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Under the HOPE II Legislation
Haiti

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List of Acronyms

ADIH	Association des Industries d'Haïti (Haitian Industry Association)
BMST	Bureau de la Médiatrice Spéciale du Travail
CAOSS	Conseil d'Administration des Organes de Sécurité Sociale (Board of Social Security Bodies)
CP	Compliance point
CSS	Conseil Supérieur des Salaires (Wages High Council)
CTMO-HOPE	Commission Tripartite de Mise en œuvre de la loi HOPE
EA	Enterprise Advisor
HELP	Haiti Economic Lift Program
HOPE	Haitian Hemispheric Opportunity Through Partnership Encouragement Act
ITUC	International Trade Union Confederation
MSDS	Material Safety Data Sheet
MAST	Ministère des Affaires Sociales et du Travail (Ministry of Labor 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
PAC	Project Advisory Committee
PIC	Parc Industriel de Caracol
PICC	Performance Improvement Consultative Committee
PIM	Parc Industriel Métropolitain (also referred to as SONAPI)
PPE	Personal Protective Equipment
SC/AFL-CIO	Solidarity Center/American Federation of Labor – Congress of Industrial Organizations
TDS	Social Dialogue Table (Table de Dialogue Social)
TAICNAR	Technical Assistance Improvement and Compliance Needs Assessment and Remediation
USDOL	United States Department of Labor



Section I: Introduction and Context

Better Work – a collaboration between the United Nations’ International Labour Organization (ILO) and the International Finance Corporation (IFC), a member of the World Bank Group – is a comprehensive program bringing together all levels of the garment industry to improve working conditions and respect of labor rights for workers, and boost the competitiveness of apparel businesses. The program was launched in Haiti in June 2009 as part of the global Better Work program with country operations in Bangladesh, Cambodia, Haiti, Indonesia, Jordan, Nicaragua, and Vietnam. To date, Better Work is focusing its efforts on the apparel and footwear industry in the countries it operates in. However, companies from other industries may benefit from Better Work services in some particular country contexts.¹ In Haiti, the program is mandatory for all apparel producers exporting their products to the US market under the HOPE II legislation.

The HOPE II law requires that Haiti in cooperation with the ILO establishes a Technical Assistance Improvement and Compliance Needs Assessment and Remediation Program (TAICNAR) which (i) assesses Haitian apparel factories exporting under the HOPE II law on compliance with international core labor standards and national Haitian labor law, (ii) assists these factories on their remediation efforts and (iii) provides capacity building to the Government of Haiti on these aspects. According to the HOPE legislation, biannual reports have to be published to state enterprise level compliance performance. Further details on the components of the HOPE II law as well specific requirements with regards to biannual reports being published by the entity operating the TAICNAR program are quoted in annex 1 (HOPE II Legislation Reporting Requirements). This is the second of these two annual reports under the HOPE legislation to be published in 2017. Detailed enterprise level data of compliance performance as required by the HOPE II legislation is included in the factory tables in annex 4.

The two components of HOPE II’s TAICNAR program aim at strengthening labor compliance of the industry in Haiti. The first of these elements focuses on assessing compliance with core labor standards and national labor law, supporting remediation efforts, and publicly reporting on the progress of each factory on the Labor Ombudsman’s register. The second element of the TAICNAR program consists of technical assistance to strengthen the legal and administrative structures for improving compliance in the industry. The scope of these services is extensive, encompassing technical assistance from the ILO in reviewing national laws and regulations to bring them into conformity with international standards,

¹ In Haiti for example, a plastics factory is participating voluntarily in the program by paying a market price for the Better Work services.



raising awareness of workers' rights, and training labor inspectors, judicial officers and other government personnel.

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

Better Work Haiti is implementing the first component of the TAICNAR program while other ILO projects, in particular the ILO-MAST capacity building project work on the second component. The Better Work program is coordinating its work with the Labor Ombudsman and a tripartite Project Advisory Committee (PAC). This committee meets with Better Work on a regular basis to discuss the activities of the Better Work program. The members of the PAC represent the private sector, government and worker representatives and the Committee is chaired by the Labor Ombudsperson in line with the requirements of the HOPE law.

1.1. COUNTRY CONTEXT AND INDUSTRY UPDATES

In 2016, total export revenues from the textile and garment industry in Haiti accounted for approximately 90% of national export earnings and 10% of national GDP.

Since the expansion of tariff benefits under the HOPE/HELP preference programs, apparel exports from Haiti to the US have more than doubled, growing from US\$ 412.4 million in 2008 to a high of US\$ 895.3 million in 2015. In 2016, Haitian apparel exports to the US showed a slight decrease to US\$848.7 million. However, in terms of exports receiving preferential treatment under HOPE – and not other programs under the CBTPA – there has been an increase from 55.6% of total apparel exports receiving HOPE benefits in 2015 to over 63% qualifying exports under HOPE in 2016. It remains to be seen whether this apparent shift in sourcing patterns continues and potentially represents a trend towards higher value products in apparel exports from Haiti. Export figures will have to be observed over the next three to five years to verify this hypothesis. Regarding overall apparel export figures which have decreased in 2016, figures up to July 2017 showed similar export volume compared to 2016. The recent growth of the workforce may be an indicator for upcoming increases in exports which remains to be seen.



The apparel industry is also among the largest employers within Haiti, creating jobs for approximately 46,000 people according to data from September 2017 from the employers association ADIH. The workforce in this industry therefore saw a growth of roughly 15 percent since January 2017 when this figure still stagnated at 40,000 (since mid-2015). Most workers (about 65-70%) are women who support several family members. It has to be noted, that ADIH includes management staff in these calculations. Based on Better Work's data collection over more than six years in Haiti's apparel industry, one can say that management staff accounts to approximately 10-15% in the factories. Therefore, the number of production workers lies at around 40,000-42,000. ADIH continues to update these figures based on statistics provided by its member companies several times a year. Currently, the biggest companies in the sector remain S&H Global (11,360 employees) and CODEVI (9,200 employees), both located in Haiti's North. The number of exporting factories remains between 20 and 30 enterprises. A few new investors have recently or are currently planning to start operations in the industry in Haiti. There continues to be a general trend in shift of production from the capital in Port-au-Prince to the North of the country. The combined workforce of the factories in the North represents now almost 45% of the total employment in the sector.

The new President, Jovenel Moise, has taken office in February 2017 after a year of political uncertainty and an interim government in place. In April, the new administration has been appointed. The president mentioned the HOPE law and the potential of the garment sector for Haiti's socio-economic development in his inauguration speech. The first appointed Minister for Social Affairs and Labour of this Administration had been dismissed for accusations of corruption after only a few months in office. The new Minister, Stephanie August, was appointed in September 2017.

1.2. TAICNAR PROGRAM ACTIVITIES IN THE REPORTING PERIOD

TAICNAR Program Component 1: Compliance Assessments and Remediation Support

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

Better Work Haiti is implementing this component of the TAICNAR program. Aggregated findings for the entire industry regarding compliance with national and international labor law are outlined in section II of the report. The details of Better Work's assessment methodology are explained in annex 3 of this reports. Annex 4 provides the details of compliance for every factory that has been assessed.



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

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

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

The ILO is conducting different activities under this component.

In 2014, the ILO launched a USDOL-funded project supporting the Ministry of Social Affairs and Labor (MAST) which will be running until December 2017. The objective of the project is to strengthen the capacities of the Ministry in order to improve apparel factories’ compliance with international and national labor laws. It is therefore contributing to the second component of the TAICNAR program required by the HOPE legislation in order for Haiti to receive tariff benefits. Given the upcoming ending of the funding for this project, the ILO/MAST capacity building program has been working on completing its workplan during the last months of operation. Among the activities conducted were:

- ◆ Achieving the specialization training with International Training Centre (ITC) of the ILO of the Haitian Labour Judges and Lawyers who are trainers at the School of Magistrate in Haiti (EMA);
- ◆ Finalizing the work on the MAST call center;
- ◆ Finalizing the plan for the Information, Education and Communication Campaign
- ◆ Completing the training program for the MAST managers on Institutional Communication;
- ◆ Elaborating the Project’s Sustainability Plan and Exit Strategy



- ◆ Starting the work on the archiving system of MAST and the MAST website.
- ◆ Initiated the second phase of the Information, Education and Communication Campaign (IEC campaign) which is to develop the materials and tools for this campaign.
- ◆ Providing tangible logistic support to the Labor Inspection Service by putting a vehicle at their disposition with a driver while working on the official transfer of this vehicle to MAST.

Better Work is currently working on its next 5 year strategy and workplan (2018 – 2022) and will incorporate the continuation of certain of these elements from the ILO/ MAST project.

Since 2011, the ILO has been assisting the MAST in the process of a tripartite revision of the Labor Code. Political processes have repeatedly delayed the finalization of this reform process. However, the tripartite partners have engaged to complete the reform through dialogue which takes into consideration the international labor standards ratified by the country and comments from the different departments of the ILO.

The labor law reform represents an important revision of the law currently in force in Haiti which dates back to 1961 with a revision from 1983. The tripartite actors are aiming for compliance of the code with the international norms ratified by Haiti including the eight core labor standards. The creation of modern legal framework for the country is of utmost importance.

All tripartite partners – government, employers, and workers – worked on a unilateral revision of the labor code in order to then meet in a tripartite setting to allow for a consensus on the code. In this context, a tripartite commission under the leadership of the MAST has been formed on the labor law reform process. However, given the recent strikes and related conflicts in the garment sector and a recently published law making changes to working hours which has mainly been pushed through by employers have led to a gridlock. (Among other things, this new law allows the employer to organize the work day in 3 shifts of 8 hours without additional payment for hours performed at night). Unions have made claims to address some of their issues of concerns – such as the reinstatement of terminated workers following the strikes – prior to resuming negotiations on the labour law reform process.



Section II: Highlights from the Reporting Period

Over the past months, Better Work continued delivering core services – assessment, advisory and training services – to all participating factories. In addition, Better Work continues its partnerships with various other actors to move specific projects forward in the garment industry in Haiti. Highlights from the reporting period include:

- ♦ New training on the Haitian Labour Law launched in collaboration with MAST
- ♦ Productivity Accelerator (PA) project launched in collaboration with IFC in Haiti and Nicaragua in parallel (2 factories from Haiti participate)
- ♦ Continuation of the Factory Clinic Improvement Program in collaboration with Share Hope
- ♦ First regional Better Work Americas Forum held in Costa Rica in September 2017 to discuss scaling of BW impact in the region
- ♦ Draft development of the new 5-year strategy for the Better Work Haiti program (2018 – 2022)

2.1. May - July 2017 Strikes and related dismissals - Findings from Special Investigations and regular Better Work compliance assessments

On May 1st 2017, International Labor Day, the three unions GOSTTRA, CNOHA, and PLASTI-BO organized a rally, announcing that they would go on strike on May 8th. The primary objective of the strike was to demand an increase in the minimum salary from 300 Gourdes per day, to 800 Gourdes per day. The strike was postponed in order to accommodate a request by MAST to discuss the three unions' claims. On May 15, the three unions met with MAST, and requested action on their demands, which included demands relating to social services, resumption of the tripartite labour law reform process, and free access of unionists to industrial parks and the workers, in addition to the demand to increase minimum wage.

On May 16, 2017, the three unions sent a letter to the MAST and ADIH (the employers association) saying the unions would go on strike on May 19, since they were not satisfied with the outcome of their 15 May meeting. On May 19, 2017, the



majority of garment factories in Port-au-Prince went on strike in order to demand a minimum wage increase from 300 Gourdes to 800 Gourdes per work day. The employers association, ADIH, responded by announcing a lockout for Saturday, 20th May and Monday, 22nd May, during which all factories in the SONAPI Industrial Park (PIM) and the factories in the airport road (where the majority of factories are located) would be closed. The stated reason for the lockout was to prevent damage that could result from the strike. Subsequent strikes were organized at the sectoral level on June 26 and July 10, and in some of the factories, there were additional factory closures.

Workers from 22 factories participated in the May 19 strike. Following that strike and the others that followed, some of the union officials and other workers from 5 factories were terminated or suspended. Among the five factories that terminated or suspended union officers and workers, two have reinstated all of them.

After several requests to do an investigation by unions, ADIH, and international trade unions, Better Work Haiti assessed the circumstances surrounding the terminations of workers including trade union officers in the five factories. It is important to note that Better Work Haiti is not substituting for the role of Haitian institutions, in particular the Ministry of Labor and Social Affairs. MAST formed a governmental commission in charge of investigating the dismissals following May 2017 strikes to increase the minimum wage. This commission includes members from MAST and the Haitian Senate. The commission's report was not communicated with Better Work.

Better Work's investigations were conducted outside of the routine compliance assessments for 3 factories. These investigations focused primarily on the events that took place during the May 2017 strike, and the subsequent terminations, as well as appropriate recommendations for remediation, and were not full-scope Better Work annual compliance assessments. In the two other factories, Better Work investigated the terminations as part of a full scope factory assessment. Information for these two cases is included in the section on Freedom of Association in this report as well as in the individual factory tables for the concerned factories.

In order to establish an objective presentation of the events, interviews were complemented by a process of reviewing and consulting all relevant available documentation. Following the initial collection of evidence, Better Work Global colleagues in Geneva reviewed the initial draft reports, and provided guidance on appropriate follow-up, which subsequently was undertaken by Better Work Haiti. In addition, the ILO's NORMES Department reviewed the reports and provided feedback, which has been incorporated in the individual factory reports.



The results of the investigations revealed that in the first factory six union leaders were denied access to the workplace following the June 26 sectoral strike. They returned to work following a MAST intervention. Thirteen union officers who participated in the July 10 sectoral strike were subsequently denied access to the workplace, which led to an enterprise level strike led by the unions on July 11 and 12. Another factory-level strike occurred on July 15 to protest the new production quota. 13 union officers were terminated following this strike. All but one have been reinstated after MAST recommendations. Better Work is not making recommendations for remediation specific to this factory, as all of the terminated union officers have been offered reinstatement, and with one exception, all have accepted the offer and are back at work.

In the second factory, workers did not join the sectoral strike on May 19, however, they did strike from May 22–24. Work proceeded as normal on May 25, however, on May 26, sixteen union officers were not allowed to access the workplace, without explanation as to why they were denied access. The union officers joined the wage strikes on May 29, after which eleven of them were suspended for 8 days for repeated unjustified absences, pending MAST approval for termination. They were not provided with any opportunity to defend themselves during the suspension period. Management informed MAST that it was terminating the eleven workers eight days later, without indicating that they are union officers. It is not possible to verify the claim by management that the terminated workers had four days of unauthorized absence during May, due to the unreliability of the attendance records. Information provided to Better Work Haiti during the factory visit and subsequently by email shows that the records have been altered to support management's claims. In any case, the union officers were absent in order to participate in sectorial level wage strikes, and on other occasions, because management did not allow them to access the factory in order to report for work. Neither of these reasons justifies their terminations based on unauthorized absence. In the case of this factory, Better Work recommends to reinstate the 11 terminated union officers with compensation for back pay.

In the third factory, thirty-two workers, including eleven union leaders were terminated for inciting workers to participate in a protest using verbal and psychological abuse and for causing disorder in the workplace following the May 19 strike and subsequent lockouts. None of these workers or union officers have been reinstated. While the strike was underway, management called upon two labor inspectors from MAST to document the events. The inspectors' report, dated May 26, found that the union leaders intimidated workers to get them to strike, and concluded that their actions constituted a premeditated protest with the objective to cause disturbance in the workplace, not a strike. None of the workers interviewed by Better Work indicated that there was any intimidation of management or workers during the May 19 strike, and there was no evidence of intimidation on management's videos, which were shared with Better Work during the factory visit.



Management informed MAST on May 22 of the termination of the 32 workers (four days prior to the MAST report). The workers were not offered any opportunity to defend themselves prior to being terminated. Better Work Haiti has officially asked MAST's Labor Inspector Task Force for the Garment Industry to perform a complete investigation of the events at this factory. On August 31, Task Force inspectors from MAST attempted to visit the factory in order to perform this investigation, but they were denied access to the workplace. The union confederation present at this factory has submitted a complaint of corruption to the Haitian Prime Minister and the Minister of MAST with respect to the two labour inspectors who were called upon by management to document events at the factory on May 19 and on another previous occasion. In the case of this factory, Better Work recommends to reinstate the 32 terminated workers, including the 11 terminated union officers with compensation for back pay.

In the fourth factory, sixty-two union officers from the two unions in the workplace were denied access to the workplace following strikes and factory closures between May 19 and 29, pending a notification requested by management from the unions stating that the strike was over. These officers eventually returned to work after renouncing the strike on June 13, with the exception of 22 officers from one of the unions, who did not agree to be placed in a different building from the building in which they were originally posted. The same events played out following a subsequent sectoral strike on June 26 (factory management denied access to the workplace to union until management received a notice that the strike was over). Following several days of factory closures, workers were called back to work in modules, as opposed to being called back all at once.

Officials from one union returned to work on June 29, while the other union's officials returned in more limited numbers, due to the on-going dispute over the building to which they would be posted. Workers went on strike on July 21 to support the return of the two remaining union officials to their original building. Operations resumed starting on July 24, with workers being gradually called back by modules. The last two union officers who had been seeking to return to their original building returned to work after confirming on August 20 that the strike had ended and that they accepted to return to work in the building chosen by management.

During August, management terminated 27 workers' contracts for lack of orders. No union leaders were affected by these terminations. Although all terminated workers have been reinstated, their claims for back pay for the days they were not called back to work by management have not been accepted. In the case of this factory, Better Work recommends that management ensures that there is no negative impact on trade unions due to the fact that most of the union officers are located



in the factory's second building. Also, the parties should submit their outstanding claims for back pay to the ombudsperson for mediation, since both parties appear to have played a role in the delayed return to work for some workers.

In the last factory, workers and unions participated in the sectoral strike on May 19, and following the lockouts on May 20 and 22, were on strike again from May 23–25, although workers were present in the factory on May 25. On that day, management tried to set up a module to work, and five union officers interrupted those efforts by sitting on the machines. The five officers were terminated on May 26 for perturbing production, and have not been reinstated. Labour Inspectors from the Garment Sector Task Force of MAST conducted an investigation into the termination of the five union officials and have recommended reinstatement. During late June, July and August, management terminated about 104 workers due to a reduction in business, including at least 25 union members. Better Work does not have sufficient evidence to find that workers were selected for termination during the mass layoffs due to their union activities or membership. Better Work recommends the reinstatement of the 5 terminated union officers with compensation for back pay, in line with the recommendation of reinstatement made by the Labour Inspectors on the Garment Sector Task Force following their investigation because the terminations were not done in line with legal requirements. In addition, priority in rehiring should be given to the workers who were terminated during June, July and August due to reduced business in the event that additional workers with comparable qualifications are required. If management is considering future mass suspensions or layoffs, it is recommended that the factory improves its internal procedures to include prior consultations with trade unions, development of objective criteria for selecting workers for termination, and prior notice to MAST, in order to ensure more transparency in the process.

Given these tensions over the past months, Better Work makes the following industry-wide recommendations:

- ◆ ADIH and Trade Union Representatives that are present on the Social Dialogue Table (ideally in consultation with employers and unions that are not titular members of the Social Dialogue Table) should consider a review and amendment – as necessary – of the Terms of Reference of the Social Dialogue Table, to ensure that it is functionally representative of employer and worker interests in the export garment and textile industries.
- ◆ In the ongoing Labour Law reform process, the Government of Haiti and the social partners should work to ensure that there is adequate protection for factory level trade union officers in carrying out their representative functions, with adequate protection against acts of anti-union discrimination.



- ◆ In collaboration with the ILO, the Government of Haiti, in partnership with the social partners in Haiti, may consider a review and amendment of the Terms of Reference of the Superior Council of Wages (Conseil Superior des Salaires, or CSS), including the selection process and mandate of representatives. The trade unions in the sector, with the support of ILO ACTRAV and the Global Unions, may consider establishment of a labour caucus for the preparation of, and follow-up to decisions of the CSS.
- ◆ Haitian Employers' and Workers' Organizations may wish to consider a review of the lessons learned from collective bargaining at the enterprise level in Haiti and consider, and if appropriate, request support from the ILO on technical assistance on examining models of collective bargaining that may be most relevant to the garment and textile industry in Haiti, including with respect to representative voices of workers and employers in the process.
- ◆ Factories and trade unions that have negotiated and implemented FOA policies and protocols may consider engaging with workers and other relevant stakeholders, (with ILO support) to determine lessons learned and areas of improvement for better industrial relations.
- ◆ The ILO and MAST should focus on consolidation of the existing collaboration between the Better Work Haiti Program and the Labour Inspectorate Garment Sector Task Force, and develop recommendations for sharing lessons learned with other MAST departments.
- ◆ ADIH and Trade Union Federations should provide support to factories and enterprise level union representatives on developing the capacity of employers and unions to resolve rights and interest disputes, with the support of the Haitian Labour Ombudsperson and the ILO.

2.2. Compliance Situation in Haiti's Exporting Garment Sector

Better Work assesses participating factories once per year and works with each factory before and after this assessment to remediate non-compliance issues. While the assessment is a one-time activity once per year, advisory and training services delivered by the Better Work team focus on continuous learning and improvement. For more information on the Better Work service delivery model as well as the Better Work assessment methodology, please consult annex 2 and annex 3 respectively. The section presents the results of assessments, advisory and training services provided to all 27 participating factories in the period between



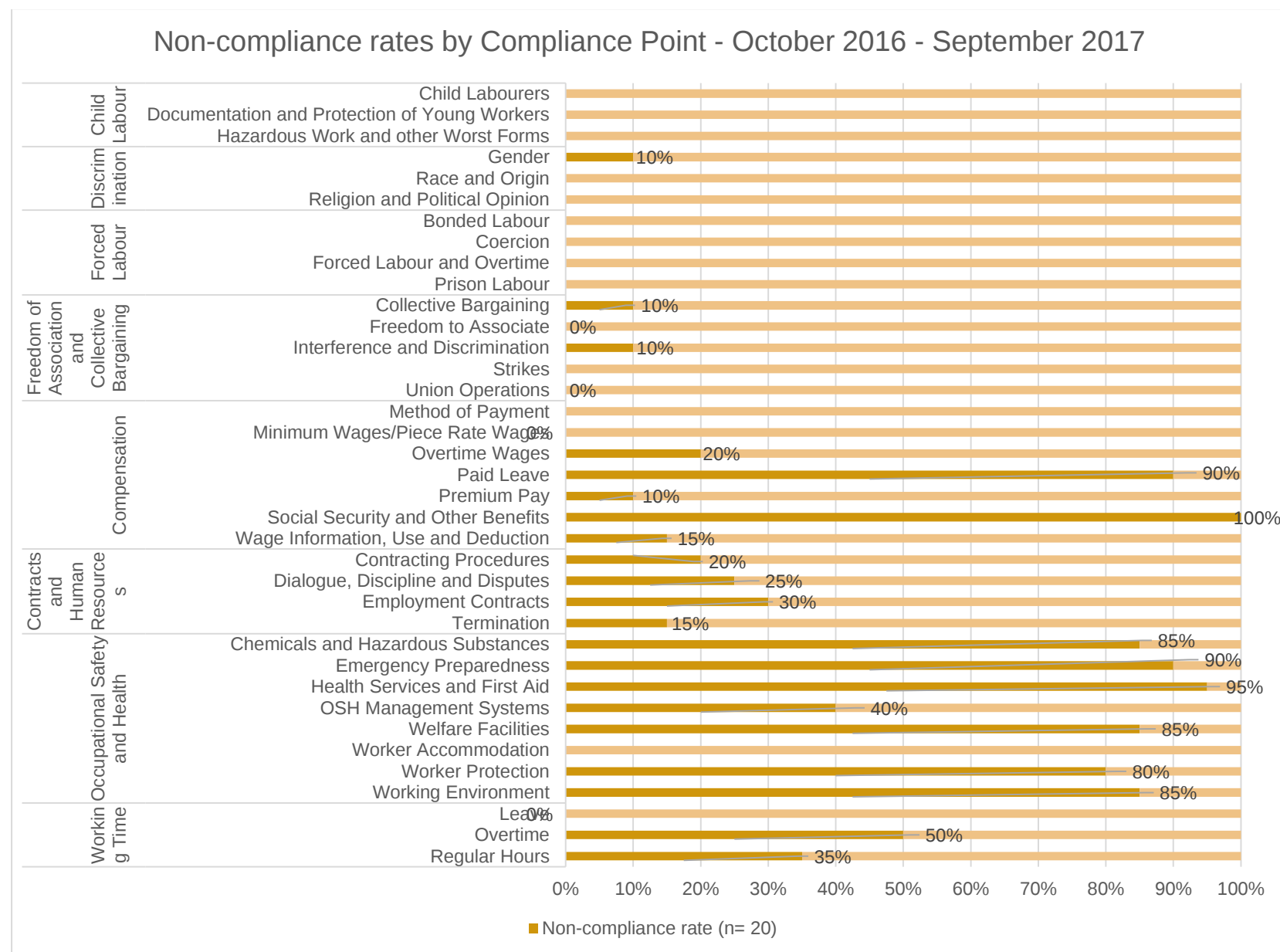
October 2016 and September 2017. Assessment information is included for factories that have been assessed at least twice by Better Work.

Chart 1 presents non-compliance findings for the 20 assessed factories in Haiti who had a minimum of two Better Work compliance assessments, showing non-compliance rates in brackets. A factory is found non-compliant in a compliance point if it is found out of compliance on any one aspect of it. Please note that as these reports are issued biannually, yet assessments are being done on an annual basis, issues are reported in two consecutive reports. In the individual factory tables in Annex 4 of this report, progress on the remediation of non-compliance issues can be followed in further detail.

