reflect the agreement with workers regarding one-hour breaks.	6 months
	Termination	●	●			6 months
7 Occupational Safety and Health	Chemicals and Hazardous Substances	●	◐	Establish eye wash station.	Factory has installed an eye wash station in spot cleaning area, but needs another eye wash station near the chemical stockage and one near the cutting area where spray is used.	6 months
	Emergency Preparedness	●	◐	Post an evacuation plan and mark all escape routes.	Some escape routes have been marked, but in the packing and pressing area, escape routes are still lacking.	6 months

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
				Unblock all emergency exits during working time.	All emergency exits are unlocked and unblocked during working time.	
	Health Services and First Aid	●	●			6 months
	OSH Management Systems	●	◐	Write up an OSH policy.	Factory has a written OSH policy, but no self-assessment has been conducted yet.	6 months
				Notify work-related accidents to OFATMA.	Records of work-related accidents are sent to OFATMA.	
	Welfare Facilities	●	●			6 months
	Worker Accommodation	○	○			
	Working Environment	○	○			
	Worker Protection	●	◐	Provide standing workers with fatigue mats.	Most standing workers have fatigue mats. Those who have not were provided with footrest on their tables.	6 months
				Train workers on the use of PPE.	Exposed workers are provided with masks and were trained on the use of the masks. However, workers still need to be trained on the use of masks.	
8 Working Time	Leave	○	○			
	Overtime	●	○	Obtain authorization from the Ministry of Labour to work on Sundays.	Authorization letter was sent to MITRAB, but needs to be renewed.	6 months
	Regular Hours	●	◐	Provide breast-feeding breaks to nursing women.	Factory established a policy for pregnant women and made information on breastfeeding available for nursing women.	6 months

The Willbes Haitian III S.A.

Location Port-au-Prince
No. of workers 408
Registration date 27 August 2010

Advisory and Training Services

Management introduction meeting held on April 5. Worker Awareness Raising at the April OSH Event: 6 workers participated in the training that supported their engagement in the OSH Committee.

OSH Advisory Service at the factory: The Better Work Enterprise Advisors advised the factory on good and bad OSH practices.

OSH Self Assessment: The Better Work Enterprise Advisors helped the OSH committee to identify hazards in the factory. A follow-up meeting was organized in order to assess the findings and set up an improvement plan.

One Manager from Willbes II participated in the seminar organized by Sofitraining on how to become efficient managers. HR manager participated in HR training equally delivered by Sofitraining.

<i>Compliance cluster</i>	<i>Compliance point</i>	<i>1st Assessment</i>	<i>2nd Assessment</i>	<i>Improvement priorities identified by the factory</i>	<i>Efforts made to remedy the compliance needs</i>	<i>Time elapsed</i>
1 Child Labour	Child Labourers	☐	☐			
	Documentation and Protection of Young Workers	☐	☐			
	Hazardous Work	☐	☐			
	Unconditional Worst Forms	☐	☐			
2 Discrimination	Gender	☐	☐			
	Other Grounds	☐	☐			
	Race and Origin	☐	☐			
	Religion and Political Opinion	☐	☐			
3 Forced Labour	Bonded Labour	☐	☐			
	Coercion	☐	☐			
	Forced Labour and Overtime	☐	☐			
	Prison Labour	☐	☐			
4 Freedom of Association and Collective	Collective Bargaining	☐	☐			