It has to be noted that many issues found during Better Work assessments are persisting non-compliance issues. The overall compliance rates for the sector are stagnating with minor variations over the cycles. Better Work is observing this issue, not only in Haiti but also in its other country programs. The focus on management systems during advisory and training continues to help in tackling this problem. However, additional measures may be necessary to address persistent non-compliance issues. Better Work's differentiation approach that will be implemented in 2018 may provide some incentives for factories to further improve their compliance. Moreover, Better Work's collaboration with national labor ministries is also crucial to address this general challenge.



Chart 1: Non-compliance rates for 20 factories assessed between October 2016 and September 2017 over two Better Work cycles





2.2. Compliance Performance with regards to International Core Labor Standards

During the last round of assessments between October 2016 and September 2017 in 20 factories, the following results with regards to core labor standards have been observed.

CHILD LABOR

Child Labor is virtually non-existent in the apparel sector in Haiti. There were no non-compliance findings under the Child Labor cluster in the period under review.

DISCRIMINATION

Two factories were cited in non-compliance under the gender cluster. Both cases relate to sexual harassment and were already reported in the last public report from April 2017.

In one factory, workers and union representatives brought a case of sexual harassment to the attention of the Better Work Enterprise Advisors. The EAs then interviewed the worker concerned who reported that the supervisor of her sewing line had been using inappropriate language with sexually insulting comments during working hours. She stated that the supervisor has asked her out on dates and asked her to perform sexual acts with him. During interviews with other workers in the same line and nearby, they stated that the supervisor uses bad language. The worker also explained that she had not reported the case earlier because she was not aware of the policies in place to tackle such abuses. The worker continued to explain that once the supervisor had obtained her phone number from the HR department, he began to call her repeatedly. Eventually, the worker had to get her husband involved in answering the phone calls in order to get the supervisor to stop. The following day she also solicited the help of the union representatives in the workplace. After reporting the incident to the union, she complained to the HR department. Subsequently, the worker was transferred to another section in the factory, under a different supervisor. No reports on the case were available in the HR department. It also appears that the HR department did not inform upper management of the cases. When questioned, the supervisor completely denied any misconduct. No disciplinary measures have been taken against the supervisor.

Non-compliance for this case was also based on the lack of effective action to address the situation and weak enforcement of procedures in place. The factory has an anti-sexual harassment policy in place and posters are displayed on communication boards throughout the plant. However, interviews with workers



revealed that workers were not fully aware of the factory's policy on sexual harassment, and that the supervisor in question has not respected the policies in place.

Following the assessment, the factory took action to remediate this issue. During advisory services, Better Work recommended the factory to provide training to raise workers' awareness on ways to prevent and address sexual harassment in the workplace. The employer was also advised to train supervisors and managers on the company's regulations regarding sexual harassment and to update the policy on sexual harassment to include mandatory training for all staff and to strengthen reporting options and investigation processes. The factory has reviewed their sexual harassment policy and updated the content of the induction training for new workers to include a section on sexual harassment. Better Work also supported the factory by providing training on sexual harassment prevention to workers and supervisors.

The second case of sexual harassment from another factory refers to a case that was first heard of during workers' interviews during a Better Work assessment. During workers interviews, two workers stated that they had concerns about sexual harassment issues in their section. As this was a group interview, they were reluctant to give details about the situation. After this first interview, EAs went to the section and interviewed another male worker individually who confirmed that he was aware of one case of sexual harassment and directed EAs to the worker involved in the case. When EAs interviewed that worker, she complained about the fact that she was downgraded and transferred about 3 months ago to a section where she is earning less money, after refusing to give sexual favors to the manager of her section. An HR manager confirmed that she had been transferred, but said that it was due to a lack of orders and therefore lack of work in her section. The worker explained that after refusing the section manager's advances, she noticed that her pay decreased to the absolute minimum for 2-3 payslips, at which point she complained to HR and requested to change her position. She is still in the same lower-paying position, and according to the worker, there was no follow up on her complaint. Management did not acknowledge any complaints of sexual harassment since 2015.

EAs then conducted a second interview with the two workers who had expressed concerns from the initial group. One of the two interviewed female workers stated that she was sexually harassed by the manager of her section, with whom she had been working with for more than a year (the same section manager as the one involved in the transfer of the other worker described above). According to her, a week before the assessment visit, she exchanged messages by phone with her manager, who was trying to convince her to date him. As observed by the EAs, her phone showed that these exchanges between her and her manager. The worker stated that days after this exchange, the manager maintained a scornful attitude towards her because she did not accept



the offer to date him. She said that she complained to one of the HR team members and showed him her messages as evidence. The HR staff told her to keep the messages as a proof in case the situation worsened. At the time of the assessment, no action had been taken by HR manager to follow up on the case. There was no mention of sexual harassment in the complaint log, but the HR staff member explained to EAs that not all complaints are recorded in the log.

EAs also interviewed the section manager of the two workers. The EAs were interviewing the manager about this issue in an indirect way without treating him like a possible suspect since the victims wanted to remain anonymous. He stated that he would never behave in such a manner against his subordinate workers. He shared his awareness of the type of behaviors related to sexual harassment and indicated that if he sees someone involved in such incidents, he would immediately notify senior management.

EAs also interviewed HR management about sexual harassment complaints without mentioning these specific cases, since all the workers requested to stay anonymous. Management explained that according to their internal policy, sexual harassment is strictly forbidden and that they only received one complaint more than a year ago about a former HR staff, who was terminated as a result. There was no other evidence of enforcement of the internal policy such as training for workers, supervisors and managers.

Better Work found non-compliance in this case based on the lack of effective action from management to address this issue, and the weak enforcement of existing procedures in tackling sexual harassment cases at the factory. Following the assessment, the factory took action to remediate this issue.

During the advisory cycle, the factory conducted its own internal investigation and took the following steps to address this issue:

- 1) Launch of a series of training sessions for supervisors and managers;
- 2) Distribution of the policy against sexual harassment at the workplace to supervisors;
- 3) Posting the creole version of the policy on the bulletin board.

Also, two of the supervisors involved in those cases received a warning letter stating that any forms of harassment at the workplace are forbidden and that any repeated offenses will lead to termination. The other supervisor that had sexually harassed a female worker was terminated. The factory also implemented a series of training for workers in order to raise awareness on the subject. The sexual harassment policy was distributed to the supervisors and displayed in the workplace. The factory has created specific tools to manage sexual harassment issues such as templates for sexual harassment investigation's reports.



The results from the next assessment will help Better Work Haiti determine if these remediation actions are enough to conclude that these issues are completed solved at both factories.

FORCED LABOR

There are no findings under the Forced Labor Cluster in this reporting period.

FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING

There are four instances of non-compliance in this reporting period under the Cluster for Freedom of Association and Collective Bargaining, two relate to Collective Bargaining Agreements and two relate to Interference and Discrimination.

The two cases of non-compliance related to Collective Bargaining Agreements both relate to the same issue. Two factories out of the three factories that do have a CBA in place, failed to implement certain provisions of the Collective Bargaining Agreement in force. The case of one factory has been illustrated in previous public reports. The CBA dates back to October 2008 and it includes specific requirements with regards to medical staff which are not fulfilled. The factory also did not comply with the agreement to set up an eating area near the industrial park and to reach an agreement with food vendors that would be provided with amenities such as water, electricity and propane gas in order to provide meals to workers at a reduced rate. In addition, the CBA provides for a bipartite committee to be set up in each facility which is not being implemented. The CBA has expired in June 2017 and unions and factory management are currently negotiating the terms for a new one.

In the case of the second factory cited in non-compliance on the implementation of its CBA, management had agreed to provide lunch to workers on Sundays after 5 hours of working. However, this was not implemented.

For remediation efforts on all of these cases, please consult individual factory tables in Annex 4 of this report.

The two other cases of non-compliance under this cluster relate to interference and discrimination. One factory has been cited in non-compliance for termination or non-renewal of worker's employment contract due to union membership or activities as stated in section 2.1

Thirty-two workers, including eleven union leaders were terminated for inciting workers to participate in a protest using verbal and psychological abuse and for causing disorder in the workplace following the May 19 strike and subsequent lockouts. None of these workers or union officers have been reinstated. While the strike was underway, management called upon two labor inspectors from



MAST to document the events. The inspectors' report, dated May 26, found that the union leaders intimidated workers to get them to strike, and concluded that their actions constituted a premeditated protest with the objective to cause disturbance in the workplace, not a strike. None of the workers interviewed by Better Work indicated that there was any intimidation of management or workers during the May 19 strike, and there was no evidence of intimidation on management's videos, which were shared with Better Work during the factory visit.

Management informed MAST on May 22 of the termination of the 32 workers (4 days prior to the MAST report). The workers were not offered any opportunity to defend themselves prior to being terminated. Better Work Haiti has officially asked MAST's Labor Inspector Task Force for the Garment Industry to perform a complete investigation of the events at this factory. On August 31, Task Force inspectors attempted to visit the factory in order to perform this investigation, but they were denied access to the workplace. The union confederation present at this factory has submitted a complaint of corruption to the Haitian Prime Minister and the Minister of MAST with respect to the two labour inspectors who were called upon by management to document events at the factory on May 19 and on another previous occasion. In the case of this factory, Better Work recommends to reinstate the 32 terminated workers, including the 11 terminated union officers with compensation for back pay.

The second factory was cited in non-compliance for two questions under the same compliance point:

- ♦ Has the employer terminated workers or not renewed a worker's employment contract due to the worker's union membership or activities?
- ♦ Has the employer tried to interfere with, manipulate, or control the union(s)?

The first union at the factory was declared in 2013; this first union was affiliated to one Haitian union confederation. No issues were reported regarding the relationship between management and this union.

On October 26, 2016, 9 of the 11 officers of the union wrote a letter to their confederation, saying that they no longer wanted to be affiliated either with the union or with the confederation since they were not satisfied with their direction or accomplishments. On October 30, 2016, another union that is active in the sector sent a letter to management and MAST announcing the presence of a new union with the names of the appointed officers affiliated to them in this factory. This union was composed of 9 members from the first union, and 2 new members. Following this incident, the first union reorganized themselves with 2 of the previous officers and 9 newly appointed members. Conflicts



started between the second union and the managements on March 2017. As a result, by the end of May 2017, 9 of the officers of this second union had been terminated, and the rest had resigned from the union.

The factory managements terminated the 9 officers from the second union for the worker's union membership and activities. They also interfered in union activities by helping the first union and the non-unionized workers keeping the officers from the first union out of the factory, and then terminating them for absenteeism.

In the case of this factory, Better Work recommends to reinstate the 9 terminated union officers with compensation for back pay.

2.3. Compliance Performance with regards to National Labor Standards

Better Work assesses compliances with eight clusters, four related to international core labour standards (see previous section) and four with regards to national labour legislation. Each cluster consists of several compliance points and each compliance point is made up of several questions (see Table 3 in the annex for further detail on the structure of the Better Work compliance assessment tool). In this section, compliance points with non-compliance rates of 50% or higher will be analyzed in further detail. Chart No. 1, which gives an overview of the compliance performance of the full set of factories in the sample, shows that nine compliance points have reached non-compliance rate above the 50% threshold. Further details on these nine points are provided in the following.

In the Compensation cluster, the highest non-compliance rates persist in the compliance point of Social Security and Other Benefits (100%), as well as the compliance point on Paid Leave (90%). The issues for these points are detailed in the tables below. One important change under the legal requirements under the compensation cluster is that the two-tier minimum wage (minimum wage of reference and production wage) has been eliminated during the last minimum wage increase in August 2017. Better Work therefore no longer reports the percentage of workers on an incentive scheme earning the production wage.

PAID LEAVE

Compliance Question	# of factories found NC	NC Rate by Question
Does the employer pay workers correctly for legally mandated holidays?	11	55%
Does the employer pay workers correctly during sick leave?	10	50%
Does the employer pay workers correctly for weekly rest days?	9	45%
Does the employer pay workers correctly for maternity leave?	8	40%
Does the employer pay workers correctly during breastfeeding breaks?	2	10%
Does the employer pay workers correctly for annual leave?	1	5%



The non-compliance rate on the Paid Leave compliance point remains quite high at 90%. At the question level, payments for workers on legally mandated holidays, during sick leave, weekly rest days and maternity leave were not correctly administered in approximately half of the factories. In most cases, the non-compliance is based on the fact that payments are calculated on the minimum wage and not on the average wage as required by the law. Better Work Haiti revised its approach on the assessment of paid leave as of May 2015 in order to more accurately reflect the requirements of article 148 of the Labor Code after clarification from MAST and several factories have still not yet adjusted their calculations although advised to do so in advisory services.

Two factories also did not pay workers correctly for breastfeeding breaks and one factory's payment for annual leave was found to be incorrect.

SOCIAL SECURITY AND OTHER BENEFITS

Compliance Question	# of factories found NC	NC Rate by Question
Does the employer pay 3% of workers' basic salary to OFATMA for maternity and health insurance?	20	100%
Does the employer collect and forward workers contributions to OFATMA?	19	95%
Does the employer pay the required employer contribution to ONA?	17	85%
Does the employer collect and forward workers' contributions to ONA?	16	80%
Does the employer pay 3% of workers' basic salary to OFATMA for work-related accident insurance?	8	40%
Does the employer pay workers their annual salary supplement or bonus?	1	5%

The non-compliance rate on Social Security and Other Benefits remains quite high. This is related to the newly available maternity and health insurance which the government entity OFATMA has been offering since December 2014. This OFATMA service has been a topic of discussion among different stakeholders in the sector. Better Work used to not put factories in non-compliance for this point as OFATMA could not offer this maternity and health insurance. OFATMA itself published a letter giving a grace period to factories to sign up until September 2016. This is owed to the fact that in the absence of OFATMA services for maternity and health insurance, several employers had made other arrangements to give health services to their workers. Since this grace period expired, Better Work had to change its approach and now assesses compliance against this legal requirement if no other directives are given. OFATMA started to meet enterprises individually to discuss the best way to transition to the new government service. So far a total of 9 factories are registered and started paying



their contribution. However, only five of these employers calculate their contributions as 3% of the workers' basic salary. This is due to the fact that in September 2016, the employer's association negotiated an agreement with OFATMA to reduce the contribution rate for the garment industry. However, after the letter of acceptance of this agreement published by OFATMA, no follow-up was made to make this agreement compliant with the legal requirements. In addition, a number of other issues remain a challenge under this compliance point. In this case again, although all of the employers are registered with OFATMA for work-related accident insurance, Better Work Haiti found that payments are late or inaccurate for eight factories. Seventeen factories have also been found non-compliant for payments of workers' and employers' contributions to ONA (pension funds). Among these, the majority of non-compliances identified relate to late or inaccurate payments of these contributions. The Haitian Labor Code requires that payments are made within the first ten working days of each month for the previous month. This increase in the non-compliance rate is also due to the fact that Better Work changed its approach and is now requiring the factories to calculate ONA payment on the basic salary as required by law (six percent of the basic salary to be paid by employees and 6 percent of the basic salary to be paid by the employers)

Payments of the annual salary supplement or bonus have been identified as a non-compliance for one factories. This reduction in the non-compliance rate is due to the fact that the factories adjusted their payroll to include the payment of maternity and sick leave in the annual bonus after Better Work Haiti announced that the assessment approach will be adjusted to more accurately reflect the requirements of article 148 of the Labor Code after clarification from MAST.

CHEMICALS AND HAZARDOUS SUBSTANCES

Compliance Question	# of factories found NC	NC Rate by Question
Are chemicals and hazardous substances properly labelled?	14	70%
Does the employer have chemical safety data sheets for all the hazardous chemicals used in the workplace?	11	55%
Does the employer provide adequate washing facilities and cleansing materials in the event of exposure to hazardous chemicals?	9	45%
Does the employer keep an inventory of chemicals and hazardous substances used in the workplace?	7	35%
Has the employer effectively trained workers who work with chemicals and hazardous substances?	6	30%
Has the employer taken action to assess, monitor, prevent and limit workers' exposure to chemicals and hazardous substances?	5	25%
Are chemicals and hazardous substances properly stored?	3	15%



In the Occupational Safety and Health (OSH) cluster, the absence of appropriate management systems continues to be the main reason why factories fail to ensure that chemical containers are permanently labelled, the safety data sheets (MSDS) are available at any time and the inventories are always kept up to date. Frequent changes of staff in charge of OSH at the factories as well as the continuous use and replenishment of these substances contribute to the high rates of non-compliance in this area. Fourteen factories are in non-compliance for the labelling of chemicals and hazardous substances and thirteen factories do not have the necessary chemical safety data sheet available for these substances. Nine facilities do not have enough or not well equipped eye washing stations for workers who have been exposed to chemicals. In seven cases, there is no inventory of chemicals and hazardous substances while in three cases, the storage of these substances was found inadequate. Thirty percent of factories are still not adequately training the workers who are in touch with these products during their work and twenty-five percent of factories have taken insufficient provisions to control the exposure of workers to chemical substances. These factories that use chemicals and hazardous substances do not have adequate ventilation in the workplace and workers exposed to these substances do not benefit from periodic medical examinations as required by the law.

Better Work continues to provide assistance to factories on their management systems during advisory services, yet this remains a challenging task.

EMERGENCY PREPAREDNESS

Compliance Question	# of factories found NC	NC Rate by Question
Does the workplace have adequate fire-fighting equipment?	14	70%
Are the emergency exits accessible, unobstructed and unlocked during working hours, including overtime?	8	40%
Does the workplace have a fire detection and alarm system?	7	35%
Are emergency exits and escape routes clearly marked and posted in the workplace?	5	25%
Are possible sources of ignition appropriately safeguarded?	5	25%
Does the employer conduct periodic emergency drills?	3	15%
Has the employer trained an appropriate number of workers to use the fire-fighting equipment?	2	10%
Are flammable materials safely stored?	1	5%
Are there enough emergency exits?	1	5%

Fourteen factories were cited in non-compliance for inadequate fire-fighting equipment. In the majority of cases, factories have sufficient fire-fighting



equipment, but there are maintenance issues and therefore certain extinguishers are found with low pressure.

As described in the chemical management, weak management systems continue to lead to relatively high-level of non-compliance in emergency preparedness, as is the case for all OSH issues, in general. Factories do not have functioning mechanisms in place to ensure remediation of previously identified non-compliance findings is done in a sustainable way. From the twenty factories included in this sample, eight were found with obstructed emergency exits, mostly by boxes. No factory was found with locked or inaccessible exits.

Seven factories were found with a fire detection and alarm system that was not fully functional and five factories had emergency exits or escape routes that were not clearly marked. In five facilities, sources of ignition were found not properly safeguarded. Often, this relates to mobile phones of workers being charged with cables in close proximity to flammable materials such as fabrics. The number of factories found in non-compliance on this issue has improved overall.

Overall, Better Work can also state an improvement in terms of regular emergency drills being conducted in line with Better Work's recommendation of two drills per year. Only 3 factories did not comply with this requirement. Also, training 10% of the workforce on fire-fighting equipment has improved, yet two out of 20 factories were still found to be in non-compliance.

In the sample of 20 factories, five percent non-compliance was found on the question on sufficient amount of exits (1 factory) and one factory was also found non-compliant for flammable materials not being safely stored.

HEALTH SERVICES AND FIRST AID

Compliance Question	# of factories found NC	NC Rate by Question
Does the workplace have required onsite medical facilities and staff?	18	90%
Do workers have annual medical checks?	13	65%
Do workers who have been exposed to work-related hazards receive free health checks?	11	55%
Do workers have a medical check within the first three months of hiring?	10	50%
Has the employer ensured there are a sufficient number of readily accessible first aid boxes/supplies in the workplace?	7	35%
Has the employer provided first-aid training for workers?	3	15%
Does the employer address safety and health risks to pregnant or nursing workers?	1	5%

Eighteen factories in total are in non-compliance because they did not have the number of medical facilities and/or medical personnel required by the law.



Although a requirement of the legislation of the Haitian labor law, many factories chose to not hire the expected number of medical personnel, because the current demand for such services does not justify the hiring the required number of additional staff. The Haitian legislation requires the presence of one nurse onsite in factories of 50 to 200 employees, two nurses for the factories of 200 to 500 employees, and an additional nurse for all 200 additional employees. In addition, factories with less than 200 workers must provide three weekly doctors' visits, and factories with more than 200 employees must have medical services on site at all times. The results of the factory clinic program launched by Share Hope in partnership with Better Work in 2016 showed that this program contributed greatly to help factories improve their clinics and to better use the resources they have. Ten factories participated in this program. Also, several factories agreed to hire additional medical personnel (mainly doctors) even if the number is not sufficient to reach compliance.

Providing the required medical checks remains a challenge in most factories. In fact, thirteen factories were non-compliant and did not organizing annual medical checks for workers and ten factories did not organize those checks within the first three months of hiring. According to the Haitian Labor Code, annual medical examinations fall under the responsibility of the Haitian government institution OFATMA. However, these services are not sufficiently offered by OFATMA to cover existing needs. Since the launch of OFATMA's maternity and health insurance, OFATMA has shared a list with all doctors and medical service providers which are affiliated to their network. Yet, no concrete suggestion has been made as to how the regular medical checks of workers are to be covered. Better Work continues to encourage factories to at least have the company's doctor to provide the medical checks onsite.

In eleven factories, workers who are exposed to hazards did not receive medical attention required by the law and non-compliance issues related to first aid boxes were found in seven factories. This is mainly due to first aid boxes not being readily accessible or missing the adequate content.

With regards to workers trained on first aid, all factories do perform such trainings, yet in three cases the factories failed to train 10% of the workforce, as recommended by Better Work. The failure to reach the 10% of workforce recommended can usually be explained by a lack of follow up from year to year to ensure that the factory remains compliant despite of the high turnover rate.

WELFARE FACILITIES

Compliance Question	# of factories found NC	NC Rate by Question
Does the workplace have adequate accessible toilets?	16	80%
Does the workplace have an adequate eating area?	9	45%



Does the workplace have adequate hand washing facilities and adequate soap?	5	25%
Does the employer provide workers enough free safe drinking water?	2	10%
Does the workplace have all required facilities?	0	0%

Under Welfare Facilities, non-compliance rates remain relatively high (85%) due to reasons described in previous reports related to the number of toilets, missing soap and insufficient adequate eating areas in factories. In sixteen cases, factories are found in non-compliance in relation to the quantity of toilets available in the workplace in relation to the requirements of the law. The Labor Law requires a toilet for every 25 men and a toilet for every 15 women. As this requirement is relatively high, Better Work also verifies the proper operation of the existing toilets, and whether or not there are any queues in front of the toilets, which is rarely the case.

All of the factories have appropriate hand washing facilities for their workers. However, five factories do not provide soap at all times. Although all factories provide free drinking water to their workers, two factories do not test the quality of the water on a regular basis or issues were found with the quality of the water. Among the nine factories that are in non-compliance for the eating area, approximately half of them do not have such an eating area at all and the remaining ones do have an eating area, yet is not big enough to accommodate the entire workforce.

WORKER PROTECTION

Compliance Question	# of factories found NC	NC Rate by Question
Are proper guards installed and maintained on all dangerous parts of machines and equipment?	12	60%
Are electrical wires, cables, switches, plugs and equipment (e.g. transformer, generator, electrical panel, circuit breakers) properly installed, grounded (for equipment), and maintained?	8	40%
Are workers effectively trained and encouraged to properly use personal protective equipment and machines?	8	40%
Does the employer provide workers with all necessary personal protective clothing and equipment?	7	35%
Does the employer comply with ergonomic requirements?	5	25%
Are appropriate safety warnings posted in the workplace?	3	15%
Are workers punished if they remove themselves from work situations that they believe present an imminent and serious danger to life or health?	0	0%



In seven factories, the employer had not provided to workers all the necessary protective equipment recommended for their respective positions and eight factories have not effectively trained the workers to the use of personal protective equipment as well as to the safe use of machines and equipment. The problem of training is often coupled with the lack of equipment as it is ineffective to train workers if the protective equipment is not available. Five factories are non-compliant with respect to ergonomic requirements, including for the provision of chairs for all the workers in the packing departments and as well as the anti-fatigue mats and/or foot-rests for the standing workers. There is a slight reduction in the non-compliance rate in this area. Two factories changed the old chairs following the assessment visit.

Missing or non-properly maintained guards on all dangerous parts of machines and equipment remain a persistent noncompliance. In addition to the fact that guards often break due to improper use by workers, the lack of regular verification and maintenance is the main reason that explain why non-compliance on this point continues to be high. During advisory services, Better Work started requesting the factories to keep updated inventory of machines guards as part of the improvement of their maintenance program.

Three factories have not displayed the necessary security signs on the electrical boxes and eight factories have been found non-compliant because they do not provide sufficient maintenance of their electrical installations. In effect, in these factories the evaluators observed electrical wires exposed in the boxes or electrical equipment. Here again, Better Work started requesting the factories to keep updated electrical maintenance logs as part of the improvement of their management systems.

WORKING ENVIRONMENT

Compliance Question	# of factories found NC	NC Rate by Question
Are the temperature and ventilation in the workplace acceptable?	17	85%
Is the workplace adequately lit?	5	25%
Are noise levels acceptable?	4	20%
Is the workplace clean and tidy?	1	5%

With regards to the Working Environment, Better Work measures noise, light and temperature levels at the factory in different sections and on different times of the day. Better Work standards are based on the ILO Code of Practice and ILO Caribbean Office OSH Program materials. Temperature levels were found to be too high in seventeen factories. Better Work recommends a maximum of 30 degree Celsius. Light levels have different standards depending on the section in which the lux levels are measured. A total of five factories were found



to be non-compliant on light levels which represents a significant improvement from previous cycles.

Light, temperature and ventilation levels often relate to structural conditions of the factory buildings.

In the case of rental buildings, factory management is not willing to invest substantial amounts in structural changes most of the time.

Four factories continued to have noise levels exceeding the recommended maximum of 90 Db and one factory was found to not be clean and tidy.

OVERTIME

Compliance Question	# of factories found NC	NC Rate by Question
Does the employer comply with limits on overtime hours worked?	7	35%
Does the employer obtain authorization from the Department of Labour before working overtime?	7	35%
Does the employer obtain authorization from the Department of Labour before working on Sundays?	3	15%
Is overtime work voluntary?	1	5%

In seven out of 20 factories, Better Work found sections of the factory working overtime beyond legal limits. In most cases, the sections affected by work beyond the legal limit of 80 hours per trimester are security staff and workers in shipping departments. Seven factories were found in non-compliance because they failed to obtain authorization from the Ministry of Social Affairs and Labor (MAST) prior to working overtime and three factories failed to obtain that authorization by the government prior to working on Sundays. Based on the interviews with workers and management in one factory, EAs were able to note that overtime was not voluntary at the factory. The internal rules of that factory indicate that workers are entitled to a 1 hour break period, which is included in the work schedule from 7:00 AM to 4:00 PM. However, in practice workers only receive a 30-minute break. In fact, the employee in charge of closing the eating area usually urges the workers to go back to work after 30 minutes of daily break. Workers are obliged to go back to work earlier and they are unaware that they ought to consider the remaining 30 minutes of their break as overtime. This was verified by the EAs while observing the lunch breaks during the assessment and through management and worker interviews. For remediation efforts, please consult individual factory tables in Annex 4.



2.4. Advisory and Training Services in the Reporting Period

BETTER WORK ADVISORY SERVICES

During the reporting period, Better Work Haiti was able to achieve considerable progress in term of establishing social dialogue mechanisms at factory level. In fact, bipartite committees (PICC) are set up in order to facilitate communication between management and workers in the workplace. Also, several unions have agreed to participate in the bipartite committees, which contributed to ensure that the discussions reflect the topics that are most critical for workers.

Below is an overview of each factory in the Better Work Haiti program and the status of its bipartite committee.

Table 1: Factory's PICC Status

	Name of factory	PICC Status
1	Caribbean Island Apparel S.A.	Set up and functioning
2	Cleveland Manufacturing S.A.(former GMC)	Newly founded PICC
3	CODEVI	Set up and functioning
4	Fairway Apparel S.A.	Set up and functioning
5	Fox River Caribe, INC	Factory closed
6	Go Haiti S.A.	Set up but inactive
7	Goal Export S.A.	Factory closed
8	H&H Textiles S.A.	Setup in progress
9	Haiti Premier Apparel S.A.	Set up and functioning
10	Hansae	Set up and functioning
11	Horizon Manufacturing S.A.	Set up and functioning
12	Interamerican Wovens APH S.A.	Set up and functioning
13	Interamerican Wovens S.A.	Setup in progress
14	Life S.A.	Newly founded PICC
15	MAS Akansyel	Set up and functioning
16	MGA Haiti S.A	Set up and functioning
17	Modas BU IL Haiti S.A.	Set up but inactive
18	Pacific Sports Haiti S.A.	Set up and functioning
19	Palm Apparel S.A.	Set up and functioning
20	Premium Apparel S.A.	Set up and functioning
21	Quality Sewing MFG. S.A.	Set up and functioning
22	S&H Global S.A.	Set up and functioning
23	Sewing International S.A.	Set up and functioning
24	The Willbes Haitian II S.A.	Set up and functioning
25	The Willbes Haitian III S.A.	Newly founded PICC
26	Val D'Or Apparel MFG Haiti S.A.	Set up and functioning



Where it is marked “setup but inactive” in the above table, the PICC is usually subject to changes in its composition because workers who were on the PICC have left the factory after operational changes that affected the workforce. This requires Better Work to train the new worker representatives on the purpose and functioning of the PICC first. In the active PICCs, one of the main areas of focus for this year was to ensure that management representatives in the bipartite committee have sufficient authority to participate in decision-making. In fact, having key decision makers participating in the PICC meetings indicates if the factory is sufficiently engaged to invest time of senior management in reviewing the bipartite committee recommendations. Participation of senior management is a strong predictor of success in the improvement process.

As a mandatory program in the garment industry, Better Work Haiti is in a great position to determine sector wide issues and offer targeted services for the sector. Industry seminars are offered to all factories together several times a year on various topics of relevance for the garment sector. The purpose of these seminars is to deliver clustered advisory services to several factories at the same time on a topic of particular relevance for the sector, i.e. a topic that usually relates to relatively high non-compliance rates. In addition to the existing repertoire, Better Work Haiti, introduced two new industry seminars on accident investigation and emergency preparedness this year. In an overview, industry seminars were held on the following topics in 2017:

- ◆ Grievance Mechanisms
- ◆ Maintaining an updated improvement plan
- ◆ Industrial dispute communication protocol
- ◆ Industrial Relations
- ◆ Accident Investigation
- ◆ Emergency preparedness

BETTER WORK TRAININGS

The Better Work program offers a range of trainings intended for workers, line supervisors and managers. The latest addition to Better Work Haiti training program is the new labor law training delivered in partnership with MAST. This training had great success so far and was delivered both in Port-au-Prince and in the northern area of Haiti. Also, a pilot training was introduced on sexual harassment prevention. The pilot was tested in factories where sexual harassment issues were identified in 2016 and was revised based on the feedback received from participants. The final version will be available at the end 2017. Better Work also introduced the new management skills training for



middle managers. This training is offered in partnership with *The Walt Disney Company* and aims at helping managers to manage their plants more productively and efficiently while supporting supervisors and workers in improving their performance and creating an effective, healthy and productive work environment. Other training offered by Better Work Haiti include:

- ◆ Communication skills
- ◆ Workers' rights and responsibilities
- ◆ Occupational safety and health
- ◆ PICC Training
- ◆ Training of Trainer in supervisory skills
- ◆ Supervisory skills

Between January and September 2017, the Better Work Training Team trained a total of 1,376 participants – management and workers – in the various trainings offered to factories, including 530 women.

Section III: Conclusion and Next Steps

This 15th synthesis report, covering the 20 factories that were assessed from October 2016 to September 2017, and showing the progress of some factories and lack of from one assessment to the next, is the most comprehensive picture to date of the performance of Better Work factories in Haiti. It allows the program to make several important conclusions about general compliance levels in export-oriented apparel factories in the country and about the impacts of the program on participating factories.

In particular, the data suggests the following:

- ◆ The general state of the exporting factories registered with Better Work Haiti has followed similar patterns over the past five years. Factories have widespread non-compliance issues in many areas of Occupational Safety and Health; overtime exceeding the legal limits; Social Security; Discrimination and Freedom of Association.
- ◆ Current labor conflicts and rising inflation levels have led to increasing wage pressure, leading to various strikes at several factories.
- ◆ The differences between national and international laws around freedom of association and collective bargaining continue to be a source of conflict. These conversations are national level issues being



discussed at the broader political level between the ILO and relevant social partners.

The programme is addressing these issues through advisory services that are customized to answer the persistent non-compliance specific to each factory, and through trainings targeted to workers, supervisors and managers.

When the program looks at improvements made to date, highlights include the following:

- ◆ All exporting factories registered with Better Work Haiti now adhere to legal regulations on minimum wage.
- ◆ Many key areas of union operations have been significantly improved, most notably a vast improvement in the areas of management interference in union activities and consulting with unions where legally required. The program attributes many of these positive changes to its Performance Improvement Consultative Committees (PICCs) which emphasize the key components of effective social dialogue and mature industrial relations in at least 75% of the factories.

While Better Work Haiti is focused primarily at the factory level, many of the non-compliance issues that appear in this report are also systemic in nature, relating to national level policies or to relationships and pressures in the value chain. To this end, the program is actively engaging with the range of stakeholders to ensure effective approaches both at the individual enterprises as well as in sectoral or national debates and discussions.

To respond to the emerging union presence in the factories and to ensure good industrial relations, Better Work Haiti will continue to provide support to factories requesting assistance with the facilitation of bipartite worker-management meetings. As mentioned in previous reports, the increasing number of factories with union presence requires assistance and guidance on the ILO core labour standards, and particularly Conventions 87 and 98 on Freedom of Association and Collective Bargaining. Better Work Haiti aims to support employers' and workers' organizations in improving communication and effective resolution of problems at the factory level, through a better understanding of priority questions and needs in terms of the relationship with unions and workers.



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

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

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

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

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



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

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

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

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

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

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

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

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

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



Annex 2. Better Work's Service Delivery Model

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

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

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

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

Better Work reporting has two elements – reports completed and verified by the Better Work program and those that are completed and released directly by factories. The Better Work factory reports consist of the assessment report that is released roughly 30 days after the unannounced assessment visit. Then later on in the cycle, in the 11th month of the cycle, Better Work then publishes a progress report, detailing improvements on compliance issues, as well as in-factory dialogue, continuous learning and the use of effective management systems. Better Work also provides additional recommendations in this report to further strengthen the improvement process. Factories report through the Better Work portal. This portal is the platform that is also used by Better Work to share factory data with authorized international brands that subscribed to a specific factory in either of the Better Work country programs. The enhanced portal with the revised self-reporting function also offers the opportunity for

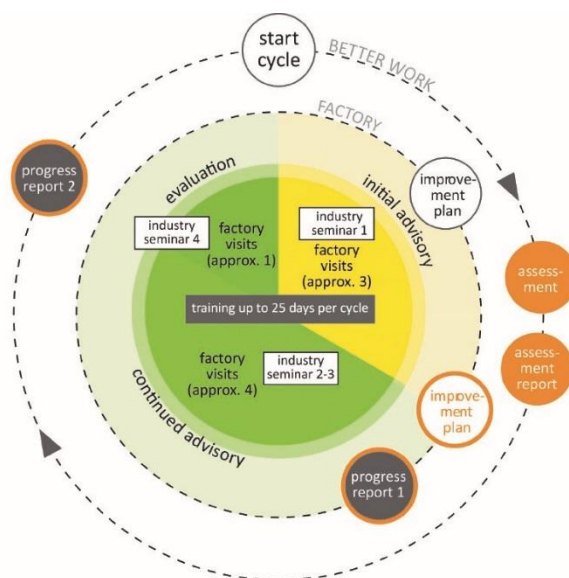


factories to update their improvement plan themselves. The improvement plan lists a factory's non-compliance points from the last Better Work independent assessment together with any other issues that the factory itself identified as areas for improvements. Once the factory updates its improvement plan online, the information is immediately available to buyers and Better Work. However, this feature has some limitations with regards to the factories' editing rights as only Better Work can update the status of a non-compliance issue from "delayed", "pending", or "in progress", to "completed" after verification of evidence of remediation.

Factory reporting then continues with the first progress report which is published approximately 5 months after the start of the cycle. This report includes progress to date on all self-diagnosed issues as well as those identified by Better Work during the assessment. This report has a pre-set structure from Better Work and it is made available to authorized buyers and indicates initial progress and planned steps for the remainder of the cycle. The Better Work role for this first progress report will be limited to coaching factories on how to engage in effective self-reporting and how to ensure continued progress on closing areas of non-compliance.

The Better Work Enterprise Advisors then write their own progress report towards the end of an annual cycle of each factory.

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



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

In 2017, Better Work will start to differentiate factories depending on their performance. Factories that are scoring high enough in terms of compliance performance but also in the areas of dialogue and learning encompass the



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



Annex 3. The Better Work Compliance Assessment Methodology

BETTER WORK COMPLIANCE ASSESSMENT FRAMEWORK

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

Core labor standards: The ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998, calls upon 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 labor, the abolition of child labor and the elimination of discrimination in employment and occupation. The conventions on which the 1998 Declaration is based are Nos. 29, 87, 98, 105, 100, 111, 138, 182, and they form the reference base in assessing factory compliance with fundamental rights for all the Better Work programs in various countries. For some issues, such as minimum legal working age, provisions in national law specify requirements for the application of international conventions. If national law is not consistent with international standards pertaining to core labor standards, the international standards are applied. Haiti has ratified all eight core Conventions listed above. According to the Haitian Constitution, ratified conventions become self-executing and therefore part of Haitian law.

Working Conditions: The four other clusters assess conditions at work, including compensation, contracts and human resources, occupational safety and health, and working time. The compliance points covered in these clusters are largely consistent across countries; however each compliance point contains specific questions that may vary from country to country due to differences in national legislation. National legislation is used as a reference point even if it is not in accordance with the international conventions that have been ratified by the country. In countries where national law either fails to address or lacks clarity around a relevant issue regarding conditions at work, Better Work establishes a benchmark based on international standards and good practices.



Table 2: Better Work compliance assessment framework

Compliance Cluster	Compliance Point	Compliance Issue
Child Labor	Child Laborers	Workers under age 15
	Documentation and Protection of Young Workers	Age verification system
		Medical certificate, and/or an employment certificate or permit delivered by the Director of Labor provided by workers under age 18.
		Register of workers under age 18.
	Hazardous Work and other Worst Forms	Workers under age 18 working at night.
		Workers under age 18 working overtime.
		Workers under age 18 doing work that is hazardous by nature.
Discrimination²	Gender	Changing the employment status, position, wages, benefits or seniority of workers during maternity leave.
		Conditions of work (gender and/or marital status).
		Excluding maternity leave from workers' period of continuous service
		Hiring (gender and/or marital status).
		Job announcements (gender and/or marital status).
		Pay (gender and/or marital status).
		Pregnancy tests or use of contraceptives as a condition of employment
		Promotion or access to training (gender and/or marital status).
		Sexual harassment
		Terminating workers or forcing them to resign if they are pregnant, on maternity leave or nursing.
		Termination or retirement (gender and/or marital status).
	Race and Origin	Conditions of work (race, color, origin)
		Harassment (race, color, origin)
		Hiring (race, color, origin)
		Pay (race, color, origin)
		Promotion or access to training (race, color, origin)
		Recruitment materials (race, color, origin)
		Termination or retirement (race, color, origin)
	Religion and Political Opinion	Conditions of work (religion or political opinion)
		Harassment (religion or political opinion)

² In Better Work country-specific questionnaires, a compliance point "Other Grounds" may be included under the Discrimination cluster. This category is intended to assess specific discrimination issues that are covered in national labor law, and are considered to be aligned with the objectives of the relevant ILO conventions (100 and 111), but which are not explicitly named in the conventions, e.g., age, HIV/AIDS status, disability, etc. The questionnaire for Haiti does not include the "Other Grounds" compliance point because the Haitian labor law does not identify grounds for discrimination beyond those cited in Conventions 100 and 111.



Forced Labor		Hiring (religion or political opinion)
		Pay (religion or political opinion)
		Promotion or access to training (religion or political opinion)
		Recruitment materials (religion or political opinion)
		Termination or retirement (religion or political opinion)
	Bonded Labor	Debts for recruitment fees owed to the employer and/or a third party
	Coercion	Coercive tactics.
		Delaying or withholding wage payments.
		Forced labor to discipline workers or punish them for participation in a strike
		Free exit from the workplace at all times, including during overtime.
		Freedom of movement (dormitories or industrial park).
		Freedom to terminate employment with reasonable notice and/or to leave their jobs when their contracts expire
		Threats such as deportation, cancellation of visas or reporting to the authorities
		Violence or the threat of violence.
		Workers' access to their personal documents (such as birth certificates, passports, work permits and ID cards)
	Forced Labor and Overtime	Forced overtime under threat of penalty
	Prison Labor	Prison laborers
Freedom of Association and Collective Bargaining	Collective Bargaining	Access to collective bargaining agreement.
		Collective agreement less favorable for workers than what is required by national law.
		Collective bargaining/bargaining in good faith.
		Implementation of collective agreement.
	Freedom to Associate	Freedom to form and/or join a union
		Requiring workers to join a union.
	Interference and Discrimination	Attempt(s) to interfere with, manipulate or control the union(s).
		Freedom to meet without management present.
		Incentives to refrain from joining a union or engaging in union activities.
		Punishment of unionists
		Termination or non-renewal of worker's employment contract due to union membership or activities
		Threats, intimidation or harassment of unionists.
		Unequal treatment of multiple unions.
		Union membership or union activities factoring into hiring decisions
	Strikes	Hiring of replacement workers during a strike.



Compensation	Union Operations	Preventing workers from participating in a strike.
		Punishing workers for participating in a strike.
		Security guards, the police or armed forces called on to break up a peaceful strike or arrest striking workers.
		Deduction of union dues upon workers' request.
		Union representatives' access to workers in the workplace.
	Method of Payment	In-kind wage payments.
		Regular and timely payment of wages.
		Wage payment directly to workers at the workplace on working days
		Wage payment in legal currency.
	Minimum Wage	Correct payment of piece rate workers when their piece rate earnings exceed minimum wage.
		Payment of minimum wage for apprentices.
		Payment of minimum wage for temporary workers.
	Overtime Wages	Payment for ordinary overtime.
		Payment for overtime hours worked on holidays.
		Payment for overtime worked at night.
		Payment for overtime worked on weekly rest days.
	Paid Leave	Payment for annual leave.
		Payment for breastfeeding breaks.
		Payment for legally mandated holidays.
		Payment for maternity leave.
		Payment for sick leave.
	Premium Pay	Payment for weekly rest days.
		Payment for regular hours worked at night.
		Payment for regular hours worked on holidays
	Social Security and Other Benefits	Payment for regular working hours worked on weekly rest days
		Collecting and forwarding workers' contributions for social insurance funds to ONA.
		Employer contribution to OFATMA for maternity and health insurance.
		Employer contribution to OFATMA for work-related accident insurance.
		Employer contribution to ONA.
		Forwarding of workers' contributions to OFATMA.
	Wage Information, Use and Deduction	Payment of annual salary supplement or bonus.
		Deductions from workers' wages.
		Informing workers about wage payments and deductions.
	Contracting Procedures	Payroll records.
		Limits on the trial period for apprentices.



Contracts and Human Resources	Dialogue, Discipline and Disputes	Bullying, harassment or humiliating treatment of workers.
		disciplinary measures
		Resolution of grievances or disputes.
	Employment Contracts	Contracts for all persons performing work for the factory.
		Employment contracts' compliance with the labor code, collective agreement and/or internal work rules.
		Internal work rules.
		Specifying terms and conditions of employment in written employment contracts.
		Workers' understanding of the terms and conditions of employment.
	Termination	Annual salary supplement or bonus upon termination.
		Notice of termination.
		Orders to reinstate or compensate unjustly terminated workers.
		Payment for unused paid annual leave upon resignation or termination.
		Reasons for termination.
		Reductions in workforce size or suspensions due to changes in operations
Occupational Safety and Health	Chemicals and Hazardous Substances	Assessing, monitoring, preventing and/or limiting workers' exposure to hazardous substances.
		Chemical safety data sheets for all chemicals and hazardous substances in the workplace.
		Inventory of chemicals and hazardous substances used in the workplace.
		Labelling of chemicals and hazardous substances.
		Storage of chemicals and hazardous substances.
		Training workers who work with chemicals and hazardous substances.
		Washing facilities or cleansing materials in the event of chemical exposure.
	Emergency Preparedness	Accessible, unobstructed, and/or unlocked emergency exits during working hours, including overtime.
		Fire detection and alarm system.
		Firefighting equipment.
		Marking or posting of emergency exits and/or escape routes in the workplace.
		Number of emergency exits.
		Periodic emergency drills.
		Safeguarding possible sources of ignition
		Storage of flammable materials
		Training workers to use the firefighting equipment
	Health Services and First Aid	Annual medical checks for workers.
		First-aid training for workers.



		Health checks for workers who are exposed to work-related hazards.
		Medical checks for workers upon hiring.
		Onsite medical facilities and staff.
		The employer did not ensure that there were a sufficient number of readily accessible first aid boxes/supplies in the workplace.
		Safety and health risks to pregnant or nursing workers
	OSH Management Systems	Assessment of general occupational safety and health issues in the factory.
		Legally required construction/building permits
		Mechanisms to ensure cooperation between workers and management on OSH matters.
		Recording work-related accidents and diseases and/or submitting the record to OFATMA.
		Written OSH policy.
	Welfare Facilities	Certain required facilities.
		Eating area.
		Providing drinking water.
		Toilets.
		Washing facilities and/or soap.
	Worker Accommodation	Accommodation separate from the workplace
		Cooking or storage facilities in the accommodation.
		Lighting in the accommodation.
		Minimum space requirements in the accommodation.
		Preparation for emergencies in the accommodation.
		Privacy in the accommodation.
		Protection against disease carrying animals and/or insects in the accommodation.
		Protection against fire in the accommodation.
		Protection against heat, cold and/or dampness in the accommodation.
		Protection against noise in the accommodation.
		Toilets, showers, sewage and/or garbage disposal systems in the accommodation.
		Ventilation in the accommodation.
		Water in the accommodation.
	Worker Protection	Ergonomic requirements
		Installing guards on all dangerous moving parts of machines and equipment.
		Installing, grounding, and/or maintaining electrical wires, switches, and/or plugs.
		Posting safety warnings in the workplace
		Providing workers with personal protective clothing and equipment.



		Punishment of workers who removed themselves from work situations they believed presented an imminent and serious danger to life or health.
		Training and encouragement of workers to use PPE, machines and/or equipment safely
	Working Environment	Workplace cleanliness
		Workplace lighting.
		Workplace noise levels.
		Workplace temperature and/or ventilation.
Working Time	Leave	payment in place of annual leave
		Time off for annual leave.
		Time off for breastfeeding breaks.
		Time off for maternity leave.
		Time off for sick leave.
	Overtime	Authorization from the Department of Labor for overtime.
		Authorization from the Department of Labor for work on Sundays.
		Limits on overtime hours worked.
		Voluntary overtime.
	Regular Hours	Daily break periods.
		Regular daily and/or weekly working hours.
		Weekly rest period.
		Working time records.
		Authorization from the Department of Labor before working at night.

CALCULATING NON-COMPLIANCE & PUBLIC REPORTING

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

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



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

LIMITATIONS IN THE ASSESSMENT PROCESS

The factory-level assessments carried out by Better Work Haiti follow a thorough checklist of about 230 questions covering the above mentioned labor standards, and gathering general information about the factory.³ Information is gathered through a variety of sources and techniques, including document review, observations on the factory floor, and interviews with managers, workers union representatives, bipartite committee members or any other relevant witness. The information collected is compiled and analyzed to produce a detailed assessment report. Before the reports become official, factories are given seven calendar days to provide feedback.

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

Violations in core labor standards such as sexual harassment or freedom of association are very sensitive and are more difficult to detect during factory assessments. The assessment of violation of freedom of association issues in the workplace is sometimes difficult to assess in a two days assessment. There are several reasons for that. One challenge is that some labor unions are organized at the sectoral level rather than at the factory level where small union cells predominate. Another challenge is that for example, the termination of unionist usually happens after a series of events. Key witnesses might have been terminated before the assessment days. Also supporting documents might not have the level of details required to determine non-compliance. Better Work is basing its assessment findings on triangulation of facts which requires sufficient evidence in order to find a factory in non-compliance on a particular compliance point and some issues are therefore not always easy to be confirmed. As more unions are present in the factories today, workers are

³ Better Work Haiti Compliance Assessment Tool (CAT) including their legal references can be accessed here: http://betterwork.org/haiti/?page_id=1731



more aware of their rights regarding freedom of association. Workers therefore are also demonstrating an increased level of openness to discuss this subject during interviews. In addition, Better Work collects information about specific cases as they are being shared by unions or other stakeholders at any given time of the year. During the assessment at a particular factory, specific questions can be asked about any case that has previously been raised and information may therefore enter the assessment report.

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

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

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

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



Annex 4: Factories in Detail

List of Factories

Below is the list of factories that have been assessed by Better Work Haiti over the past two cycles. All factories that have been assessed by Better Work more than twice are also included in the factory tables in annex 4 of this report. Please note that if an already assessed factory closed, their individual level compliance data is no longer included in this section.

Table 3: List of factories in the Haitian apparel sector which have been assessed between October 2016 and September 2017

	Name of factory
1	Caribbean Island Apparel S.A.
2	Cleveland (former GMC; has only been assessed once to date)
3	CODEVI
4	Fairway Apparel S.A.
5	Go Haiti S.A. (has only been assessed once to date)
6	Goal Export S.A. (closed)
7	Hansae (has only been assessed once to date)
8	Haiti Premier Apparel S.A. (former Isis Apparel ; (has only been assessed once to date)
9	H&H Textiles S.A.
10	Horizon Manufacturing S.A.
11	Interamerican Wovens S.A.
12	Interamerican Wovens - APH S.A.
13	Life S.A.
14	Modas BU IL Haiti S.A.
15	MGA Haiti S.A
16	Pacific Sports Haiti S.A.
17	Palm Apparel S.A.
18	Premium Apparel S.A.
19	Quality Sewing MFG. S.A.
20	Sewing International S.A.
21	S&H Global S.A.
22	The Willbes Haitian II S.A.
23	The Willbes Haitian III S.A.
24	Val D'Or Apparel MFG Haiti S.A.



Findings from the Factories

This section reports on the detailed factories' compliance performance as required by the HOPE II legislation. The HOPE II legislation requires the entity implementing the TAICNAR program (the ILO) to publish a biannual report with specific information on factories' compliance performance. The report is supposed to cover the preceding 6-months period and should include detailed compliance information for each individual producer (see annex 1 for the exact requirements of the HOPE II legislation.), including the details of non-compliance points identified, efforts of the producer to remediate the non-compliance points as well as the time elapsed since the deficiencies have first been identified. This information is captured in the factory tables in the following section.