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
	Bargaining					
	Interference and Discrimination	○	○			
	Strikes	○	○			
5	Union Operations	○	○			
	Compensation					
	Method of Payment	○	○			
	Minimum Wages	●	● ⁱ			6 months
	Overtime Wages	○	○			
	Paid Leave	○	○			
	Premium Pay	○	○			
6	Social Security and Other Benefits	●	○			
	Wage Information, Use and Deduction	○	○			
	Contracts and Human Resources					
	Contracting Procedures	○	○			
	Discipline and Disputes	○	○			
	Employment Contracts	●	◐	Revise the internal rules	Internal rules have been corrected in order to reflect the agreement with workers regarding a one-hour break.	6 months
	Termination	●	○	Include reason of termination in terminated workers' file. Allow workers to defend themselves before termination and provide proper notice for termination.	The factory provides the workers with a warning and that gives them the opportunity to defend themselves before being terminated. A new form states the reason for termination.	
7	Occupational Safety and Health					
	Chemicals and Hazardous Substances	●	◐	Maintain inventory of all chemicals in factory.	Factory now has inventory for chemicals	6 months
				Properly store all chemicals.	Chemicals are all properly stored.	
				Provide mask, gloves, and goggles to workers using chemicals.	Masks are provided to workers using chemicals.	
				Install eyewash station where chemicals are used and stored.	Spot cleaning areas are now equipped with an eye washing. However, the chemical storage area and the cutting department still lack	

Compliance cluster	Compliance point	1 st Assessment	2 nd Assessment	Improvement priorities identified by the factory	Efforts made to remedy the compliance needs	Time elapsed
				Train workers on the use of PPEs.	eyewash equipment.	
					HR trained workers on the use of mask.	
	Emergency Preparedness	●	◐	Mark all escape routes correctly.	Escape routes are marked correctly.	6 months
	Health Services and First Aid	●	◐	Provide health checks to all workers.	At the OSH event organized by Better Work, many workers benefited free health checks by OFATMA or CPFO. However, factory is still not providing regular and free health checks.	6 months
	OSH Management Systems	●	○	Write up an OSH policy and ensure cooperation between workers and management on OSH matters.	Factory has a written OSH policy and established an OSH committee and sub-committees.	
				Perform general OSH assessment of the factory.	Newly inducted OSH members conducted a general assessment with the help of the Better Work Enterprise Advisors.	
	Welfare Facilities	●	●			6 months
	Worker Accommodation	○	○			
	Working Environment	○	○			
	Worker Protection	●	◐	Provide proper mask to spot cleaners.	Cleaners have proper masks.	6 months
8 Working Time				Install eye guards on machines.	Some machines are still missing eye guards.	
				Train workers on use of PPE and on the use of guards in machines.	Spot cleaners were trained to use provided mask. However, training for use of eye guards is still outstanding.	
	Leave	○	○			
	Overtime	●	○			
	Regular Hours	●	○	Provide daily breaks according to the Law.	Management sought agreement with workers for one-hour break.	
				Provide breastfeeding breaks.	Factory now has a policy for pregnant women and made information on breastfeeding available to women workers.	

Annex 1. HOPE II Legislation Reporting Requirements

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. [...]

Endnotes

ⁱ The second round of Better Work Haiti's assessments took place during or shortly after October 2010, which was the date set for the increase of the minimum wage for piece-rate workers to 250 Gourdes. Some factories that were assessed in those days were paying the previous minimum wage of 200 Gourdes and were found to be compliant. Those that have failed to update the minimum wage to 250 Gourdes in the ensuing period have been found to be non-compliant in the latest round of assessments.

ⁱⁱ There has been a change in the assessment with regard to questions related to contributions to OFATMA. The Labour Code requires employers to collect, forward and pay contributions to OFATMA for maternity and health insurance. Previously, Better Work Haiti assessed factories based on this principle. However, due to the fact that currently there is no functioning health insurance system in Haiti and the maternity insurance is voluntary for workers, Better Work Haiti has revised its assessment guidelines and determines compliance on this issue based on whether the employer collects, forwards and pays contributions for workers who ask to enroll in the maternity insurance programme. Workers typically are not aware that they can enroll in the maternity insurance programme, so employers are not collecting, forwarding and paying contributions to OFATMA. Better Work is working with employers to encourage them to inform workers about the voluntary maternity insurance benefit. In the event that these insurance programmes become fully functional, Better Work will revise its approach accordingly.