Better Work measures compliance with international core labor standards and national labor laws in a set of 8 clusters during its unannounced annual assessment visits. Under each cluster, several compliance points are assessed and each compliance point consists of individual issues that are verified during each Better Work compliance assessment. The list of compliance clusters, compliance points and issues can be found in the reference table in annex 3. The issues under each compliance point again usually break down into several questions. The full list of all questions of the compliance assessment tool (CAT) used by Better Work Haiti can be accessed online.⁴ When a compliance point is not listed, it means that the factory has been in compliance on this point in both of its last two assessments by Better Work. The reference point is always the full list of compliance points and issues listed in annex 3. A factory needs to have been assessed at least two times before its information will be published in a factory table in this report. The columns in the tables correspond to specific reporting requirements of the HOPE legislation and provide additional information as follows:

- ◆ Details on the non-compliance identified by EAs: the information included in this column constitutes the issues where evidence of non-compliance was found in one of the last two assessments conducted by Better Work at each particular factory (the date of the last two assessments is equally indicated for each factory on top of its table).
- ◆ Improvement priorities identified by the factory;
- ◆ Efforts made by the factory to remedy the compliance needs as verified in the most recent assessment or advisory visit;

⁴ http://betterwork.org/haiti/?page_id=1731



- ◆ With respect to non-compliance areas that have not been remediated, the amount of time that has elapsed since the non-compliance has been first identified at this factory.

Additional information also corresponding to HOPE II reporting requirements is provided in the section above each table, e.g. advisory and training services provided by Better Work.

BETTER WORK HAITI – 15TH SYNTHESIS REPORT



Factory: Caribbean Island Apparel S.A.
Location: Port-au-Prince
Number of workers: 2376
Date of registration: Sep-09
Date of last two Better Work assessments: Dec-16 Jan-16

Advisory and Training Services

27-Jul-17 Haitian Labor Law Training
31-May-17 OSH awareness training on workplace safety.
1-Apr-17 Management Skills
29-Mar-17 Communication Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment December 2016						
Dec-16	Compensation	Paid Leave	Payments for legally mandated holidays are inaccurate for piece rate workers.	Ensure that the compensation for legally mandated holidays are accurate.	Factory compensated legally mandated holidays on the basis of average earnings.	22
Dec-16	Compensation	Paid Leave	Payments for sick leave are inaccurate for piece rate workers.	Ensure that sick leave payments are accurate.	Factory compensated legally mandated holidays on the basis of average earnings.	22
Dec-16	Compensation	Paid Leave	Payments for maternity leave are inaccurate for piece rate workers.	Ensure that maternity leave payments are accurate.	Factory compensated legally mandated holidays on the basis of average earnings.	22
Dec-16	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for maternity and health insurance services.	The factory should register with OFATMA for maternity and health insurance services.	The factory has started to collect the workers' files to initiate the registration process with OFATMA.	22
Dec-16	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for maternity and health insurance services.	The factory should register with OFATMA for maternity and health insurance services.	The factory has registered with OFATMA and is in the process of collecting and forwarding payments for insurance services.	22
Dec-16	Occupational Safety and Health	Health Services and First Aid	The factory has an insufficient number of onsite medical staff.	Hire more onsite medical staff in order to comply with the Haitian Labour Code.	The factory had 9 nurses. One nurse has already been hired and the factory is in process to hire 2 more.	10

Dec-16	Occupational Safety and Health	Welfare Facilities	The factory does not have an adequate number of toilets for the workers.	Provide an adequate number of toilets in proportion to the total workforce as stipulated by the Haitian Labour code.	0	52
Dec-16	Occupational Safety and Health	Worker Protection	No pulley guards were installed on the factory's old Union Special sewing machines and the single needle machines.	Install and maintain proper guards on all the dangerous moving parts of machines and equipment.	The factory has ordered new machines and is in the process of installing pulley guards on the single needle machines.	28
Dec-16	Occupational Safety and Health	Working Environment	Excessive temperatures of over 30 C have been recorded in some of the sections within the workplace.	Ensure that temperature and ventilation levels at the workplace are maintained properly.	Additional fans have been added throughout the workplace and during an advisory session, the temperature levels were also verified to be within the recommended limits (around 27-28 C).	60
Assessment January 2016						
Jan-16	Compensation	Paid Leave	Compensation for legally mandated holidays is inaccurately calculated for piece rate workers.	Update the payroll system in order to calculate the payment based on average earnings instead of the minimum wage.		12
Jan-16	Compensation	Paid Leave	The payment for sick leaves is inaccurately calculated for piece rate workers .	Update payroll system to calculate sick leave payments based on average earnings instead of the minimum wage.	The payroll system was updated to meet this requirement.	48
Jan-16	Compensation	Paid Leave	The payment for maternity leaves is inaccurately calculated for piece rate workers.	Update payroll system to calculate maternity leave payments based on average earnings instead of the minimum wage.	The payroll system was updated to meet this requirement.	48
Jan-16	Compensation	Social Security and Other Benefits	The factory does not collect and forward worker's contribution to OFATMA for maternity and health insurance services.	Forward the workers' contributions to OFATMA for maternity and health insurance services.		48
Jan-16	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for maternity and health insurance services.	Pay the employer's contribution to OFATMA for maternity and health insurance services.		30
Jan-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Unidentified chemical containers were observed in some areas.	Ensure all chemicals containers are properly identified and stored.		18

Jan-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS were available for some chemicals in the chemical storage room.	Ensure that MSDS are available for thinner and KM7 in the chemical storage room.	All MSDS were posted in the relevant areas.	18
Jan-16	Occupational Safety and Health	Worker Protection	No evidences provided indicating that the mechanics are regularly trained to use the machines safely.	Regularly train workers on how to handle machines safely.		
Jan-16	Occupational Safety and Health	Worker Protection	An electrical box in Building 10 was poorly maintained and unidentified.	Ensure that all electrical boxes are properly maintained and identified.	All electrical boxes are properly maintained and identified.	36
Jan-16	Occupational Safety and Health	Worker Protection	Several electrical boxes were found without safety warnings.	Post safety warnings on electrical boxes.	Safety warnings have been posted in the required places.	12
Jan-16	Occupational Safety and Health	Working Environment	The temperature levels are over 30 C in several sections.	Ensure temperature levels are under 30 C.	Additional exhaust fans were added in buildings 11 and 12.	24
Jan-16	Occupational Safety and Health	Working Environment	Workplace lighting is insufficient.	Improve lighting in the noted sections.	New lighting installations have been provided in Buildings 13 and 14.	6
Jan-16	Occupational Safety and Health	Working Environment	The boiler and generator area was not clean and tidy.	Improve the OSH management system to ensure that the workplace is clean and tidy.	Regular workplace inspections are being conducted. The PICC members now also report daily to the Compliance Officer, if they notice any problem. Systematic maintenance and cleaning are performed regularly.	12
Jan-16	Occupational Safety and Health	Emergency Preparedness	One fire alarm switch was not accessible.	Engineering department should position machines in a suitable order to address this issue.	A system was put in place to prevent blocking of the fire alarm switch.	12
Jan-16	Occupational Safety and Health	Emergency Preparedness	The escape routes in two buildings are incorrectly marked.	Properly mark the emergency escape routes.	The floor markings are being repainted in all the buildings.	
Jan-16	Working Time	Overtime	Workers in some sections had worked excessive overtime hours.	Monitor and limit overtime work to a maximum of 80 hours for a 3 month period for all workers. Request prior authorization from MAST for overtime work, as needed.	Overtime hours are limited and regularly monitored to address this issue.	

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: CODEVI
 Location: Ouanaminthe
 Number of workers: 7039
 Date of BW registration: Sep-09
 Date of last two Better Work assessments: Nov-15 Oct-16

Advisory and Training Services

28-Sep-17 Haitian Labor Law Training
 3-Sep-17 PICC Industry Seminar
 30-Aug-17 PICC (AM1, AM2 & AM3: Brand M)
 29-Aug-17 Meeting to review pending improvement issues. Factory tour.
 27-Jul-17 Haitian Labor Law Training
 12-Jul-17 PICC Meeting in FW1 to
 12-Jul-17 Discussion on the progress made since the first meeting and the recent industrial relations issues.
 11-Jul-17 Improvement plan review with the compliance officer. Meeting with the unions on the recent strikes and other industrial relations issues.
 28-Jun-17 Management Skills Training
 4-May-17 Sexual Harassment Prevention Training
 4-May-17 Sexual Harassment Prevention Training
 3-May-17 Training on BW Industrial Disputes Protocol
 26-Apr-17 Discussion with the compliance and training officers on the documentation requirements for training records. Factory tour at MASAVA. Management introduction meeting with
 26-Apr-17 Defined the committee rule, complete self diagnosis and identify solutions for priority identified.
 21-Apr-17 Compliance Training
 22-Nov-16 Meeting with management to review the improvements made since the last assessment.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment October 2016						
Oct-16	Discrimination	Gender	One case of sexual harassment has been found in the workplace.	Provide training to raise workers awareness on ways to prevent and address sexual harassment at the workplace. Train supervisors and managers on the company regulations regarding sexual harassment. Update the policy on sexual harassment to include mandatory training for workers and managers and strengthen reporting options and investigation processes.	The factory has included information on their sexual harassment policy in the induction training for all new workers. Training has also been provided to old workers.	24
Oct-16	Freedom of Association and Collective Bargaining	Collective Bargaining	The CBA is not fully implemented.	Review the CBA with the union and implement all the provisions agreed upon accordingly.	The factory started consultations meetings with the union to prepare the CBA review in June 2017. The revision started and the only step pending is the union general	66

Oct-16	Compensation	Overtime Wages	Extra hours of work performed on Saturday and Sunday are not adequately paid.	Ensure that work on weekly rest days are conducted with prior authorization from MAST and compensated properly.		66
Oct-16	Compensation	Premium Pay	Working hours completed during night shift were not paid at 100 percent above normal wage, as required.	Properly compensate workers for hours worked at night.		66
Oct-16	Compensation	Wage Information, Use and Deduction	Time records did not correlate between the payroll and attendance records.	Review the payroll and attendance recording systems to ensure consistency in records and to accurately reflect the actual working hours.		54
Oct-16	Compensation	Paid Leave	Several workers worked for more than 48 hours even within 5 working days or less and in such cases, but no weekly rest day payments were noted in the payroll as required by the law.	Review payroll procedures and system to ensure that weekly rest days are properly paid for when workers complete 48 hours of work within Monday to Friday.		12
Oct-16	Compensation	Paid Leave	Compensation for annuals leaves is not accurately calculated.	The factory needs to review its payroll system and procedures to ensure that all annual leave payments are compliant with the legal requirements.		12
Oct-16	Compensation	Paid Leave	Sick leave payments are based on the minimum wage instead of the average earnings as stipulated by Article 148 of the labor code.	The factory needs to review its payroll system and procedures to ensure that all sick leave payments are compliant with the legal requirements.		66
Oct-16	Compensation	Paid Leave	Maternity leave payments are based on the minimum wage instead of the average earnings as stipulated by Article 148 of the labor code.	The factory needs to review its payroll system and procedures to ensure that all sick leave payments are compliant with the legal requirements.		12
Oct-16	Compensation	Social Security and Other Benefits	ONA payment is late.	Ensure that ONA payments are paid on time every month.	The factory has started to monitor the timeliness of ONA payments. All dues have been fully paid until July 2017.	72

Oct-16	Compensation	Social Security and Other Benefits	ONA contribution is collected but not forwarded on time to workers.	Ensure that ONA payments are paid on time every month.	The factory has started to monitor the timeliness of ONA payments. All dues have been fully paid until July 2017.	72
Oct-16	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for work-related accident insurance.	Register with OFATMA for work-related accident insurance.	CODEVI is registered with OFATMA for work-related accident insurance. The company completed the payment for 2016-2017 fiscal year.	72
Oct-16	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for maternity and health insurance (employer's contribution).	None/ OFATMA services for the maternity and health insurance is not available in Ounaminthe area.	OFATMA sent a letter to confirm that this requirement is not applicable for companies that are located in areas where insurance registration services are unavailable.	6
Oct-16	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for maternity and health insurance (workers' contribution).	None/ OFATMA services for the maternity and health insurance is not available in Ounaminthe area.	OFATMA sent a letter to confirm that this requirement is not applicable for companies that are located in areas where insurance registration services are unavailable.	6
Oct-16	Compensation	Social Security and Other Benefits	Compensation for annuals leaves is not accurately calculated as the average earnings of the workers.	The factory needs to review its payroll system and procedures to ensure that all annual leave payments are compliant with the legal requirements.		72
Oct-16	Compensation	Employment Contracts	Approved internal work rules were not posted at the workplace.	Obtain MAST's approval for the internal work rules.	The factory revised its internal work rules and sent them to MAST for approval. The factory posted the current version of the internal work rules in all buildings	72
Oct-16	Compensation	Contracting Procedures	Workers categorized as apprentices were subjected to excessive overtime hours.	Ensure that overtime hours have prior authorization and are properly recorded and paid for all categories of workers. Obtain approval from MAST for the apprenticeship program and other related documents.		72
Oct-16	Compensation	Termination	Workers are often terminated without reason. In the terminated files, instead of stating the specific reason for termination, it only mentioned an article number.	Provide labor law training to the HR and management teams. Ensure that termination procedures are compliant with legal requirements.	Labor law training was provided to HR and management staff. Internal work rules were revised to ensure that the termination process is compliant with legal requirements.	72

Oct-16	Compensation	Dialogue, Discipline and Disputes	Some supervisors do not treat workers with respect and no adequate grievance mechanism is available to follow up with workers' complaints.	Provide training to supervisors on proper workplace conduct. Communicate the company policy on verbal abuse to all employees.	Additional training has been provided to supervisors and further sessions have been scheduled for managers. Internal work rules were revised to ensure that the company policy on verbal abuse is properly communicated.	72
Oct-16	Compensation	OSH Management Systems	The factory record work-related accidents but these records were not submitted to OFATMA.	Register with OFATMA for work-related accidents insurance.		72
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No inventory of chemical substances used in the workplace were provided.	Ensure that a complete inventory of all chemicals used in the workplace is kept and updated by the compliance department.	An inventory of all chemicals used in the workplace is available at the compliance department.	72
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Several unlabeled chemicals containers found in the workplace.	Review the chemical handling procedures to ensure that labels are available at all times. Regularly monitor the implementation of this procedure.	Maintenance managers have been assigned to monitor chemical labeling at all times. Training was also provided to other staff members using chemicals on a regular basis.	72
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS available for several chemicals used in the workplace.	Review the chemicals handling procedure to ensure that labels and MSDS' are available at all times and regularly monitor its implementation.		72
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Workers did not receive any chemical safety-related training.	Provide training on chemicals safety and keep adequate records.	Training on chemical safety was provided and adequate records are available. Additional training sessions are also planned for the upcoming months.	72
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash stations were observed near the chemical usage areas of 5 buildings.	Install eye wash stations in the chemical usage areas.	Additional eye wash stations were installed in the chemical usage areas of buildings FW, MD and AM2.	72
Oct-16	Occupational Safety and Health	Worker Protection	Not al workers in the following sections were provided with PPE : spot cleaning section, stamping, and production.	Provide adequate PPE to all worker, as required and train them on the importance of using PPE. Assign a person in charge of monitoring the availability of PPEs.	Additional PPEs were provided in the MD and AM2 buildings. Training on chemical handling was provided. Maintenance coordinators have been tasked with monitoring the availability of PPEs.	72

Oct-16	Occupational Safety and Health	Worker Protection	Several workers were seated on chairs without back rests. Also several standing workers in one building were not provided with standing mats. Several pregnant workers in another building were performing tasks that required them to stand for extended periods and were not provided with chairs when requested.	Replace the chairs without back rests.	Management has purchased new chairs to replace the ones without back rests. New chairs are provided to workers as needed.	72
Oct-16	Occupational Safety and Health	Worker Protection	During the factory tour, EAs noticed that several machines were missing finger guards and pulley guards.	Define staff in charge of maintaining machine guards for each factory. Ensure that all machines have proper guards.	Machine guards were replaced and the maintenance coordinators have been assigned to monitor this requirement.	72
Oct-16	Occupational Safety and Health	Worker Protection	No warning signs were posted on several electrical boxes.	Ensure that Top Choice and Superior assigns a management staff to be in charge of monitoring compliance issues.		72
Oct-16	Occupational Safety and Health	Working Environment	Workplace temperature exceed 30 C.	Improve the temperature levels in the noted areas.	The factory installed a cooling system in AM2 and Mazava. They also added more fans and heat exchangers in AM2 and AM3. They	72
Oct-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Build additional toilets.		72
Oct-16	Occupational Safety and Health	Welfare Facilities	Lack of soap in the restrooms.	Assign a person in charge of monitoring the availability of soap in all toilets.		48
Oct-16	Occupational Safety and Health	Welfare Facilities	The number of seats available at the existing eating area is inadequate to accommodate the total number of workers currently employed by the factory.	Provide an eating area that can adequately accommodate all workers.		54
Oct-16	Occupational Safety and Health	Health Services and First Aid	No systematic medical checks were arranged for newly hired workers within the first three months of employment.	Conduct regular medical checks for newly hired workers.	The factory conducts regular medical checks for newly hired workers on an ongoing basis.	54
Oct-16	Occupational Safety and Health	Premium Pay	No adequate compensation is provided for work performed on both Saturday and Sunday.	Properly compensate workers for hours worked at night.		54
Oct-16	Occupational Safety and Health	Health Services and First Aid	No systematic annual medical checks were arranged for workers.	Provide systematic annual medical checks for all workers.		60

Oct-16	Occupational Safety and Health	Health Services and First Aid	No systematic bi-annual medical checks were arranged for workers who are exposed to work related hazards.	Provide systematic bi-annual medical checks were arranged for workers who are exposed to work related hazards.		60
Oct-16	Occupational Safety and Health	Health Services and First Aid	Several pregnant workers complained that they were not provided with seats when requested.	Ensure that all pregnant women are provided with proper seats.	Additional chairs were provided for pregnant women.	18
Oct-16	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff	Hire additional medical staff.		18
Oct-16	Occupational Safety and Health	Health Services and First Aid	First aid boxes not easily accessible in 3 buildings.	Ensure that adequate first aid boxes are available in each building.		18
Oct-16	Occupational Safety and Health	Emergency Preparedness	Two factories did not have an alarm system installed and the alarm system from another building was not operational.	Install proper fire detection and alarm system in all buildings.	The factory recruited one additional compliance officer to improve monitoring of the new plants.	54
Oct-16	Occupational Safety and Health	Emergency Preparedness	Several undercharged or blocked fire extinguishers found in the workplace.	Increase the number of fire extinguishers inspection in all building. Keep a stock of additional fire extinguishers to be used in case of emergency.	The factory recruited one additional compliance officer to improve monitoring of the new plants.	48
Oct-16	Occupational Safety and Health	Emergency Preparedness	The evacuation plans do not reflect the actual layout of the workplace for 2 building. No evacuation were posted in the workplace for 1 building.	Update all evacuation plan as required.		60
Oct-16	Occupational Safety and Health	Emergency Preparedness	No records of fire drills were available for 3 buildings.	Conduct biannual emergency drills for each building.	The factory conducted emergency drills in all the buildings.	66
Oct-16	Occupational Safety and Health	Emergency Preparedness	Cell phones were being charged inappropriately throughout the workplace and near highly flammable substances.	Provided workers with a designated charging stations.	Management provided workers with charging stations in order to address this issue.	66
Oct-16	Working Time	Regular Hours	Workers from several buildings complained that they usually worked beyond regular hours but receive a fixed salary from management regardless of the actual hours worked.	Review compensation system for all eligible workers to ensure that they are properly paid for overtime hours.		66

Oct-16	Working Time	Regular Hours	Several categories of workers were not punching in and out of the factory to record their working time. Several of these workers explained that they are subjected to long working hours but are not compensated accordingly.	Review attendance recording system for all eligible workers to ensure that all overtime hours are properly recorded for them.		66
Oct-16	Working Time	Overtime	No authorization to work at night was provided to EAs during the assessment.	Request authorization to work at night from MAST.	New regulation on working hours eliminated that requirement.	66
Oct-16	Working Time	Overtime	Several workers in the packing, shipping and loading session at 2 plants were found to have completed more than 80 hours overtime per trimester.	Respect legal limits for overtime.	New regulation on working hours eliminated that requirement.	66
Oct-16	Working Time	Overtime	No authorization to work on Sundays was provided to EAs during the assessment.	Request authorization to work on Sundays from MAST.	New regulation on working hours eliminated that requirement.	12
Oct-16	Working Time	Overtime	No authorization to work overtime was provided to EAs during the assessment.	Request authorization to work overtime from MAST.	New regulation on working hours eliminated that requirement.	66
Assessment November 2015						
Nov-15	Freedom of Association and Collective Bargaining	Collective Bargaining	The CBA is not fully implemented.	Review and implement all provisions of the Collective Bargaining Agreements.	Regarding medical services, the factory conducts medical checks for all newly hired workers and regular medical follow ups for employees performing hazardous work. All factory staff also have access to extensive medical, cardiovascular, dental, visual laboratory and operations services. There is also a mobile clinic, monthly operations by general medicine practitioners and various clubs dealing with issues such as pregnancies, hypertension, diabetes, tuberculosis and sexually transmitted infections (HIV-AIDS). A HIV policy has also been established in conjunction with the ILO Community counselors. Annual surgeries are also performed for hernias, etc. And all points on the tripartite committee is implemented as a park, CODEVI has 5 doctors, 6 nurses, 3 laboratory technicians, 1 dentist and 1 psychologist and all these employees have permanent contracts.	

Nov-15	Freedom of Association and Collective Bargaining	Strikes	Workers terminated for participating in a strike	Review termination policy with HR staff and union representatives. Reinstate all eligible workers.	Management team received training on termination procedures and labor law. Terminated workers received their final entitlements and are not pursuing the case with the Ministry of Labor for reinstatement.	
Nov-15	Compensation	Overtime Wages	Working hours completed during night shift were not paid at 100 percent above normal wage, as required by the law.	Ensure that overtime wages are properly paid.	CODEVI is reviewing its payroll system to ensure that overtime wages are properly paid.	
Nov-15	Compensation	Paid Leave	Payroll records and worker interviews revealed that payment for sick leaves was based on the minimum wage. According to the legal requirements, payment for sick leaves must be based on the average salary.	Discuss this issue with top management in order to obtain their approval to adjust the payment system. Provide adequate payment for sick leaves to all eligible workers. Update the related internal regulation and amend the CBA, if needed.	The internal regulation and the CBA has been updated. The factory has started to provide adequate payment for sick leaves to all eligible workers.	
Nov-15	Compensation	Paid Leave	Payroll records and worker interviews revealed that payment for maternity leaves was based on the minimum wage. According to the legal requirements, payment for maternity leaves must be based on the average salary.	Discuss this issue with top management in order to obtain their approval to adjust the payment system. Provide adequate payment for maternity leaves to all eligible workers. Update the related internal regulation and amend the CBA, if needed.	The internal regulation and the CBA has been updated. The factory has started to provide adequate payment for maternity leaves to all eligible workers.	
Nov-15	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for work-related accident insurance.	Discuss this issue with the top management in order to obtain their approval to proceed with the registration. Inform workers about the provision of work-related accident insurance. Ensure that the insurance payments and updated lists of workers are submitted to OFATMA on a yearly basis.	Management stated that OFATMA does not provide any services in the northern region of Haiti. Therefore the factory workers are unable to benefit from this provision. In the event of an accident, the factory provides medical services, medicines, salaries and other forms of compensation to support the person involved.	
Nov-15	Compensation	Social Security and Other Benefits	The factory had not registered with OFATMA for maternity and health insurance.	Discuss this issue with the top management in order to obtain their approval to proceed with the registration and submit the registration-related documents to OFATMA. Inform workers about the provision of maternity and health insurance. Ensure that the insurance payments and updated lists of workers are submitted to OFATMA on a yearly basis.	Management stated that OFATMA does not provide any services in the northern region of Haiti. Therefore the factory workers are unable to benefit from this provision. In the event of an accident, the factory provides medical services, medicines, salaries and other forms of compensation to support the person involved.	

Nov-15	Compensation	Social Security and Other Benefits	Collecting and forwarding of workers' contributions to OFATMA.	Discuss this issue with the top management in order to obtain their approval to proceed with the registration and submit the registration-related documents to OFATMA. Inform workers about the provision of maternity and health insurance. Ensure that the insurance payments and updated lists of workers are submitted to OFATMA on a yearly basis.	Management stated that OFATMA does not provide any services in the northern region of Haiti. Therefore the factory workers are unable to benefit from this provision. In the event of an accident, the factory provides medical services, medicines, salaries and other forms of compensation to support the person involved.	
Nov-15	Occupational Safety and Health	OSH Management Systems	No self-assessment was conducted during the past year.	Conduct monthly OSH self-assessments.	The factory has an OSH Officer who is now conducting OSH self-assessments on a monthly basis.	
Nov-15	Occupational Safety and Health	OSH Management Systems	Management has not sent any accident reports to OFATMA as they are not registered with this organization.	The factory should provide work-related accident insurance to workers and regularly share the accident reports with OFATMA.	Management stated that OFATMA does not provide any services in the northern region of Haiti. Therefore the factory workers are unable to benefit from this provision. In the event of an accident, the factory provides medical services, medicines, salaries and other forms of compensation to support the person involved.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	Several unlabeled chemical containers containing solvents and other substances were observed in the workplace	Ensure that all hazardous and chemical substances used in the workplace are properly labeled by including the name in Creole and a hazard pictogram. Review the appropriate MSDS to know which pictograms are needed. Assign this task to a specific staff member. Train workers on the importance of labeling and using hazard pictograms.	Management stated that they will label all chemical containers and post MSDS as suggested.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	Inadequate chemical storage was observed in the workplace	Read the MSDS section on proper storage for each of the chemicals used at the factory and ensure compliance with those requirements. Issue clear instructions on the proper storage of chemicals to the responsible staff members.	The factory has ensured that all chemicals and hazardous substances used in the factory are stored properly.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS were posted in some areas where solvents and Blow-out were used.	Ensure that MSDS are posted in local language for all the chemicals and hazardous substances used in the factory.	All the MSDS have been posted.	

Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	No proper measures have been taken to monitor, prevent and limit workers' exposure to chemicals and hazardous substances.	Monitor, prevent and limit workers' exposure to chemicals and hazardous substances.	The factory hired a qualified contractor to assess workers' exposure to hazardous substances.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	Management did not provide any evidence of training for workers using chemicals and hazardous substances.	Improve the existing training plan for supervisors and workers using chemicals and include management of chemicals and hazardous substances in induction training.	Training sessions on chemical management were provided to workers at different levels and also covered in the worker's induction training.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash stations were observed in the chemical storage areas of 5 plants.	Provide eye washing stations at the workplace for workers handling chemical substances. Ensure that the eye washing stations are properly maintained.	Eye washing stations have been provided in the suggested areas.	
Nov-15	Occupational Safety and Health	Worker Protection	Workers in the mechanic shop of one plants were not provided with gloves and goggles.	Identify or assign a staff in charge of providing and renewing the PPEs for each factory. Update the PPE regulation (based on MSDS and hazard inventory) accordingly. Provide employees with all the necessary personal protective clothing and equipment according to the PPE regulation. Train workers on the proper use of PPE and post signs to remind workers about their safety obligations.	Management has identified the staff in charge of providing and renewing the PPEs for each factory and updated the PPE regulation (based on MSDS and hazard inventory). All employees have been provided with the necessary personal protective clothing and equipment. Training on the proper use of PPE has also been conducted for workers.	
Nov-15	Occupational Safety and Health	Worker Protection	Several workers were not using the guards installed on their machines. No proper evidence of training was available.	Conduct training for workers on the proper use of PPE and machine guards. Post precautionary signs around the workplace to remind workers about their safety obligations.	Training was provided and the proper use of PPE has been covered in the induction process for newly hired workers. The factory has also posted signs to remind workers about the proper use of machines guards.	
Nov-15	Occupational Safety and Health	Worker Protection	Several chairs did not have backrests in two plants.	Identify the staff in charge of maintaining chairs for each factory and ensure that all chairs are provided with backrests.	CODEVI has been gradually investing to replace the chairs at the factory and 80% of them have already been changed. Management expects to change the remaining chairs in the near future.	

Nov-15	Occupational Safety and Health	Worker Protection	Numerous machines were not fitted with the appropriate protection guards.	Define the staff in charge of maintaining the machine guards at each factory. Ensure that all machines have proper guards.	CODEVI defined staff in charge of maintaining machine guards for each factory and all machines have been fitted with the required safety guards.	
Nov-15	Occupational Safety and Health	Worker Protection	Safety warnings were not posted on several electrical boxes in the workplace.	Ensure that appropriate safety warnings are posted in all the plants.	The factory posted additional safety warnings in the noted areas.	
Nov-15	Occupational Safety and Health	Working Environment	Temperature levels above the BW recommended 30C.	Ensure that the temperature level is maintained within the suggested limit in all plants.	Management stated that according to international regulations the workplace temperature must be the same as the environmental temperature. The factory aims to maintain a lower internal temperature than the mentioned regulation and also has a heat ventilation exhaust system. The new buildings will also be equipped with a cooling system, which will include radiators and air extractors.	
Nov-15	Occupational Safety and Health	Working Environment	Insufficient light level.	Ensure that the light levels are adequate in all the plants.	The factory has adjusted the light levels to comply with this requirement in all the plants.	
Nov-15	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Ensure that the factory has sufficient toilets for both genders according to the law. Keep existing toilets clean and functional.	All bathrooms are clean and functional, however, management has not added more toilets.	
Nov-15	Occupational Safety and Health	Welfare Facilities	Lack of soap in the restrooms.	Ensure that adequate soap and water is available in all the toilets.	The factory has provided adequate soap and water in all the toilets.	
Nov-15	Occupational Safety and Health	Welfare Facilities	The number of seats available in the eating area is inadequate to accommodate the total number of workers currently employed in the park.	Provide an eating area to accommodate all workers.	Management has an approved plan to build a new eating area to accommodate a greater number of workers, which will also include a separated kitchen. This facility is expected to be completed in 2017.	

Nov-15	Occupational Safety and Health	Health Services and First Aid	No systematic medical checks were arranged for newly hired workers within the first three months of employment.	Provide systematic medical checks for all newly hired workers within the first three months of employment	The factory conducts medical checks for all newly hired workers and regular medical follow ups for employees performing hazardous work. All factory staff also have access to extensive medical, cardiovascular, dental, visual laboratory and operations services. There is also a mobile clinic, monthly operations by general medicine practitioners and various clubs dealing with issues such as pregnancies, hypertension, diabetes, tuberculosis and sexually transmitted infections (HIV-AIDS). A HIV policy has also been established in conjunction with the ILO Community counselors. Annual surgeries are also performed for hernias, etc.	
Nov-15	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional qualified medical staff as required by the law.	CODEVI currently employs 5 doctors, 6 nurses, 2 laboratory technicians, 1 dentist and 1 psychologist and all these employees have permanent contracts.	
Nov-15	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first-aid.	Provide training to at least 10% of the workforce in first-aid.	Additional workers were trained in first-aid at the FW1 plant.	
Nov-15	Occupational Safety and Health	Health Services and First Aid	Workers and management explained that no annual medical checks were arranged.	Provide annual medical checks for all workers and keep all medical records updated.	The factory started to provide annual medical checks for all workers and the corresponding medical records are also available to support this.	
Nov-15	Occupational Safety and Health	Emergency Preparedness	Several missing and obstructed fire extinguishers were observed in the workplace.	Install and properly maintain fire-fighting equipment and ensure that they are readily accessible at all times.	The factory installed a sufficient number of fire extinguishers at the workplace. The maintenance service provider has also been instructed to regularly check and replace non-functional fire-fighting equipment.	
Nov-15	Occupational Safety and Health	Emergency Preparedness	Insufficient number of workers trained in fire-fighting.	Provide fire-fighting training to at least 10% of the workforce.	The factory has provided fire-fighting training to 10% of the workforce.	
Nov-15	Occupational Safety and Health	Emergency Preparedness	At least two emergency exits were obstructed at the time of the assessment visits.	Ensure that all emergency exits are accessible, unobstructed and unlocked during working hours, including overtime.	Management has ensured that all emergency exits are accessible, unobstructed and unlocked at all times.	

Nov-15	Occupational Safety and Health	Emergency Preparedness	Not all factories conducted regular fire drills. BW recommends an emergency drill every 6 months.	Conduct periodic emergency drills for each plant every 6 months.	As recommended, management is currently conducting periodic emergency drills for each factory every 6 months.	
Nov-15	Compensation	Overtime	Several workers completed more than 80 hours of overtime work per trimester.	Comply with the limit on overtime hours worked in all factories.		
Nov-15	Compensation	Overtime	No prior authorization from MAST for working overtime.	Submit the written agreement between CODEVI and the two unions to perform overtime to MAST for approval.	Management has sent the written agreement to MAST for approval and is currently waiting for the required authorization.	
Nov-15	Working Time	Leave	Factory did not provide at least 15 days of annual leave to all workers who have complete 1 year's service.	Provide time off for annual leave according to the law.	All the due leave days were provided.	
Oct-16	Occupational Safety and Health	Health Services and First Aid	First aid boxes not immediately available.	Ensure that adequate first aid boxes are available in each building. (Note: The recommendation does not correspond with the finding)	0	
Oct-16	Occupational Safety and Health	Emergency Preparedness	No fire alarm systems operational in 3 buildings.	Install proper fire detection and alarm systems in all buildings.	(Note: Missing Text)	
Oct-16	Occupational Safety and Health	Emergency Preparedness	Missing fire extinguishers in several locations.	Increase the frequency of fire extinguisher inspections in all buildings. Keep a stock of additional fire extinguishers to be used in case of emergency.	The factory hired one additional Compliance Officer.	
Oct-16	Occupational Safety and Health	Emergency Preparedness	Innaccurate evacuation plan	Update all evacuation plan as required.	The factory recruited one additional compliance officer to improve monitoring of the new plants.	
Oct-16	Occupational Safety and Health	Emergency Preparedness	No records of fire drills were done for 3 buildings.	Conduct biannual emergency drills for each building.	The factory conducted emergency drills in all the buildings.	
Oct-16	Occupational Safety and Health	Emergency Preparedness	Cell phones were being charged improperly throughout the workplace near highly flammable substances in one building.	Provided workers with designated charging stations.	Management provided workers with charging stations in order to address this issue.	
Oct-16	Working Time	Regular Hours	Many workers from several buildings usually worked beyond regular hours but receive a fixed salary from management regardless of the actual hours worked	Review compensation system for all eligible workers to ensure that they are properly paid for overtime hours.	0	

Oct-16	Working Time	Regular Hours	Several categories of workers were not punching in and out of the factory to record their working time. Actual working hours are not properly compensated.	Review attendance recording system for all eligible workers to ensure that all overtime hours are properly recorded for them.	0	
Oct-16	Compensation	Overtime	No authorization to work at night were provided to EAs during the assessment.	Request authorization to work at night from MAST.	New regulation on working hours eliminated that requirement.	
Oct-16	Compensation	Overtime	Several workers in the packing, shipping and loading session at AMI and BKL plants were found to have completed more than 80 hours overtime per trimester.	Comply with the legal limits for overtime.	New regulation on working hours eliminated that requirement.	
Oct-16	Compensation	Overtime	No authorization to work on Sundays were provided to EAs during the assessment.	Request authorization to work on Sundays from MAST.	New regulation on working hours eliminated that requirement.	
Oct-16		Overtime	No authorization to work overtime were provided to EAs during the assessment.	Request authorization from MAST to work overtime.	New regulation on working hours eliminated that requirement.	

BETTER WORK HAITI – 15TH SYNTHESIS REPORT



Factory: Fairway Apparel S.A.
Location: Port-au-Prince
Number of workers: 452
Date of BW registration : Mar-16

Date of last two Better Work assessments: Aug-17 Jun-16

Advisory and Training Services

27-Sep-17 Meeting with HR Manager to discuss the set up of an OSH committee and maternity leave payments. Review of factory assessment report findings with the
27-Sep-17 Advisory service on factory's non-compliance findings related to medical checks, first aid boxes and medical services.
31-Jul-17 Advisory service
5-Jul-17 Emergency Preparedness & Accident Investigation industry seminar
20-Jun-17 Advisory visit on PPE and chemical labeling for people using chemicals in the factory. Factory tour and PICC meeting.
20-Jun-17 Advisory meeting on the temperature, electrical installation, and social dialogue in the workplace.
17-May-17 PICC Training
1-Apr-17 Training on management skills
29-Mar-17 PICC meeting on OSH issues. Meeting with management to review the payroll.
29-Mar-17 Meeting to discuss OSH issues.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment August 2017						
Aug-17	Occupational Safety and Health	Emergency Preparedness	The evacuation routes in fabric warehouse were obstructed by boxes of finished goods and other materials.	Ensure the evacuation routes in fabric warehouse remain unobstructed during working hours, including overtime.		18
Aug-17	Compensation	Social Security and Other Benefits	Employer contribution to ONA. The last ONA payment was made for the month of May 2017 and the contribution is based on the minimum wage instead of the base salary.	Ensure that ONA payment is based on the basic salary instead of worker's minimum wages. Also, ONA payment must be made within 10 working days of the following month.		65
Aug-17	Compensation	Social Security and Other Benefits	Collecting and forwarding worker's contributions for social insurance funds to ONA.	Ensure that ONA payment is based on the basic salary instead of worker's minimum wages.		65
Aug-17	Compensation	Social Security and Other Benefits	Employer contribution to OFATMA for work-related accident insurance.	Ensure that the employer contribution to OFATMA for work-related accident insurance is 3 percent of workers' basic salary.		2

Aug-17	Compensation	Social Security and Other Benefits	Employer contribution to OFATMA for maternity and health insurance.	Register with OFATMA for maternity and health insurance services.		2
Aug-17	Compensation	Social Security and Other Benefits	Workers' contributions to OFATMA for maternity and health insurance.	Collect and forward of worker's contributions to OFATMA for maternity and health insurance.		2
Aug-17	Contract and Human Resources	Contracting Procedures	Excessive overtime for non production workers.	Ensure that non production worker does not exceed the legal limit of overtime hours.		2
Aug-17	Occupational Safety and Health	OSH Management Systems	Assessment of general occupational safety and health issues in the factory.	Set up an OSH committee and conduct a monthly assessment of general occupational and health safety in the factory.		2
Aug-17	Occupational Safety and Health	OSH Management Systems	Mechanisms to ensure cooperation between workers and management on OSH matters.	Ensure that the factory has an active OSH committee that meets at least once a month.		2
Aug-17	Occupational Safety and Health	OSH Management Systems	Written OSH policy signed by top management.	Update OSH policy in consultation with worker's representatives. Ensure that the policy has been signed by top management.		2
Aug-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances used in the workplace does not include the amount of chemicals in storage.	Update the list of chemicals used and include the products in storage in the inventory of chemicals and hazardous substances.		2
Aug-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessing, monitoring, preventing and/or limiting workers' exposure to hazardous substances.	Measure worker's exposure to hazardous substances.		2
Aug-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Washing facilities or cleansing materials are not available in the event of chemical exposure.	Provide adequate washing facilities and cleansing materials in the event of exposure to hazardous chemicals.		2
Aug-17	Occupational Safety and Health	Worker Protection	Personal protective clothing and equipment not available for workers in the spot cleaning.	Replace damaged PPE and provide adequate equipment to workers using hazardous chemicals.		41
Aug-17	Occupational Safety and Health	Worker Protection	Workers are not using personal protective equipment installed on machines.	Train and encourage workers to properly use personal protective equipment and machines.		41
Aug-17	Occupational Safety and Health	Worker Protection	Missing guards on some dangerous parts of machines and equipment.	Install proper guards and maintain all dangerous parts of machines and equipment.		2

Aug-17	Occupational Safety and Health	Working Environment	Workplace temperature exceed BW recommended limit of 30 C,	Improve the temperature levels throughout the workplace.		59
Aug-17	Occupational Safety and Health	Welfare Facilities	The last drinking water test provided by the factory indicated that the water contained harmful germs.	Provide workers enough free safe drinking water.		2
Aug-17	Occupational Safety and Health	Health Services and First Aid	No medical check for workers within the first three months of hiring.	Ensure medical checks are performed on all workers within the first three months of hiring.		2
Aug-17	Occupational Safety and Health	Health Services and First Aid	lack of Health checks for workers who are exposed to work-related hazards.	Provide bi-annual medical checks to workers who have been exposed to work related hazard		2
Aug-17	Occupational Safety and Health	Health Services and First Aid	Annual medical checks for workers.	Ensure Annual medical checks is provided to all workers.		2
Aug-17	Occupational Safety and Health	Health Services and First Aid	Access to one first aid box was completely obstructed by fabric cartons.	Ensure first aid box are accessible and remain unobstructed.		2
Assessment June 2016						
Jun-16	Compensation	Overtime Wages	Security guards overtime payment is innacurate.	Adjust the security guards' salary according to their working hours.	The factory adjusted the security guards' salary according to their working hours.	
Jun-16	Compensation	Overtime Wages	Security guards were not paid correctly for regular overtime hours.	Ensure that the security guards are paid properly.	The factory changed the security guards employment contracts.	
Jun-16	Compensation	Overtime Wages	Security guards were incorrectly paid for overtime hours worked at night as they received a fixed salary.	Ensure that the security guards' pay is compliant with the law.	Security cameras have been installed and the guards no longer work at night.	
Jun-16	Compensation	Overtime Wages	Security guards were not paid for overtime hours worked during legally mandated holidays as they received fixed salaries.	Ensure that the security guards' payments are compliant with legal requirements.	The security guards' payments are compliant with legal requirements.	
Jun-16	Compensation	Overtime Wages	Security guards were not paid for overtime hours worked during weekly rest days as they received fixed salaries.	Ensure that the security guards' payments are compliant with legal requirements.	The security guards' payments are compliant with legal requirements.	
Jun-16	Compensation	Premium Pay	Security guards were incorrectly paid for regular hours worked at night as there was no 50 percent increase for such payments	Ensure that the security guards' payments are compliant with legal requirements.	The security guards' payments are compliant with legal requirements.	
Jun-16	Compensation	Premium Pay	Security guards were incorrectly paid for regular hours worked during weekly rest days.	Ensure that the security guards' payments are compliant with legal requirements.	The security guards' payments are compliant with legal requirements.	

Jun-16	Compensation	Premium Pay	Security guards were incorrectly paid for regular hours worked during holidays.	Ensure that the security guards' payments are compliant with legal requirements.	The security guards' payments are compliant with legal requirements.	
Jun-16	Compensation	Wage Information, Use and Deduction	Payroll records for the last 3 months showed some discrepancies.	Ensure that the attendance system is linked to the payroll system.	The attendance system is linked to the payroll system.	
Jun-16	Compensation	Social Security and Other Benefits	The employer's payment to ONA was late.	Ensure timely payments to ONA on a monthly basis.		
Jun-16	Compensation	Social Security and Other Benefits	The employer does not collect and forward the workers' contributions to ONA on time for social insurance services.	Ensure timely payments to ONA on a monthly basis.		
Jun-16	Contract and Human Resources	Termination	The notice period payment for terminated workers is incorrectly calculated.	Management should compensate workers based on the average earnings for the last 3 months of work.	Payment for notice of termination is based on average earnings.	
Jun-16	Contract and Human Resources	Termination	The unused annual leave payments for terminated workers is incorrectly calculated.	Management should compensate workers based on the average earnings for the last 3 months of work.	Annual leave payments are based on average earnings.	
Jun-16	Contract and Human Resources	Termination	Calculation of the annual salary supplement or bonus is inaccurate.	Calculate the bonus payments based on the actual days worked during the employment year.	Calculation of the annual salary supplement or bonus is accurate.	
Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS and eye wash station available for chemicals and hazardous substances.	MSDS for thinner and an eye wash station should be provided in the mechanic shop.	The gallons of thinner has been removed	
Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	EAs observed 2 gallons of thinner in the mechanic shop. However, no MSDS was available.	MSDS for thinner and an eye wash station should be provided in the mechanic shop.	The gallons were removed from the mechanic shop.	
Jun-16	Occupational Safety and Health	Worker Protection	No appropriate PPE was provided to workers using thinner.	Provide appropriate PPE to all workers.		
Jun-16	Occupational Safety and Health	Worker Protection	Several workers were not using the PPEs provided by management.	Provide training to workers on the importance of using PPE.		
Jun-16	Occupational Safety and Health	Working Environment	The temperatures exceeded the BW recommended limit of 30 C.	Ensure that the workplace temperatures do not exceed 30C.	A protective layer has been added under the metal sheets.	
Jun-16	Occupational Safety and Health	Working Environment	Lighting levels do not meet Better Work recommendations.	Ensure that the light levels are compliant with the recommendations.	New lights have been installed to comply with the suggested requirements for each section.	

Jun-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets	Ensure that the factory has at least 28 functioning toilets for	17 toilets for women have been added.	
Jun-16	Occupational Safety and Health	Welfare Facilities	The eating area can only accommodate a small percentage of the workforce.	Ensure that the eating area can accommodate all workers.	The factory is expanding the eating area to comply with this requirement.	
Jun-16	Occupational Safety and Health	Emergency Preparedness	Several obstructed aisles were noted in the fabric warehouse.	Ensure that the aisles in the fabric warehouse remain unobstructed during working hours, including overtime.		
Jun-16	Working Time	Regular Hours	The time records do not reflect the actual hours worked.	Keep accurate working time records.		
Jun-16	Working Time	Leave	The factory does not always authorize sick leave when the workers submit proper medical certificate.	Provide leave as requested in the medical certificate.		
Jun-16	Working Time	Leave	Nursing mothers are not informed of their eligibility for breastfeeding break.	Allow nursing workers to take breastfeeding breaks.	All workers are able to take breastfeeding breaks.	
Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash stations were available on the event of exposure of chemicals hazardous materials.	Install eye wash station on the event of exposure of chemicals hazardous material.		

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: S&H Global S.A
Location: Caracol
Number of workers: 8483
Date of registration: Jun-12
Date of last two Better Work assessments: Jul-17 Jul-16

Advisory and Training Activities

28-Sep-17 Haitian Labor Law Training
3-Sep-17 PICC Industrial Seminar
31-Aug-17 Occupational Safety and Health Training
31-Aug-17 Meeting to discuss sick leave and absenteeism.
13-Jul-17 PICC Meeting to follow up on the issues identified in the previous meeting and the progress made.
2-May-17 Sexual Harassment Prevention Training
2-May-17 Sexual Harassment Prevention Training
30-Apr-17 Discussion on Freedom Of Association Policy
29-Apr-17 Training on BW Industrial Disputes Protocol
28-Apr-17 Supervisory Skills Training
22-Apr-17 Discussion on Freedom Of Association Policy
1-Apr-17 Management Skills Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment July 2017						
Jul-17	Compensation	Paid Leave	Incorrect basis used (minimum wage) to calculate legally mandated holiday payments for workers entitled to incentives.	Employees who receive incentives for piece rate work should be paid based on average earnings for legally mandated holidays. They should also be informed of these changes.	Payment of holidays is compliant with legal requirements	15
Jul-17	Compensation	Paid Leave	Incorrect basis used (minimum wage) to calculate weekly days payments for workers entitled to incentives.	Employees who receive incentives for piece rate work should be paid for weekly rest days based on average earnings.	Payment of weekly rest day is compliant with legal requirements	15
Jul-17	Compensation	Paid Leave	Incorrect basis (minimum wage) used to calculate sick for workers entitled to incentives.	Employees who receive incentives for piece rate work should be paid for sick leaves based on average earnings.	Payment of sick leave is compliant with legal requirements	15
Jul-17	Compensation	Paid Leave	Incorrect basis used to calculate maternity leave payments for workers entitled to incentives.	Employees who receive incentives for piece rate work should be compensated for maternity leaves based on average earnings.	Payment of maternity leave is compliant with legal requirements	15

Jul-17	Compensation	Social Security and Other Benefits	Incorrect basis used to calculate the employer's contributions to ONA.	For workers entitled to incentive payments, the employer's contribution to ONA should be based on these workers' average earnings.	Employer's contributions to ONA is compliant with the legal requirements.	15
Jul-17	Compensation	Social Security and Other Benefits	Employer contributions are not forwarded to OFATMA.	Register for the maternity and health insurance service with OFATMA.	Company had meetings with OFATMA representatives in order to make sure that, after the payment, these services are properly provided to all workers.	3
Jul-17	Compensation	Social Security and Other Benefits	Workers contributions are not forwarded to OFATMA.	Register for the maternity and health insurance service with OFATMA.	Company had meetings with OFATMA representatives in order to make sure that, after the payment, these services are properly provided to all workers.	3
Jul-17	Contract and Human Resources	Employment Contracts	Employment contract not in compliance with the labour code. Wrongful categorization of those working on core operations as "temporary workers".	Company needs to review the employment status of all temporary workers and issue adequate contracts.	The company recategorized all temporary workers as regular workers. All the relevant workers have also signed new contracts and are now receiving the legally stipulated benefits for regular workers.	3
Jul-17	Contract and Human Resources	Contracting Procedures	Excessive overtime hours stipulated in the contracts for security guards.	Ensure overtime hours are within legal limits.	New regulation eliminated this requirement.	3
Jul-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Unidentified and unlabeled chemical containers.	Properly maintain and store chemical products. Assign a person in charge of monitoring the chemical labeling process.	The factory marked various storage tanks for oil, gas and water. The mechanics and the factory Compliance officers are in charge of regularly monitoring the labeling process.	27
Jul-17	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS' posted for chemicals in the spare mechanical parts warehouse in Module 1.	List the chemicals used and stored in the noted area and post the required MSDS. This process should be monitored regularly.	All MSDS' have been posted. The Compliance Team is conducting regular weekly audits to ensure that MSDS' are always available.	3
Jul-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Non-functional eye wash station. No eye wash station in the spare mechanical parts warehouse.	Eye wash stations should be maintained properly.	Eye wash station was installed.	3
Jul-17	Occupational Safety and Health	Worker Protection	Workers in the pressing section were not using the protective ear plugs provided by the factory.	Training needed on regular PPE usage for both workers and supervisors.	Several trainings, warning letters and disciplinary actions, were implemented.	27

Jul-17	Occupational Safety and Health	Worker Protection	Several single needle machines were missing finger guards.	Install finger guards as required. Conduct regular inspections of safety guards on all machines.	This issue has been immediately addressed by installing finger guards as required.	3
Jul-17	Occupational Safety and Health	Worker Protection	No exit signs posted in warehouse 2.	Ensure that exit signs are posted above all exit doors.	Exit signs are posted above all exit doors.	3
Jul-17	Occupational Safety and Health	Working Environment	Excessive workplace temperatures.	Ensure that the workplace temperature does not exceed a maximum of 30 C.	The factory has installed cooling systems in all the modules. Several non-functioning exhaust fans were repaired to ensure compliance with this point. Thermometers have been installed in each department to better monitor the temperature. Non-functioning parts of the cooling system are being repaired.	3
Jul-17	Occupational Safety and Health	Working Environment	Noise levels exceeded the recommended limit.	Ensure that the noise level does not exceed a maximum of 90 dB for an 8-hour workday. Provide PPE training for both workers and supervisors. Ensure that PPE regulations are strictly applied in the noisy areas.	The employer monitor the noise level and posted warning signs in the pressing area to encourage workers to use ear plugs. Noise warnings have also been posted in the factory's administration office to warn employees to reduce noise levels at the workplace.	27
Jul-17	Occupational Safety and Health	Welfare Facilities	Factory is not in compliance with the requirement for men's toilets.	Provide more restrooms for men.	Based on the gender distribution in each unit, some of the women's restrooms were reallocated for men.	15
Jul-17	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire more nurses.	The factory hired additional nurses.	3
Jul-17	Occupational Safety and Health	Health Services and First Aid	Inadequate number of first aid boxes; some of the existing boxes are inaccessible.	First aid boxes should be easily accessible and provided throughout the workplace.	Additional first aid boxes have been installed in the main storage area.	3
Jul-17	Occupational Safety and Health	Emergency Preparedness	Obstructed access to a fire alarm switch. No smoke detectors in the warehouse.	Ensure that all fire alarm switches are easily accessible. Install smoke detectors in the warehouse.	Smoke detectors have been installed in warehouses 1 and 2;	3
Jul-17	Occupational Safety and Health	Emergency Preparedness	Unreliable fire extinguisher maintenance services.	Ensure that all fire extinguishers are adequately maintained.	All the fire extinguishers have been placed in their designated locations.	18
Jul-17	Occupational Safety and Health	Emergency Preparedness	An evacuation map was missing in washing 1.	Provide evacuation maps throughout the factory.	Evacuation maps have been posted in all the different sections throughout the factory.	3

Jul-17	Occupational Safety and Health	OSH Management systems	Work-related accidents records were not submitted to OFATMA.	Submit accidents records to OFATMA on a monthly basis.	The factory submitted all accidents records to OFATMA. The compliance department is now in charge of ensuring that this is done on a monthly basis.	3
Jul-17	Working Time	Regular Hours	Multiple work schedules inconsistent with collective working agreements and the law.	Approval from MAST is needed for any changes related to working hours.	Company sent an approval letter from MAST. All workers are informed of the new working hours.	3
Jul-17	Working Time	Overtime	Excessive overtime hours.	Ensure that overtime work does not exceed legal limits.	New regulation eliminated this requirement.	3
Jul-17	Working Time	Overtime	Unauthorized overtime work.	Obtain MAST's approval prior to performing overtime work.	New regulation eliminated this requirement.	3
Assessment July 2016						
Jul-16	Compensation	Paid Leave	Incorrect calculation of sick leave payments for piece rate workers.	Comply with Article 148 regarding the payment of sick leaves.	Better Work has provided the relevant legal references and documentation from MAST and upon review, management is now correctly paying for sick leaves.	
Jul-16	Compensation	Paid Leave	Incorrect calculation of maternity leave payments for piece rate workers	Management should review the legal guidelines regarding the calculation of maternity leave payments and adjust their system accordingly.	Better Work has provided the relevant legal references and documentation from MAST and upon review, management is now correctly paying for maternity leaves.	
Jul-16	Occupational Safety and Health	Worker Protection	Workers in the incinerator chambers were not provided with appropriate anti-heat and fire protective clothing.	Provide PPE to all workers and train them on the importance of their use.	Weekly training sessions on the use of PPE have been organized for supervisors and new procedures on PPE use have been implemented. Appropriate PPEs are now provided to all the workers who work in the incinerator chambers. Posters have been put up identifying the health problems that employees could face when not using PPEs and the disciplinary actions against	

Jul-16	Occupational Safety and Health	Working Environment	Excessive temperatures recorded in several sections throughout the workplace.	Limit workplace temperatures to a maximum of 30 C.	The factory has installed cooling systems in all the modules. Several non-functioning exhaust fans were repaired to ensure compliance with this point. Thermometers have been installed in each department to better monitor the temperature. Non-functioning parts of the cooling system are being repaired.	
Jul-16		Working Environment	Excessive noise levels.	Limit noise levels to a maximum of 85 dB.	The Compliance Team has requested the purchase of a noise level meter to regularly monitor noise levels around the workplace and address any related issues. They have posted safety warning signs around the pressing area to raise the workers' awareness on the use of ear plugs. The team has also advised the administration to reduce the music volume at the workplace.	
Jul-16	Compensation	Paid Leave	Incorrect calculation of legally mandated holiday payments.	Provide accurate payment for legally mandated holiday.	Better Work shared the relevant legal references and documentations from MAST with the factory. Legally mandated holidays are paid correctly.	
Jul-16	Compensation	Paid Leave	Incorrect basis used (minimum wage) to calculate compensation for weekly rest days.	Provide accurate payment for weekly rest days.	Better Work shared the relevant legal references and documentations from MAST with the factory. Weekly rest days are paid correctly.	
Jul-16	Compensation	Social Security and Other Benefits	Incorrect calculation of ONA payments for workers receiving incentives.	Ensure ONA payment comply with the legal requirements.	The factory now correctly calculates all ONA payments.	

Jul-16	Compensation	Chemicals and Hazardous Substances	Unlabeled containers in Modules 1 and 2.	Implement new measures to ensure that the production supervisors and workers are aware of such compliance needs. Monitor chemical use in the workplace. Assign a person in charge of chemical maintenance.	The factory implemented new measures to ensure that managers and supervisors follow the appropriate regulation on chemical usage. To monitor chemical usage, each factory now has a person in charge of monitoring chemical use and storage. At the time of distribution, the responsible personnel must ensure that all containers are properly labeled. For storage purposes, mechanics may only use bottles or containers provided by the company and these containers should also be labeled with the factory number and the employee code. When not in use, containers should always be safely kept at the designated chemical storage area.	
Jul-16	Occupational Safety and Health	Worker Protection	EA observed an unidentified electrical box and exposed wiring in Module 1.	Post hazard signs on all electrical boxes and safeguard exposed wiring.	Electrical maintenance has been improved and all electrical boxes have the necessary warning signs.	
Jul-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets .	Repair the non-functioning toilets.	SONAPI has addressed this issue in Modules 3 and 4. More restrooms have been added and the factory is now in compliance.	
Jul-16	Occupational Safety and Health	Welfare Facilities	Unavailability of soap in the restrooms.	Ensure that soap is always available in all restrooms.	Soap has been made available in all the restrooms.	
Jul-16	Occupational Safety and Health	Emergency Preparedness	Obstructed evacuation aisles in the stock room of Module 2.	Ensure that evacuation aisles remain unblocked at all times.	All aisles have been cleared.	
	Working Time	Overtime	The office drivers and housekeepers	Ensure that overtime work does not	According to MAST and as per an authorization letter provided, the drivers and housekeepers situation has been regularized as per legal requirements.	

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: Horizon Manufacturing S.A.
Location: Port-au-Prince
Number of workers: 671
Date of BW registration: Aug-10
Date of last two Better Work assessments: Jun-17 Apr-16

Advisory and Training Services

29-Sep-17 Discussion on the composition of the PICC committee. Discussion on the election process, tools and calendar.
25-Aug-17 Discussion on the factory's progress report. Advice on how to fill the template. Latest updates on the improvement plan.
29-Jul-17 Industry Seminar PICC
27-Jul-17 Haitian Labor Law Training
26-Jul-17 Training of Trainers Supervisory Skills
14-Jul-17 Follow up on pending OSH non-compliance issues.
30-Jun-17 Discussion with management on the use of the BW online portal. Discussion on the quality of the inputs in the improvement plan
29-Jun-17 PICC meeting on non-compliance issues of last BW assessment. Definition of an action plan to address identified non-compliance issues. Discussion on how to include workers in an effective action plan.
13-May-17 PICC meeting on non-compliance issues of last BW assessment. Definition of an action plan to address identified non-compliance issues. Discussion on how to include workers in an effective action plan.
1-Apr-17 Management Skills Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment June 2017						
Jun-17	Compensation	Overtime Wages	Inaccurate payment for night shift work.	Pay for night shift work according to the Labor Code.	A security company has been hired to only cover the night shift.	18
Jun-17	Compensation	Paid Leave	Inaccurate payment for non-working holidays.	Pay for non-working holidays according to the Labor Code.	The factory is accurately paying for non-working holidays based on the workers' average earnings.	6
Jun-17	Compensation	Paid Leave	Inaccurate payments for weekly rest days.	Pay for weekly rest days according to the Labor Code.	Since June 2017, the factory is accurately paying for weekly rest days based on the workers' average earnings.	6
Jun-17	Compensation	Social Security and Other Benefits	Late and inaccurately calculated ONA payments.	Comply with the law regarding ONA contributions.	The factory now calculates ONA contributions based on the basic salary as stipulated by the law.	6

Jun-17	Compensation	Social Security and Other Benefits	Late and inaccurately calculated ONA payments. The workers' contribution is higher than what is legally required.	Comply with the law regarding ONA contributions.	The factory now calculates ONA contributions based on the basic salary as stipulated by the law.	6
Jun-17	Compensation	Social Security and Other Benefits	OFATMA contributions are inaccurate and no contributions are paid on behalf of the workers in Building 32.	Register the workers of Building 32 for OFATMA's maternity and health insurance services.	All the workers of Building 32 have been registered for OFATMA's maternity and health insurance. The factory has also started to pay monthly contributions to OFATMA for this service. However, the deductions are still based on the workers' total earnings instead of their base salary.	Jan-00
Jun-17	Compensation	Social Security and Other Benefits	OFATMA contributions are inaccurate and no contributions are collected and forwarded on behalf of the workers in Building 32.	Collect and forward contributions from the workers' of Building 32 for OFATMA's maternity and health insurance services. Ensure that these monthly deductions from the workers' salaries are accurate.	The workers from Building 32 have been registered for OFATMA's maternity and health insurance services. However, the deductions are still based on the workers' total earnings instead of their base salary.	6
Jun-17	Contract and Human Resources	Termination	No notifications sent to MAST before initiating temporary suspensions.	Notify the Ministry of Labor prior to initiating temporary suspensions.	Management attended the labor law training provided by Better Work and reviewed the procedures related to communication and coordination between the Human Resources and the Production departments regarding workforce capacity adjustments.	18
Jun-17	Occupational Safety and Health	OSH Management Systems	Records for work-related accidents are not sent to OFATMA on a monthly basis.	Send monthly work-related accidents and diseases records to OFATMA.	The factory is sending work-related accidents and diseases reports on a monthly basis.	6
Jun-17	Occupational Safety and Health	Chemicals and Hazardous Substances	No updated inventory of chemicals and hazardous substances maintained in the workplace.	Keep an inventory of chemicals and hazardous substances used in the workplace.	The factory keeps an inventory of all chemicals.	6
Jun-17	Occupational Safety and Health	Chemicals and Hazardous Substances	During the factory tour, EAs observed 2 unlabeled chemical containers in the chemical room of Building 32.	Label all chemical containers used in the workplace.	The factory labeled all the chemical containers in the chemical room.	6

Jun-17	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS' were found for thinner and blow out in the spot cleaning and chemical storage areas of Buildings 32.	Post MSDS' for all chemicals used and stored in the workplace.	During the assessment, the factory took immediate corrective action and posted the corresponding MSDS' in the noted areas.	6
Jun-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Documented evidence of chemical safety training for workers were unavailable.	Document and record safety training provided to workers.	The factory has started to document training conducted for workers and shared the last training records with the BW advisor.	6
Jun-17	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye washing facilities were available for workers in the spot cleaning area of Building 32. Eye washing solution was missing in the chemical room of Building 31.	Provide eye washing facilities where needed.	The factory installed one eye washing station in Building 32. They have also ordered another washing station for the chemical room in Building 31.	18
Jun-17	Occupational Safety and Health	Worker Protection	Inappropriate masks were provided to workers using chemicals in the spot cleaning area of Building 32.	Provide appropriate personal protective equipment to workers who are using chemicals.	The factory provided appropriate masks for workers in the spot cleaning area.	6
Jun-17	Occupational Safety and Health	Worker Protection	Shock absorbing mats were not provided to several standing workers in the packing and inspection sections of Building 32.	Provide shock absorbing mats or foot rests to standing workers in the noted sections of Building 32.	The factory has ordered shock absorbing mats.	6
Jun-17	Occupational Safety and Health	Worker Protection	More than 30 percent of all machines in Building 32 were missing pulley guards. Also, 15 percent of the single needle machines were missing finger guards.	Install all the necessary safety guards on the machines.	Pulley guards have been installed on all machines in both buildings. Eye guards have been installed on 95% of the concerned machines. The issue with the missing finger guards is still pending.	6
Jun-17	Occupational Safety and Health	Worker Protection	Several electrical wires were dusty or uncovered. Also, access to 1 electrical box was obstructed by piles of cartons near the mechanic shop in Building 32.	Safeguard all potential sources of ignition. Properly maintain all types of the electrical equipment.	The factory cleared access to all electrical boxes in the factory.	6
Jun-17	Occupational Safety and Health	Working Environment	The temperature was over 30 C in the sewing, packing, quality and pressing sections.	Ensure that workplace temperatures are maintained under the Better Work recommended limit of 30 C.		6

Jun-17	Occupational Safety and Health	Working Environment	Inadequate lighting noted in the packing, cutting, sewing, quality and pressing sections.	Ensure that light levels are adequate in the noted sections.		
Jun-17	Occupational Safety and Health	Working Environment	The compressor room in Building 32 is not clean and tidy.	Ensure that the compressor room is clean and tidy at all times.	The factory has assigned a person in charge of regularly monitoring the cleanliness of the compressor room.	6
Jun-17	Occupational Safety and Health	Welfare Facilities	The factory does not have the required number of toilets for workers.	Provide the required number of toilets for workers according to the Haitian Labor Code.	The factory now provides an adequate number of functioning toilets for workers in accordance with the law.	6
Jun-17	Occupational Safety and Health	Health Services and First Aid	No medical checks arranged for newly hired workers within the first three months of employment.	Arrange medical checks for newly hired workers within the first three months of employment.	The factory has assigned the onsite doctor to conduct health checks for newly hired workers within their first three months of employment.	6
Jun-17	Occupational Safety and Health	Health Services and First Aid	No periodic medical checks were arranged for workers who have been exposed to work-related hazards.	Arrange, at least, two medical checks for workers who have been exposed to work-related hazards.	The factory has assigned the onsite doctor to conduct health checks for workers who have been exposed to work-related hazards.	6
Jun-17	Occupational Safety and Health	Health Services and First Aid	Only 35 percent of the workers received annual medical checks.	Arrange at least one annual health check per year for all workers.	The factory has scheduled to complete annual health checks for the remaining workers through OFATMA by the end of this year.	6
Jun-17	Occupational Safety and Health	Health Services and First Aid	Insufficient number of onsite medical staff.	Have a permanent onsite medical service, with at least 3 nurses and 3 doctor's visits per week.	The factory signed a new contract with a doctor who will be available onsite for 6 days a week; the doctor's weekly hours will be equally divided between the two factory units.	6
Jun-17	Occupational Safety and Health	Health Services and First Aid	Insufficient number of worker trained in first-aid.	Train a sufficient number of workers on first aid.	The factory has provided first aid training to 40 additional workers this year. Along with the workers who have been previously trained, the factory is now in compliance with this requirement.	6

Jun-17	Occupational Safety and Health	Emergency Preparedness	3 obstructed and one overcharged fire extinguishers.	Ensure that access to fire extinguishers remain unobstructed. Regularly check that the fire fighting equipment are always functional.	Daily internal checks are performed to ensure that the fire fighting equipment are easily accessible and functional at all times.	6
Jun-17	Occupational Safety and Health	Emergency Preparedness	Only one fire drill conducted per year.	Perform at least 2 fire drills per year as per Better Work's recommendation.	The factory conducted two drills in 2017, one was in February and another in August 2017.	6
Jun-17	Working Time	Regular Hours	Pregnant women are not aware of their right to take two additional breaks of half hour each.	Develop a policy and inform pregnant workers about their right to take two additional breaks per day.	The factory had an awareness meeting with all the pregnant women employed at the factory. Informational notices have also been posted throughout the floor.	6
Assessment April 2016						
Apr-16	Compensation	Overtime Wages	Compensation for overtime hours worked at night was incorrectly calculated for two security guards.	Ensure that the security guards' compensation is compliant with the law.	The payments for all the security guards were adjusted accordingly.	
Apr-16	Compensation	Premium Pay	Inadequate payment for working hours performed at night.	Ensure that the security guards' compensation is compliant with the law.	The payments for all the security guards were adjusted accordingly.	10
Apr-16	Compensation	Premium Pay	The compensation for regular hours worked on weekly rest days was incorrectly calculated for two security guards.	Ensure that the security guards' compensation is compliant with the law.	The payments for all the security guards were adjusted accordingly.	
Apr-16	Compensation	Paid Leave	Calculations for the annual leave in inaccurate for some workers.	Include maternity leave payments as a part of total earnings and therefore to calculate the annual leave.	Maternity leave payments are included in the calculation of annual leave.	
Apr-16	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus was incorrectly paid to some workers.	Include maternity leave payments as a part of total earnings and therefore to calculate the annual salary bonuses.	Maternity leave payment is included as a part of total earnings and is used to calculate bonus payments.	
Apr-16	Compensation	Termination	The factory failed to notify MAST for all temporary suspension of work.	Send prior notice to MAST regarding all work stoppages.	A system was put in place to send prior notice to MAST regarding all work stoppages.	

Apr-16	Contract and Human Resources	Chemicals and Hazardous Substances	Expired eye wash solution bottle found in the chemical storage area	Ensure that the eye wash station is adequate for use.	A new washing station was installed in the spot cleaning area.	
Apr-16	Occupational Safety and Health	Working Environment	The noise level is over the recommended limit in the pressing section.	Ensure that the noise levels do not surpass 90 dB in the pressing area.	The motor responsible for the noise was removed from the section.	
Apr-16	Occupational Safety and Health	Working Environment	The lux level is under the recommended limit in some sections.	Ensure that the light levels are compliant with the suggested requirements for each section.	Management has added skylight sheets in one of the sections and intends to add more in other areas to address this issue.	
Apr-16	Working Time	Overtime	Excessive overtime for the security staff and workers from the maintenance department.	Limit overtime hours to a maximum of 80 hours within a 3 month period.	The management has limited the number of overtime hours for all the workers at the factory.	

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: Interamerican Woven S.A.
Location: Port-Au-Prince
Number of workers: 662
Date of BW registration: Oct-09
Date of last two Better Work assessments: Oct-16 Jun-15

Advisory and Training Services

27-Sep-17 Advisory visit to discuss latest assessment findings. A calendar was prepared for the PICC's implementation.
27-Jul-17 Haitian Labor Law Training
5-Jul-17 Emergency Preparedness & Accident Investigation Industry seminar
6-Apr-17 Discussion with trade union on issues such as eating area, welfare facilities and the drinking water system. Review of the factory's improvement plan.
1-Apr-17 Management Skills Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment August 2017						
Aug-17	Compensation	Overtime Wages	Attendance records do not reflect the actual hours worked for workers in the sewing line.	Ensure that attendance records reflects exactly the working time for all workers. Pay workers 50 percent above the normal wage for all ordinary overtime hours worked		6
Aug-17	Compensation	Wage Information, Use and Deduction	Inaccurate Payroll records. Time records were inconsistent with the payrolls for overtime hours.	Record overtime hour worked, also, keep only one accurate payroll record.		6
Aug-17	Compensation	Paid Leave	Payments for sick leaves are based on the minimum wage instead of average earnings.	Ensure that payments for sick leaves are based on workers average earnings.		6
Aug-17	Compensation	Paid Leave	Payments for maternity leaves are based on the minimum wage instead of average earnings.	Ensure that payments for maternity leaves are based on workers average earnings.		6
Aug-17	Compensation	Social Security and Other Benefits	Employer contributions to ONA is based on a fixed salary for all workers.	Ensure that ONA payment is based on the base salary instead of a fixed salary for all workers.		39
Aug-17	Compensation	Social Security and Other Benefits	Collecting and forwarding worker's contributions for social insurance funds to ONA.	Ensure that ONA payment is based on the basic salary for all workers.		39

Aug-17	Compensation	Social Security and Other Benefits	Employer contribution to OFATMA for work-related accident insurance.	Ensure that employers' contribution to OFATMA for work-related accident insurance is based on workers' basic salary.		39
Aug-17	Compensation	Social Security and Other Benefits	Workers' contributions to OFATMA for maternity and health insurance.	Collecting and forwarding of workers' contributions to OFATMA for maternity and health insurance.		39
Aug-17	Compensation	Social Security and Other Benefits	Employer contribution to OFATMA for maternity and health insurance.	Pay the employer contribution to OFATMA for maternity and health insurance services.		39
Aug-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances used in the workplace is not up to date.	Keep an inventory of chemicals and hazardous substances used in the workplace.		2
Aug-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers	Ensure that all containers are labeled		21
Aug-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals and hazardous substances not properly stored.	Store chemicals and hazardous substances in the designated chemical warehouse.		2
Aug-17	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS Not available for all chemicals.	Ensure that the MSDS for all hazardous chemicals used in the workplace are available. Translate the MSDS in local language as needed.		21
Aug-17	Occupational Safety and Health	Chemicals and Hazardous Substances	No actions taken to limit workers exposure to hazardous substances.	Measure workers' exposure to hazardous substances.		21
Aug-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Washing facilities or cleansing materials are not available in the event of chemical exposure.	Provide adequate washing facilities and cleansing materials in the event of exposure to hazardous chemicals.		21
Aug-17	Occupational Safety and Health	Worker Protection	No training on the safe use of boilers were provided to the assessors at the time of assessment.	Train and encourage workers to use PPE, machines and equipment safely.		2
Aug-17	Occupational Safety and Health	Worker Protection	Guards are not installed on all dangerous parts of machines and equipment.	Install proper guards and maintained on all dangerous parts of machines and equipment.		51

Aug-17	Occupational Safety and Health	Worker Protection	Lack of electrical maintenance	Ensure that electrical wires, cables, switches, plugs and equipment are properly maintained.	24
Aug-17	Occupational Safety and Health	Worker Protection	1 electrical box in the boiler room of Building 29 was missing a hazard warning sign.	Identify electrical hazards and post safety warnings in the workplace.	2
Aug-17	Occupational Safety and Health	Working Environment	Workplace temperature exceeds BW recommended limit of 30 C.	Improve the temperature levels throughout the workplace.	21
Aug-17	Occupational Safety and Health	Working Environment	Workplace lighting does not reach Better work recommended limits in sewing and packing. sections.	Increase the light level in the indicated areas.	2
Aug-17	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Ensure that the factory has 13 functioning toilets for men and 43 functioning toilets for women.	75
Aug-17	Occupational Safety and Health	Welfare Facilities	The capacity of the eating area cannot accommodate all the workers.	Ensure that the eating area can accommodate all workers.	75
Aug-17	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff, at least 7 nurses and 3 doctor's visit per week.	21
Aug-17	Occupational Safety and Health	Health Services and First Aid	Access to 1 first aid box in Building 10 was obstructed by boxes at the time of assessment.	Ensure first aid box are accessible and remain unobstructed.	21
Aug-17	Occupational Safety and Health	Emergency Preparedness	No smoke detectors were observed in the trim warehouse of Building 30.	Install fire detection and alarm system.	2
Aug-17	Occupational Safety and Health	Emergency Preparedness	Obstructed and missing fire fighting equipment.	Replace missing fire extinguishers and ensure they are not obstructed. Identify a person in charge of the daily verification.	21
Aug-17	Occupational Safety and Health	Emergency Preparedness	Operating procedures not available for boilers.	Ensure that the procedure is available and train operators on the safe use of boilers.	2
Aug-17	Working Time	Regular Hours	Attendance records not accurate.	Ensure that the attendance records reflects exactly the working time.	6

Aug-17	Working Time	Overtime	Excessive overtime.	Ensure that workers do not exceed the legal limit of overtime hours.		24
Aug-17	Freedom of Association and Collective Bargaining	Interference and Discrimination	Termination or non-renewal of workers employment contract due to union membership or activities. 32 workers including 11 union leaders were dismissed for participating in union activities.	Reinstate the 11 terminated union officers. Implement a freedom of association policy signed by top management. Train all relevant staff on freedom of association.		2
Assessment October 2016						
Oct-16	Compensation	Social Security and Other Benefits	Employer contribution to OFATMA for maternity and health insurance.	Register with OFATMA for health and maternity insurance and pay employer contribution to OFATMA for maternity and health insurance.	The management has registered with OFATMA for insurance services.	
Oct-16	Occupational Safety and Health	Welfare Facilities	The factory does not have an appropriate eating area.	Provide eating area for all workers.	The factory is currently preparing an eating area with a larger space to accommodate more workers. There is also a covered cafeteria in Building 10.	
Oct-16	Compensation	Overtime Wages	Overtime hours are not reported in the payroll records for all workers.	Ensure that payroll records are accurate and reflect all the actual working hours. Compensate workers for overtime work.		
Oct-16	Compensation	Overtime Wages	Night hours are not paid at 100% above the normal wage.	Ensure that the payroll records are accurate and reflect the real working time. Pay workers correctly for night hours after 6:00 PM.		
Oct-16	Compensation	Wage Information, Use and Deduction	Time records inconsistent with the payroll.	Ensure that payroll records are accurate and reflect all the actual working hours. Compensate workers for overtime work.		
Oct-16	Compensation	Paid Leave	Payment for sick leaves is based on the minimum wage instead of the workers' average earnings.	Ensure that the payment for sick leaves is based on the workers' average earnings as stipulated by the labor code.		
Oct-16	Compensation	Paid Leave	Payment for maternity leaves is based on the minimum wage instead of the workers' average earnings.	Ensure that the payment for maternity leaves is based on the workers' average earnings as stipulated by the labor code.		

Oct-16	Compensation	Social Security and Other Benefits	Inaccurate and late payment for employer's contribution to ONA.	Ensure that the workers' contributions are accurately calculated and forwarded to ONA on time.		
Oct-16	Compensation	Social Security and Other Benefits	Inaccurate and late submittal of workers' contribution to ONA.	Ensure that the workers' contributions are accurately calculated and forwarded to ONA on time.		
Oct-16	Compensation	Social Security and Other Benefits	Inaccurate payment of employer's contribution for work related accident insurance.	Ensure that the employer's contributions are accurately calculated and sent to OFATMA for work related-accident insurance.		
Oct-16	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Complete the registration process with OFATMA to ensure maternity and health insurance services for all workers.	The factory has registered with OFATMA.	
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Unidentified chemical containers observed in the workplace.	Ensure that all chemical containers are identified and stored safely.	All chemical containers have been identified and stored safely.	
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS not available for all chemicals used in the workplace.	Ensure that MSDS are available within the chemical room.	MSDS have been made available within the chemical room.	
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No actions taken to assess, monitor, prevent and limit workers' exposure to chemicals and hazardous substances.	Maintain records for OSH self-assessments. Set a policy on maximum exposure time to chemicals for workers per day (including overtime situations). Limit access of other workers to chemicals at workplace. Train and assign staff to record workers' exposure to hazardous chemicals and substances.	Management identified departments throughout the plant where workers may be vulnerable to excessive exposure to chemicals. The on site doctor has been assigned to train workers and record workers' exposure to hazardous chemicals and substances. New fans have been installed and more will be added to improve ventilation.	
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Several workers in the washing room and spot cleaning area were not using the PPE provided.	Provide safety training to workers using chemicals and hazardous substances and maintain adequate training records.	The factory provides PPE to all workers as needed and are implementing measures to ensure proper use of PPEs. Workers are also being trained on the regular use of PPE.	

Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Washing facilities and cleansing materials are not available in all areas where chemicals are used or stored.	Provide washing facilities and cleansing materials near all areas where chemicals or hazardous materials are used or stored.	Eye wash stations have been installed in the suggested areas.	
Oct-16	Occupational Safety and Health	Worker Protection	The quantity of personal protective equipment available in the mechanic shop was not sufficient for all the workers in this section.	Provide personal protective equipment to all workers, as needed. Conduct awareness training to reinforce safe working practices.	Additional PPE has been provided in the mechanic shop. The factory provides PPE to all workers as needed and are implementing measures to ensure proper use of PPEs. Workers are also being trained on the regular use of PPE.	
Oct-16	Occupational Safety and Health	Worker Protection	Several workers were not using the protective devices attached to their machines or the PPE provided to them.	Provide training to ensure that workers are aware of safe working practices and follow them accordingly. Maintain records of all training sessions.	Management regularly makes safety announcements through the factory's notification system to remind workers about safety procedures. Several training sessions has been organized.	
Oct-16	Occupational Safety and Health	Worker Protection	Several sewing machines did not have eye, pulley or belt guards nor finger guards.	Ensure that the system to monitor the availability of machine guards is operational and effective. Liaise with the head mechanic to ensure that the guards are replaced on time.	Meetings have been organized with the mechanics and production managers to strengthen the monitoring system. Additional training will also be provided to workers.	
Oct-16	Occupational Safety and Health	Worker Protection	Exposed wires were observed in the compressor room in Building 30.	Establish an effective OSH management system. Ensure electrical wires, switches and plugs are properly installed, grounded, and maintained.	This exposed wires in the compressor room have been fixed.	
Oct-16	Occupational Safety and Health	Working Environment	Workplace temperatures exceeded the BW recommended limit of 30C.	Maintain a maximum temperature of 30C for all sections.	New fans have been installed and non-functioning exhaust fans have been repaired.	
Oct-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for women.	Comply with the Haitian labor code regarding the total number of toilets.		
Oct-16	Occupational Safety and Health	Health Services and First Aid	No annual medical checks provided to workers within the first three months of hiring.	Ensure that medical checks are provided to workers within the first three months of hiring.	Since February 2017, the factory has employed an additional permanent doctor and a nurse. The newly hired doctor will be in charge of this requirement.	

Oct-16	Occupational Safety and Health	Health Services and First Aid	Workers who are exposed to work-related hazards have not received periodic free health checks.	Ensure that workers who are exposed to work-related hazards receive free periodic health checks.	Since February 2017, the factory has employed an additional permanent doctor and a nurse. The newly hired doctor will be in charge of this requirement.	
Oct-16	Occupational Safety and Health	Health Services and First Aid	No annual medical checks were provided to workers.	Provide free annual medical checks for workers. Follow-up with OFATMA to ensure that they either provide this service or refer the factory to another organization that can provide free medical checks.	Since February 2017, the factory has employed an additional permanent doctor and a nurse. The newly hired doctor will be in charge of this requirement.	
Oct-16	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Comply with the Haitian labor code regarding the employment of on site medical staff.	Since February 2017, the factory has employed an additional permanent doctor and a nurse. Another weekly doctor's visit has also been added for further support.	
Oct-16	Occupational Safety and Health	Emergency Preparedness	Several fire extinguishers were missing, obstructed or without identification signs.	Replace dysfunctional alarms. Test and inspect alarm systems on monthly basis.	The fire alarm system was replaced. A smoke alarm system has been ordered and will be installed once received.	
Oct-16	Occupational Safety and Health	Emergency Preparedness	No regular fire drills.	Conduct a minimum of two emergency drills per year.	Emergency drills were conducted in June and December 2016 and the next emergency drill is scheduled for June 2017.	
Oct-16	Working Time	Regular Hours	Attendance records do not always reflect the actual hours for workers on an incentive scheme in the sewing department.	Ensure that the attendance records reflects exactly the working time		
Oct-16	Working Time	Overtime	The factory does not have prior authorization from the Department of Labor for working at night.	Obtain a valid authorization from the Department of Labor before working at night.	New regulation eliminated this requirement.	
Oct-16	Working Time	Overtime	Workers in some sections worked beyond 80 hours of overtime during a 3-month period.	Comply with the Labor Code by limiting overtime to 80 hours during a 3-month period.	New regulation eliminated this requirement.	
Oct-16	Working Time	Overtime	The factory does not have prior authorization from the Department of Labor for working on Sundays.	Obtain valid authorization from the Department of Labor before working on Sundays.	New regulation eliminated this requirement.	
Oct-16	Working Time	Overtime	The factory does not have prior authorization from the Department of Labor for working overtime.	Obtain valid authorization from the Department of Labor before working overtime.	New regulation eliminated this requirement.	

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: Interamerican Woven S.A. APH
Location: Port-Au-Prince
Number of workers: 590
Date of BW registration: Jan-16
Date of last two Better Work assessments: Jul-17 Apr-16

Advisory and Training Services

12-Sep-17 Haitian Labor Law Training
11-Aug-17 Emergency Preparedness & Accident Investigation Industry Seminar
2-Aug-17 Advisory visit regarding maternity leave and sick leave. Factory tour to check if the missing guards have been installed on the machines and are in use and verification of installation of missing emergency equipment. Additional recommendations made to management
29-Jul-17 Industry Seminar PICC
26-Jul-17 Training Of Trainers Supervisory Skills
28-Jun-17 Meeting with HR manager and Administrative Director to discuss specific findings of the most recent BW assessment.
28-Jun-17 PICC meeting
14-Jun-17 Haitian Labor Law Training
30-May-17 Advisory meeting with HR manager to follow up on the improvement plan, OSH issues and health and maternity insurance.
30-May-17 Evaluation of the system in place using the grievance mechanism checklist.
25-Apr-17 Advisory visit on ONA and OFATMA. OSH assessment with OSH committee, meeting with PICC members.
25-Apr-17 PICC Meeting
4-Apr-17 First PICC Meeting to define the ground rules of the committee and initiate the self diagnosis.
1-Apr-17 Management Skills Training
31-Mar-17 Workers Rights & Responsibilities Training
10-Feb-17 Review of the improvement plan and discussion on the formation of a PICC. Factory tour.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment June 2017						
Jul-17	Compensation	Paid Leave	Inaccurate payment for legally mandated holidays.	Adjust payroll system to ensure that payment for legally mandated holidays comply with legal requirements are accurate.		5
Jul-17	Compensation	Paid Leave	Inaccurate payment for weekly rest days.	Adjust payroll system to ensure that payment for weekly rest days comply with legal requirements.		5
Jul-17	Compensation	Paid Leave	Inaccurate payment for sick leave.	Adjust payroll system to ensure that payment for sick leave is accurate.	Management has made changes in the payroll. Payments for sick leave are based on workers' average earning.	5

Jul-17	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Adjust payroll system to ensure that payments for maternity leave are accurate.	Payments for maternity leave are based on workers' average earning.	5
Jul-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of employer contributions to ONA.	Ensure that ONA payments are based on the basic salary instead of worker's average earnings.		5
Jul-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of workers' contributions to ONA.	Ensure that ONA payments are based on the basic salary instead of worker's average earnings.		5
Jul-17	Compensation	Social Security and Other Benefits	Employer contributions to OFATMA for work-related accident insurance are based on the minimum wage.	Ensure that contributions to OFATMA for work-related accident insurance are based on the general wage.		5
Jul-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of employer contribution to OFATMA for maternity and health insurance.	Collect and forward 3 percent of worker's average earnings.	The pays 2 percent of worker's average earnings to OFATMA for maternity and health insurance.	5
Jul-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of worker's contribution to OFATMA for maternity and health insurance.	Ensure that 3 percent of worker's average earnings are collected and forwarded to OFATMA for maternity and health insurance.	The factory collect and forward 2 percent of worker's average earnings to OFATMA for maternity and health insurance. All workers are registered.	5
Jul-17	Occupational Safety and Health	Worker Protection	Missing machine guards.	Maintain an inventory of guards installed on machines. Ensure that proper guards are installed on all machines.	All the required safety guards have been installed and the mechanical department is responsible of maintain a weekly inventory.	5
Jul-17	Occupational Safety and Health	Emergency Preparedness	The factory's basement, which served as a fabric warehouse, did not have fire detection and alarm systems.	Install fire detection and alarm systems in the basement.	A fire detection system has been installed.	5
Jul-17	Occupational Safety and Health	Emergency Preparedness	The factory's basement, which served as a fabric warehouse, did not have any fire-fighting equipment.	Provide fire fighting equipment in the basement, designate a person in charge of monitoring these equipment.	Fire fighting equipment have been provided in the basement.	5
Jul-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Inadequate personal protective equipment.	Provide additional training to workers in the spot cleaning area on the use of PPE.	Training on PPE has been conducted and workers are regularly using the protective masks.	5

Assessment June 2017

May-16	Compensation	Social Security and Other Benefits	Employer contribution to ONA	Ensure that ONA payments are based on the basic salary instead of worker's average earnings.		
May-17	Compensation	Social Security and Other Benefits	Collecting and forwarding workers' contributions for social insurance funds to ONA	Ensure that ONA payments are based on the basic salary instead of worker's average earnings.		
May-17	Contracts and Human Resources	Employment Contracts	Internal work rules	Review the factory's internal work rules to ensure they comply with the legal requirements.	The internal work rules were modified and now comply with legal requirements.	
May-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical safety data sheets for all chemicals and hazardous substances in the workplace.	Ensure that all the required MSDS are available.	All the required MSDS are available.	
May-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Washing facilities or cleansing materials in the event of chemical exposure	Install adequate washing facilities.	Washing facilities or cleansing materials in the event of chemical exposure are available.	
May-17	Occupational Safety and Health	Health Services and First Aid	Onsite medical facilities and staff.	Hire additional medical staff.	The factory has a sufficient number of onsite medical facilities and staff.	

BETTER WORK HAITI – 15TH SYNTHESIS REPORT



Factory: LIFE S.A.
Location: Port-au-Prince
Number of workers: 94
Date of registration: Apr-15
Date of last two Better Work assessments: Nov-16 Nov-15

Advisory and Training Services

2-Oct-17 Advisory session to discuss the progress report and the improvement plan. Factory tour.
3-Sep-17 Follow-up on activities noted in the improvement plan. Factory tour. Training session on OSH.
15-Sep-17 Advisory session to discuss progress on the improvement plan.
9-Mar-17 Set-up of an OSH committee
26-Sep-17 Communications Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment November 2016						
Nov-16	Compensation	Social Security and Other Benefits	Late payment for workers contributions to ONA.	Ensure that ONA payments are on time meaning that payment of the current month should be paid within the first 10 working days of the following month.	The employer contributed 6% of workers' base salaries to ONA on a monthly basis.	24
Nov-16	Compensation	Social Security and Other Benefits	Late payment for employers contributions to ONA.	Ensure that ONA payments are on time meaning that payment of the current month should be paid within the first 10 working days of the following month.	The employer collects and forward workers' contribution to ONA on a monthly basis.	24
Nov-16	Compensation	Social Security and Other Benefits	No payment was made for the 2016-2017 fiscal year for OFATMA's work-related accident insurance .	Ensure to pay OFATMA for work-related accident insurance accurately.	The factory has an agreement with OFATMA to pay the amount in two installments and have completed the last payment for the 2016-2017 fiscal year.	11
Nov-16	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Ensure to be registered with OFATMA for maternity and health insurance.		11

Nov-16	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers' contribution to OFATMA for maternity and health insurance.	Ensure to register the workers for OFATMA's maternity and health insurance.		11
Nov-16	Contract and Human Resources	Employment Contracts	Internal work rules of the company are still pending for an approval from MAST.	Ensure to obtain the MAST approval for the internal work rules of the factory.	The internal work rules was approved in May 2017.	24
Nov-16	Contract and Human Resources	Contracting Procedures	Non-production workers did not receive any overtime payments.	Ensure to pay overtime to workers as soon as they perform overtime.	The factory does not work overtime.	11
Nov-16	Occupational Safety and Health	OSH Management Systems	No documentation available for the OSH self-assessments.	Ensure regular OSH self-assessment.	The factory maintains a log for OSH self-assessments. However, this log does not indicate the period or the date of when these assessments are performed.	11
Nov-16	Occupational Safety and Health	OSH Management Systems	Work-related accidents are recorded but the reports are not submitted to OFATMA.	Ensure to submit every month the record of work-related accidents to OFATMA.		24
Nov-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No inventory available of chemical substances used in the workplace available.	Ensure to keep inventory of chemical substances used in the workplace.		24
Nov-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS, PPE and eye wash stations in section where chemical substances are used.	Ensure that there is a proper storage area for chemicals. Post MSDS were needed. Provide PPE to workers in the inspection section where chemicals are used and have and eye station near this area.	MSDS of Pull Out has been posted near the inspection section. Eye wash bottles are available for workers.	24
Nov-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS for thinner and Blow Out were posted in the mechanic shop and the inspection station.	Ensure to post MSDS for thinner and blow out where they are used and in general, to post the MSDS of any chemicals where they are used and stored	The factory does not use thinner anymore. MSDS' of Blow Out have been posted near the inspection station.	24

Nov-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No documented evidences of actions taken by management to control and oversee workers' exposure to chemicals and hazardous substances.	Ensure a proper system is put in place to control and oversee to control and oversee workers' exposure to chemicals and hazardous substances.	The factory no longer uses chemicals in the washing process. They only use water and liquid soap.	24
Nov-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Proof of chemical safety training conducted for workers were unavailable during the assessment.	Keep records of any training performed.		24
Nov-16	Occupational Safety and Health	Chemicals and Hazardous Substances	The washing facilities and cleansing materials provided for workers exposed to hazardous chemicals were inadequate.	Provide adequate washing facilities to workers exposed to hazardous chemicals.	The factory has provided eye wash bottles for workers in teh spot cleaning area even though the factory no longer uses chemicals in the production process. Workers in the spot cleaning sections only use water and liquid soap.	24
Nov-16	Occupational Safety and Health	Worker Protection	No protective equipment such as ear plugs were found in areas where workers are exposed to high levels of noise.	Ensure to provide the required PPE such as ear plug to workers exposed to high level of noise.	Workers in the generator room have been provided with proper PPE and have also been trained on regular PPE usage.	24
Nov-16	Occupational Safety and Health	Worker Protection	PPE training records were unavailable during the assessment visit.	Ensure to keep the records of any training performed in the factory.		11
Nov-16	Occupational Safety and Health	Worker Protection	Workers not provided with anti-fatigue mats or foot rests.	Provide anti-fatigue mats or foot rest to workers in the pressing sections	All inspection tables have been equipped with footrests and the concerned workers have also been trained on their usage.	11
Nov-16	Occupational Safety and Health	Worker Protection	Majority of the single needle machines were missing finger guards.	Install finger guards on the single needle machines. Train workers to not remove such protection item.	The new OSH committee will perform inspections on a weekly basis and notify management regarding required remediations. New machines have been installed.	11
Nov-16	Occupational Safety and Health	Working Environment	Workplace temperature exceeded the limit of 30 C.	Ensure the temperature in all section does not exceed 30 C.		11

Nov-16	Occupational Safety and Health	Health Services and First Aid	No medical checks for newly hired workers within the first three months of employment.	Ensure to perform medical checks for newly hired workers within the first three months of employment.	All workers employed for more than two months have received medical checks. The factory keeps a log to record the workers who received their yearly medical checks.	24
Nov-16	Occupational Safety and Health	Health Services and First Aid	No systematic medical checks for workers exposed to work related hazards.	Ensure to systematically provide medical checks for workers exposed to work related hazards.	The factory has a contract with a private medical service provider and regularly sends workers for medical checks.	24
Nov-16	Occupational Safety and Health	Health Services and First Aid	No annual medical checks were arranged for workers.	Provide annual medical checks for workers.	The factory has a system to ensure that all workers receive annual medical checks. (Note: The text only indicates that there is a system in place but did the factory conduct medical checks for all the workers? Please state so explicitly, and if this has not covered all workers, then the status should be changed to In Progress)	24
Nov-16	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Ensure that the factory has the required onsite medical facilities and staff.	The management is planning to have 1 doctor's visit per week.	11
Assessment November 2015						
Nov-15	Compensation	Premium Pay	Inadequate compensation for legally mandated non-working holidays.	Ensure that payments for working during holidays are in compliance with the law.	The payroll system has been updated and includes this adjustment.	
Nov-15	Compensation	Wage Information, Use and Deduction	Transportation allowances paid are not included in the main payroll record.	Include transportation allowance in the payroll.	This allowance is now included in the payroll.	
Nov-15	Compensation	Paid Leave	The payment for sick leave is based on the minimum wage instead of the workers' average earnings.	Calculate the payments for sick leave based on the average salary.	Talks have been initiated within management to adjust their payment procedures.	
Nov-15	Compensation	Social Security and Other Benefits	Late payment of ONA's workers contribution.	Ensure that the ONA payment are submitted on time.		

Nov-15	Compensation	Social Security and Other Benefits	Late Payment of ONA's employer contribution.	Ensure that the ONA payments are submitted on time.		
Nov-15	Contract and Human Resources	Employment Contracts	The internal work rules have not been approved by the Ministry of Labour.	Obtain MAST's approval for the internal work rules.	Management is waiting for MAST's response.	
Nov-15	Occupational Safety and Health	OSH Management Systems	The factory does not have a written OSH policy.	Develop an OSH policy.	An OSH policy has been developed for the factory.	
Nov-15	Occupational Safety and Health	OSH Management Systems	The employer has not performed an assessment of general occupational safety and health issues in the factory.	Regularly assess OSH issues in the factory.	As of August 2016, the factory has started to implement this new practice.	
Nov-15	Occupational Safety and Health	OSH Management Systems	The employer has not developed any mechanisms to ensure cooperation between workers and management for OSH issues.	Develop a mechanism to ensure cooperation between workers and management regarding OSH issues.	An OSH committee has been formed in September 2016.	
Nov-15	Occupational Safety and Health	OSH Management Systems	Records of work-related accidents and diseases not sent to OFATMA on a monthly basis.	Regularly submit the work-related accidents records to OFATMA.	Accident reports are regularly submitted to OFATMA.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer does not keep an inventory of chemicals and hazardous substances used in the workplace.	Ensure that the inventory of chemicals is readily available at the workplace.	The inventory of chemicals is available at the workplace.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	EAs found several unlabeled containers in the mechanic shop.	Ensure that all chemical containers are properly labeled.	All chemical containers are labeled.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals and hazardous substances such as thinner, propane tank and acid were not adequately stored.	Ensure that chemical substances are properly stored.	Chemical substances are properly stored in a designated area.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS were available for chemicals and hazardous substances such as thinner, propane and acid.	Post MSDS for all chemical substances used in the workplace	MSDS have been posted in the relevant areas.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer has not taken any action to assess, monitor, prevent and limit workers' exposure to chemicals and hazardous substances.	Take actions to assess, monitor, prevent and limit workers' exposure to chemicals and hazardous substances		

Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer has not provided training to workers handling chemicals and hazardous substances.	Provide training to workers handling chemical substances.		
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash bottle was available in the mechanic shop.	Provide an eye wash station in the mechanic shop.	An eye wash station was installed.	
Nov-15	Occupational Safety and Health	Emergency Preparedness	Workers were not trained to use fire fighting equipment.	Train at least 10% of the workforce on how to use fire fighting equipment.	Workers have been provided with fire fighting training.	
Nov-15	Occupational Safety and Health	Welfare Facilities	No soap was available in the toilets.	Provide adequate hand washing facilities and soap in the toilets.		
Nov-15	Occupational Safety and Health	Welfare Facilities	The eating area can only accommodate a maximum of 20 workers during lunch time.	Provide an adequate eating area that can accommodate all workers during meal times.		
Nov-15	Occupational Safety and Health	Worker Protection	No earplugs were available for workers in the generator and compressor rooms.	Provide workers with all the necessary personal protective clothing and equipment.		
Nov-15	Occupational Safety and Health	Health Services and First Aid	The factory does not conduct medical checks for newly hired workers within the first three months of employment.	Perform medical checks for newly hired workers within the first three months of employment.		
Nov-15	Occupational Safety and Health	Health Services and First Aid	No medical checks were conducted for workers who have been exposed to work-related hazards.	Provide medical checks for workers who have been exposed to work-related hazards.		
Nov-15	Occupational Safety and Health	Health Services and First Aid	One expired product was found in the first aid box.	Ensure that the first aid boxes are adequately equipped with the required supplies.		
Nov-15	Occupational Safety and Health	Health Services and First Aid	No first aid training was conducted for workers.	Train an adequate number of workers on first aid procedures.		
Nov-15	Occupational Safety and Health	Health Services and First Aid	No annual medical checks were provided to workers.	Provide annual medical checks to workers.		

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: Modas Bu II S.A.
Location: Port-au-Prince
Number of workers: 876
Date of BW registration: Aug-13
Date of last two Better Work assessments: May-16 Apr-17

Advisory and Training Services

6-Oct-17 Meeting with management to review progress made on various OSH issues and verbal abuse. Union and workers interview on the verbal abuse issue. Factory tour.
3-Aug-17 Meeting with the HR and Compliance Managers to review the remediation of pending issues. Factory tour.
16-Jun-17 Meeting with the HR Manager to review the progress made since the last assessment and provide support on the first progress report preparation.
14-Jun-17 Labor Law Training
1-Apr-17 Managing People Training
9-Mar-17 PICC meeting to review water quality issue. Factory tour with workers to inspect water treatment system and identify improvement areas.
8-Mar-17 Communication Skills training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment April 2017						
Apr-17	Compensation	Paid Leave	Payment for weekly rest days.	Ensure that the weekly rest day payment is correct.	The factory revised its payroll procedure and the weekly rest days payment is now based on the average salary.	7
Apr-17	Compensation	Paid Leave	Payment for legally mandated holidays.	Revise payroll procedures to ensure compliance with legal requirements	The factory revised its payment procedures to ensure compliance with legal requirements.	7
Apr-17	Compensation	Social Security and Other Benefits	Collecting and forwarding workers' contributions for social insurance funds to	Revise payroll procedures to ensure compliance with legal requirements	The factory revised its payroll procedures to ensure compliance with legal requirements. ONA payment is now done with base salary.	7
Apr-17	Compensation	Social Security and Other Benefits	Employer contribution to ONA.	Revise payroll procedures to ensure compliance with legal requirements	The factory revised its payroll procedures to ensure compliance with legal requirements. ONA payment is now done with base salary.	7
Apr-17	Compensation	Social Security and Other Benefits	Employer contribution to OFATMA for maternity and health insurance. Collecting and forwarding of workers' contributions to OFATMA.	Registered with OFATMA for the maternity and health insurance.	Management initiated meeting with OFATMA to plan for their registration.	7

Apr-17	Compensation	Social Security and Other Benefits	Collecting and forwarding of workers' contributions to OFATMA.	Registered with OFATMA for the maternity and health insurance.	Management initiated meeting with OFATMA to plan for their registration.	7
Apr-17	Contract and Human Resources	Dialogue, Discipline and Disputes	Bullying, harassment or humiliating treatment of workers.	Provide training to both Haitian and foreign supervisors on the verbal abuse policy	The factory conducted training for both Haitian and foreign supervisors on the verbal abuse policy. Training was also provided to workers	15
Apr-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Labeling of chemicals and hazardous substances.	Conduct awareness training for all workers handling chemicals. A system should be put in place to avoid recurrence.	The factory labeled all the chemicals containers and provided training to all workers using chemicals.	43
Apr-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical safety data sheets for all chemicals and hazardous substances in the workplace.	Ensure that all required chemical safety data sheets for all chemicals and hazardous substances are available in the workplace	Chemical safety data sheets for all chemicals and hazardous substances are available in the workplace.	43
Apr-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessing, monitoring, preventing and/or limiting workers' exposure to hazardous substances.	Assess, monitor, prevent and/or limit workers' exposure to hazardous substances.	The factory regularly assessing and monitor workers' exposure to hazardous substances.	7
Apr-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Washing facilities or cleansing materials in the event of chemical exposure were not available in all areas where workers use chemicals.	Provide adequate washing facilities or cleansing materials in the event of chemical exposure.	Washing facilities or cleansing materials in the event of chemical exposure are available.	43
Apr-17	Occupational Safety and Health	Emergency Preparedness	Training workers to use the firefighting equipment	The factory should trained additional workers in fire fighting.	The factory trained additional workers in fire fighting. Based on the current number of workers, the factory is in compliance with the requirements.	7
Apr-17	Occupational Safety and Health	Emergency Preparedness	Some firefighting equipment were not properly maintained.	Ensure that all firefighting equipment are properly maintained and inspected.	The compliance officer regularly verify the firefighting equipment.	7
Apr-17	Occupational Safety and Health	Health Services and First Aid	Annual medical checks for workers.	Increase doctor's visit frequency to 3 visits a week and have doctors perform medical checks.	The factory hired a doctor who conducts the medical checks on a regular basis.	43
Apr-17	Occupational Safety and Health	Health Services and First Aid	No medical checks are provided to workers within the first three months of hiring.	Increase doctor's visit frequency to 3 visits a week and have doctors perform medical checks.	The factory hired a doctor who conducts the medical checks on a regular basis.	7

Apr-17	Occupational Safety and Health	Health Services and First Aid	The factory does not provide free health checks to workers who have been exposed to work related hazards.	Increase doctor's visit frequency to 3 visits a week and have doctors perform medical checks.	The factory hired a doctor who conducts the medical checks on a regular basis.	43
Apr-17	Occupational Safety and Health	Health Services and First Aid	The factory has only 2 nurses. To comply with the Haitian Labor Code, the factory should have a permanent onsite medical service, with at least 5 nurses and 3 doctors' visits each	Hire 2 additional nurses and increase doctor's visit frequency to 3 times a week.	The factory hired a doctor who visit 3 times per week.	43
Apr-17	Occupational Safety and Health	Health Services and First Aid	The employer did not ensure that there were a sufficient number of readily accessible first aid boxes/supplies in the workplace.	Ensure that all the first aid boxes/supplies in the workplace are readily accessible .	All the first aid boxes/supplies in the workplace are readily accessible .	7
Apr-17	Occupational Safety and Health	Health Services and First Aid	Insufficient first-aid training for workers.	Provide first-aid training for 10% of workers.		7
Apr-17	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.	The factory recently laid off about half of its workforce due to lack of order. Based on the current number of workers, the factory is in compliance for the number of toilets.	7
Apr-17	Occupational Safety and Health	Welfare Facilities	Insufficient capacity of eating area.	Increase the capacity of the eating area.	The factory recently laid off about half of its workforce due to lack of order. Based on the current number of workers, the factory is in compliance for the eating area capacity.	7
Apr-17	Occupational Safety and Health	Worker Protection	Workers using chemicals are not provided with personal protective clothing and equipment.	Worker using chemicals should be provided with personal protective clothing and equipment.	All workers using chemicals are provided with personal protective clothing and equipment.	43
Apr-17	Occupational Safety and Health	Worker Protection	Shock absorbing mats are missing for standing workers.	Provide all standing workers with Shock absorbing mats	All standing workers are provided with shock absorbing mats	7
Apr-17	Occupational Safety and Health	Working Environment	Workplace temperature and/or ventilation is no adequate.	Ensure that workplace temperature and/or ventilation comply with recommended limits.		43

Apr-17	Working Time	Overtime	Limits on overtime hours worked.	Monitor and limit the number of overtime hours performed.	The factory is monitoring the number of overtime hours performed to ensure that workers do not exceed the legal overtime limit. The attendance records verified in August 2017 revealed that workers do not exceed 80 hours for the last 3 months.	19
Apr-17	Working Time	Regular Hours	Daily break periods.	Review the internal policies regarding break for pregnant women	The factory reviewed the internal policies regarding break for pregnant women. Also all pregnant women were informed of this new policy	7
Assessment May 2016						
May-16	Freedom of Association and Collective Bargaining	Freedom to Associate	Termination of union representatives.	Reinstate the worker. Awareness on freedom of association (FOA) to be done for foreign supervisors and managers. Inform workers about the freedom of association policy.	The factory developed an FOA policy that was communicated to workers. Also, industrial relations training was provided to both Haitian and foreign supervisors.	21
May-16	Freedom of Association and Collective Bargaining	Interference and Discrimination	Freedom to form and join a union.	Awareness on freedom of association to be done for foreign supervisors and managers. Inform workers about the freedom of association policy.	The factory developed an FOA policy that was communicated to workers. Also industrial relations training was provided to both Haitian and foreign supervisors.	21
May-16	Compensation	Wage Information, Use and Deduction	Time records were inconsistent with the payroll.	Keep accurate payroll records.	The attendance system was reviewed with the service provider.	
May-16	Compensation	Paid Leave	The factory pays sick leave to workers. However, the payment for sick leave is based on the minimum wage and not on the workers' average earnings.	Ensure that the payment of sick leave is accurate.	Management implemented a new procedure to calculate average earnings based on the last 3 payrolls and ensure that sick leave payment is accurate.	
May-16	Compensation	Paid Leave	The payment for maternity leave for piece rate workers is based on the minimum wage and not on the workers' average earnings.	Ensure that the payment of maternity leave is accurate.	Management implemented a new procedure to calculate average earnings based on the last 3 payrolls and ensure that maternity leave payment is accurate.	
May-16	Contract and Human Resources	Employment Contracts	The factory 's working hours in the internal work rules are different than the reality. Management did not send a letter to MAST to announce the actual change in the internal rules.	Update internal work rules with the actual working hours and inform MAST.	Talks have been initiated with the company lawyer in order to make the changes.	

May-16	Contract and Human Resources	Dialogue, Discipline and Disputes	Workers explained that supervisors sometimes yell at them and utter insults when they are not satisfied with something workers do.	Awareness and training to be done for foreign supervisors and managers.	Management conducted training for Haitian and foreign supervisors on this topic.	
May-16	Occupational Safety and Health	Chemicals and Hazardous Substances	EAs observed several unlabeled containers of chemicals such as thinner.	Awareness to be done for all workers and production officers regarding chemical handling discussions and assign clear responsibility for this issue.	The factory labeled all the chemicals containers and provided training to all workers using chemicals.	36
May-16	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory had MSDS for all but one chemical product found in the mechanic shop without MSDS.	Post MSDS where needed.	MSDS have been posted in the relevant areas. Training was provided for workers on the use of chemicals.	36
May-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No washing materials were installed inside or near the mechanics shop where chemicals were also found.	Add eye wash bottles where needed.	Eye washing bottles were provided in the relevant areas.	36
May-16	Occupational Safety and Health	Worker Protection	No earplugs were found in the generator room.	Provide new earplugs in generator area.	New earplugs have been provided in the generator area.	36
May-16	Occupational Safety and Health	Worker Protection	No evidence of training provided.	Train workers on the effective use of PPE.	All workers in the cutting department have been provided with metal gloves.	36
May-16	Occupational Safety and Health	Worker Protection	Electrical wires are not properly installed.	Electrical maintenance needs to be improved.	Electrical maintenance was improved throughout the factories.	
May-16	Occupational Safety and Health	Working Environment	The temperature is over the recommended level in building 53.	Ensure workplace temperature is compliant in all sections.	0	36
May-16	Occupational Safety and Health	Welfare Facilities	EAs did not find any soap in the workplace at the time of the assessment.	Ensure that soap is readily available in the workplace.		36
May-16	Occupational Safety and Health	Welfare Facilities	The water quality test provided by the factory mentioned the water was not good.	Implement new procedure for water test.	A new procedure has been implemented to address this issue. Water tanks are cleaned every 2 weeks and frequent maintenance is being conducted for the filtration system.	
May-16	Occupational Safety and Health	Health Services and First Aid	No medical checks are provided to workers within the first three months of hiring.	Increase doctor's visit frequency to 3 visits a week and have doctors perform medical checks.	Management has increased the number of weekly doctor's visits, as advised. However, the doctor has not started to perform medical checks yet.	

May-16	Occupational Safety and Health	Health Services and First Aid	The factory does not provide free health checks to workers who have been exposed to work related hazards.	Increase doctor's visit frequency to 3 visits a week and have doctors perform medical checks.	Management has increased the number of weekly doctor's visits, as advised. However, the doctor has not started to perform medical checks yet.	36
May-16	Occupational Safety and Health	Health Services and First Aid	The factory has only 2 nurses. To comply with the Haitian Labor Code, the factory should have a permanent onsite medical service, with at least 5 nurses and 3 doctors' visits each week.	Hire 2 additional nurses and increase doctor's visit frequency to 3 times a week.		36
May-16	Occupational Safety and Health	Emergency Preparedness	During factory tour EAs found one exit locked in building 53.	Ensure that all exits remain unlocked during working hours.	All exits are unlocked during working time.	36
May-16	Occupational Safety and Health	Emergency Preparedness	No regular fire drills were conducted in building 52.	Conduct at least 2 fire drills per year.	The factory performed the required fire drills and has a schedule for the upcoming one.	36
May-16	Working Time	Regular Hours	Working time records do not reflect the actual hours worked.	Keep accurate and detailed working time records.	From January 2017, the factory changed its regular work hours to 7am to 4pm including a one hour lunch break for all workers. The attendance system was also adjusted to reflect this change.	
42521	Working Time	Overtime	12 out of 40 verified attendance records showed that those workers had worked beyond 80 hours of overtime during a 3-month period.	Monitor and limit number of overtime hours performed to the legal limits of 80 hours per trimester.		

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: MGA Haiti S.A
Location: Port-au-Prince
Number of workers: 960
Date of BW registration: Oct-09
Date of last two Better Work assessments: Jun-17 Jun-16

Advisory and Training Activities

28-Sep-17 Occupational Safety and Health Training
19-Sep-17 Meeting with the Accountant to review payments for legally mandated holidays and weekly rest day. Meeting with the HR manager and compliance officer to review employment contracts, training records and medical health checks for the workers. Introduction meeting with a new union cell.
25-Aug-17 Meeting with Maintenance Manager to discuss issues related to boiler safety. Meeting with the compliance officer to review emergency response procedures.
29-Jul-17 Industry Seminar on PICCs
27-Jul-17 PICC meeting.
18-Jul-17 Factory tour and advisory on unidentified containers, obstructed aisles and first aid box. Discussion with the compliance officer on availability of PPE. Meeting with HR manager to review employment contracts and paid leaves.
5-Jul-17 Emergency Preparedness & Accident Investigation Industry Seminar
16-Jun-17 Follow up on the improvement plan and advisory on payment for legally mandated holidays and weekly rest days, as well as social security payments (ONA and OFATMA).
16-Jun-17 PICC meeting to discuss disciplinary measures
14-Jun-17 Haitian Labor Law Training
1-Apr-17 Management Skills Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment June 2017						
Jun-17	Compensation	Premium Pay	Inaccurate compensation for weekly rest days.	The factory must pay for weekly rest days after a period of 6 consecutive working days.	The management mentioned that the adjustment will be made in the next payroll.	4
Jun-17	Compensation	Paid Leave	Inaccurate payment for legally mandated holidays.	Adjust payroll system to ensure that the payments for legally mandated holidays are accurate.	The changes have been made in the payroll system and payment for legally mandated holidays is based on worker's average earnings.	4
Jun-17	Compensation	Paid Leave	Inaccurate payment for weekly rest days.	Adjust payroll system to ensure that payments for weekly rest days are accurate.	The changes have been made in the payroll system so that the payment for weekly rest days is based on workers' average earnings.	4

Jun-17	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for maternity and health insurance services.	Register and forward employer's contribution to OFATMA for maternity and health insurance services.		4
Jun-17	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for maternity and health insurance services.	Register and forward workers' contribution to OFATMA for maternity and health insurance services.		4
Jun-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of employer's contributions to ONA.	Ensure that ONA payments are based on the basic salary instead of worker's minimum wages.	The calculation method has been adjusted to comply with this requirement.	29
Jun-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of worker's contributions for social insurance funds to ONA.	Ensure that ONA payment is based on the basic salary instead of worker's minimum wages.	The calculation method has been adjusted to comply with this requirement.	29
Jun-17	Contract and Human Resources	Employment Contracts	Inadequate employment contracts.	Review the employment contract template to ensure compliance with legal requirements and include key employment terms and conditions such as hours of work, the nature of the work to be performed, the amount of pay and benefits.	The employment contract has been revised with the suggested terms and specifications.	4
Jun-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled chemicals.	Label all containers, conduct training for workers on the safe handling of chemical substances and assign someone to regularly monitor this issue.	Training has been conducted for workers in the spot cleaning area.	4
Jun-17	Occupational Safety and Health	OSH Management Systems	Inactive OSH committee.	Ensure that the factory has an active OSH committee, which meets at least once a month.	All committee members have been trained. Also, the factory has started to conduct monthly occupational safety and health assessments.	4
Jun-17	Occupational Safety and Health	Emergency Preparedness	Missing fire extinguishers.	Increase the frequency of inspections of fire extinguishers in all buildings. Replace missing fire extinguishers. Keep a stock of additional fire extinguishers for use in case of an emergency.	The missing fire extinguishers have been replaced and an inspection sheet is available.	77

Jun-17	Occupational Safety and Health	Emergency Preparedness	Obstructed evacuation aisles with fabric bundles.	Ensure that the aisles between the sewing lines remain unobstructed during working hours, including overtime.	The maintenance department is in the process to remark the floor.	4
Jun-17	Occupational Safety and Health	Worker Protection	Inadequate PPE for workers using thinner in the spot cleaning area.	Provide appropriate PPE and conduct training for all workers using chemicals.	Training was conducted for workers in the spot cleaning area and the mechanic shop. PPE has also been provided.	4
Jun-17	Occupational Safety and Health	Worker Protection	Inadequate electrical maintenance.	Ensure that all electrical wires and equipment are properly installed and maintained.	The factory had started to install electrical cord covers.	4
Jun-17	Occupational Safety and Health	Working Environment	Excessive workplace temperature.	Improve the temperature levels in the sewing and pressing sections.		77
Jun-17	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets	Fix non-functioning toilets and add more toilets to comply with the legal requirements.	Sonapi has already begun the construction of additional toilets.	89
Jun-17	Occupational Safety and Health	Welfare Facilities	Capacity of the eating area is insufficient to accommodate all the workers	Increase the capacity of the eating area.	The factory has built another cafeteria.	89
Jun-17	Occupational Safety and Health	Health Services and First Aid	No health checks conducted for workers exposed to work-related hazards.	Provide at least two medical checks per year to workers who have been exposed to work-related hazards.	The factory has contracted Para Clinical Examinations to conduct regular health checks for all workers.	4
Jun-17	Occupational Safety and Health	Health Services and First Aid	Annual medical checks not conducted for all workers.	Ensure that annual medical checks are provided for all workers.	Since May 2017, Para Clinical Examinations have started to conduct medical checks for all workers.	4
Jun-17	Occupational Safety and Health	Health Services and First Aid	Insufficient onsite medical facilities and staff.	Hire additional medical staff to include at least 4 nurses and 3 doctor's visits per week.	The factory has signed a new contract with a doctor who will visit the factory 3 times a week.	89
Assessment June 2016						
Jun-16	Compensation	Minimum Wages/Piece Rate Wages	Minimum wage	Pay at least the legal minimum wage to all security guards.	Adjustment has been made in the last payroll.	

Jun-16	Compensation	Overtime Wages	Overtime wages	Pay security guards at least correctly for all ordinary overtime hours worked.	Adjustment has been made in the last payroll.	
Jun-16	Compensation	Wage Information, Use and Deduction	Inaccurate payroll	Have an accurate and detailed payroll system.	The time punching system has been fixed.	
Jun-16	Compensation	Paid Leave	Payment for sick leave.	Pay sick leave based on the workers' average earnings.	Several meetings were held with the HR Department and accountants to apply the changed sick leave payments.	
Jun-16	Compensation	Paid Leave	Payment for maternity leave .	Pay maternity leave based on the worker's average earnings.	The payroll system has been updated accordingly.	
Jun-16	Compensation	Social Security and Other Benefits	Employer contribution to ONA.	Employer must forward their contributions to ONA.	Meeting was held with the HR and accountant staff and adjustments are expected to follow.	
Jun-16	Compensation	Social Security and Other Benefits	Collecting and forwarding workers' contribution to ONA.	Employer must collect and forward workers' contributions to ONA.	Meeting was held with the HR and accountant staff and adjustments are expected to follow.	
Jun-16	Occupational Safety and Health	Worker Protection	Lack of electrical maintenance.	Improve electrical maintenance.	Electrical maintenance was improved and all boxes have been covered.	
Jun-16	Occupational Safety and Health	Working Environment	Workplace Temperature	Ensure workplace temperature is compliant.	Protective sheets have been added under the metal roof, additional fans have been installed and non-functioning exhaust fans have been fixed.	
Jun-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets	Fix non-functioning toilets and add more toilets in order to be compliant with the legal requirements.	All non-functioning toilets have been fixed. The management has requested SONAPI to add more toilets.	
Jun-16	Occupational Safety and Health	Welfare Facilities	Washing facilities and soap.	Regularly monitor availability of soap in restrooms and provide soap when needed.	Soap has been provided in the restrooms.	

Jun-16	Occupational Safety and Health	Welfare Facilities	Capacity of the eating area insufficient to accommodate all the workers	Increase the capacity of the eating area.	The factory provided additional seats and tables to accommodate more workers.	
Jun-16	Occupational Safety and Health	Health Services and First Aid	Insufficient onsite medical staff	Have at least 4 nurses and at least 3 doctor's visits per week.	The factory signed a contract with DASH to provide two doctor's visits per week.	
Jun-16	Occupational Safety and Health	Emergency Preparedness	Several missing fire extinguishers were observed in the plant.	Add fire extinguishers where needed. Maintain all extinguishers on a regular basis.	Adequate fire extinguishers have been provided.	
Jun-16	Occupational Safety and Health	Emergency Preparedness	According to documentation, as well as interviewed workers and management, the last fire drill was conducted on December 7, 2015 and the one before that, on March 21, 2015 .	Conduct at least 2 fire drills per year.	A fire drill was conducted in August 2016 and another one in January 2017.	
Jun-16	Working Time	Overtime	Authorization from MAST to work overtime.	Obtain authorization to work overtime from MAST.	A request to work overtime was sent to MAST in September 2016.	
Jun-16	Working Time	Regular Hours	The working hours mentioned in the attendance records do not reflect the hours actually worked.	Keep accurate working time records.	Attendance records accurately reflect the hours worked.	

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: PACIFIC SPORTS HAITI S.A.
Location: Port-au-Prince
Number of workers: 1868
Date of BW registration: Nov-09
Date of last two Better Work assessments: Jul-17 Jun-16

Advisory and Training Services

20-Sep-17 Meeting with the compliance manager and union officers on OFATMA insurance. Advisory on emergency preparedness.
23-Aug-17 Advisory on payment for legally mandated holidays and weekly rest days. Use of the assessment tool for the current grievance mechanism during the PICC meeting.

11-Aug-17 Emergency Preparedness & Accident Investigation Industry seminar
29-Jul-17 Industry Seminar PICC
26-Jul-17 Meeting with the compliance manager to discuss progress on non-compliance points from last BW assessment. Advice on chemical handling and necessity to have information available in local language.

26-Jun-17 Training Of Trainers Supervisory Skills
21-Jun-17 PICC Meeting
14-Jun-17 Haitian Labor Law Training
17-May-17 PICC meeting to discuss the role of the committee versus the role of the union. Session on the use of industrial relations posters from Better Work.
5-May-17 Follow up on the improvement and revision of the payroll in particular the deduction of payments for ONA, maternity leave and sick leave.
17-Apr-17 Meeting on the following points: ONA deductions, ventilation in building 27 and cleaning.
23-Mar-17 Discussion about MAST inspection report and Improvement plan.
21-Mar-17 Factory tour, measurement of the light levels, follow up on the improvement plan with the participation of a MAST inspector.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment July 2017						
Jul-17	Compensation	Paid Leave	Inaccurate payments for legally mandated holidays.	Adjust the payroll system to ensure that the payments for legally mandated holidays are based on worker's average earnings.	The factory has made adjustments to their payroll system for holiday payments.	3
Jul-17	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for maternity and health insurance.	Register with OFATMA for maternity and health insurance services.	Registration with OFATMA is in process for maternity and health insurance services.	3
Jul-17	Compensation	Social Security and Other Benefits	The factory has not registered with OFATMA for maternity and health insurance.	Register with OFATMA for maternity and health insurance services. Collect and forward workers' contributions to OFATMA.	Registration with OFATMA is in process for maternity and health insurance services.	3

Jul-17	Occupational Safety and Health	Emergency Preparedness	Obstructed access to fire fighting equipment.	Assign someone to inspect fire extinguishers on a regular basis. Do a root cause analysis to find out why access to several fire extinguishers are obstructed. Provide training to workers on the use of fire fighting equipment.	The factory has reorganized the noted area and also assigned 2 persons to inspect fire extinguishers at the workplace.	36
Jul-17	Occupational Safety and Health	Emergency Preparedness	80 percent of the evacuation aisles in the fabric warehouse of Building 25 are blocked by trolleys.	Do a root cause analysis on why the aisles are blocked by trolleys. Have someone in charge to monitor that the aisles remain free.	The factory recently rented another building to store fabrics and other materials.	3
Jul-17	Occupational Safety and Health	Emergency Preparedness	Inadequate maintenance of electrical equipment.	Identify an appropriate place to store cardboard boxes. Ensure that access to electrical cabinets remain unobstructed and free from flammable sources.		3
Jul-17	Occupational Safety and Health	Health Services and First Aid	Insufficient number of annual medical checks for workers.	Ensure that annual medical checks are provided to all workers.	85% of the workers have received their annual medical checks.	3
Jul-17	Occupational Safety and Health	Health Services and First Aid	Insufficient onsite medical staff.	Hire additional medical staff to include at least 8 nurses and 3 doctor's visits per week.	The management is in the process of recruiting 2 additional nurses.	30
Jul-17	Occupational Safety and Health	Working Environment	Workplace temperatures exceeded the recommended limit of 30 C	Improve the temperature levels in the noted areas.		53
Jul-17	Occupational Safety and Health	Working Environment	Noise level in the sewing section of Building 8 exceeded 90 dB.	Identify the source of excessive noise and explore possibilities to address this hazard. If noise levels can not be reduced at source, provide adequate PPE to workers in the noted area.		3
Assessment June 2016						
Jun-16	Compensation	Wage Information, Use and Deduction	Inaccurate Payroll	Ensure consistency in between all time and payment-related records.	Adjustments were made during the last payroll to ensure that records match. This will be further verified through the latest payroll by Better Work advisor.	
Jun-16	Compensation	Social Security and Other Benefits	Employer contribution to ONA	Ensure on time and accurate payments to ONA.	Review of the payroll for the month of April revealed the employer's contribution to ONA is based on the basic salary.	

Jun-16	Compensation	Social Security and Other Benefits	Collecting and forward workers' contribution to ONA	Ensure on time and accurate payments to ONA.	Several meetings were held to inform the workforce about the payroll adjustments. Workers' contribution will be based on the basic salary. Review of the payroll for the month of April revealed the employer's contribution to ONA is based on the basic salary.	
Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals hazardous substances not properly labeled	Identify all secondary chemical containers in the workplace.	All containers have been identified.	
Jun-16	Occupational Safety and Health	Working Environment	Insufficient light levels in the workplace.	Ensure that lighting levels are adequate.	New lighting installations were made in Buildings 7 and 27.	
Jun-16	Compensation	Paid Leave	Payment for sick leaves is based on the minimum wage instead of the workers' average daily earnings.	Adjust payroll system to ensure that sick leave payment is accurate	Change already made in the payroll Payment for sick leaves is now based in the workers' average daily earnings.	
Jun-16	Compensation	Paid Leave	Payment for maternity leaves is based on the minimum wage instead of the workers' average daily earnings.	Adjust payroll system to ensure that maternity leave payment is accurate.	The payroll system is updated and payments for maternity leave are based on workers' average earnings.	
Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No inventory of chemicals available	Maintain an inventory of chemicals and hazardous substances used in the workplace.	A system was put in place to ensure that the inventory is readily available in the workplace.	
Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	One eye wash station is not working.	Ensure that all eye wash stations are functional.	The eye wash station was fixed and is working correctly.	
Jun-16	Occupational Safety and Health	Worker Protection	Electrical maintenance	Ensure that all electrical boxes are properly safe guarded, at all times.	Electrical maintenance was improved and the necessary correction was made during the assessment.	
Jun-16	Occupational Safety and Health	Worker Protection	Lack of electrical maintenance	Post warning signs on all electrical boxes, and do the verification through internal audits on a regular basis.	Warning signs were posted as advised.	
Jun-16	Occupational Safety and Health	Working Environment	Temperatures exceed BW's recommended limit of 30 C.	Ensure that the workplace temperature does not exceed 30 C.	Management is currently testing a cooling system using a sprinkler and metal sheets to address this issue.	

Jun-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets	Ensure that number of toilets is compliant with the legal requirements.	16 additional toilets were added we have sufficient toilets for men and women this is completed	
Jun-16	Occupational Safety and Health	Health Services and First Aid	Insufficient onsite medical staff	To comply with the Haitian Labor Code, the factory should have at least 8 nurses.	The management is currently recruiting 2 additional nurses.	
Jun-16	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers obstructed and missing the identification tag.	Ensure that all fire extinguishers are unobstructed and are provided with proper tags.	This issue was corrected during the assessment. All fire extinguishers have the necessary tags and are freely accessible.	
Jun-16	Working Time	Overtime	No proof of authorization from the Ministry of Labor to work overtime.	Obtain an authorization from MAST before performing overtime work.	Management has requested an authorization for overtime work from MAST.	

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: Palm Apparel S.A.
Location: Port-au-Prince
Number of workers: 1592
Date of BW registration: Nov-09
Date of last two Better Work assessments: Jul-16 Aug-17

Advisory and Training Activities

30-Sep-17 PICC training
29-Sep-17 Meeting with the Compliance Manager on the use of BW portal. Advisory visit on payment for legally mandated holidays. Payment for regular hours worked on holidays, ONA and
12-Sep-17 Haitian Labor Law training
11-Aug-17 Emergency Preparedness & Accident Investigation Industry seminar
30-Jun-17 Factory tour. Revision of the Payroll with HR manager and review of calculations for payment for maternity leave and sick leave.
7-Apr-17 Meeting with Hr Manager to follow up on the improvement plan. Measurement of the light and noise levels. Discussion on the establishment of a new PICC.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment August 2017						
Aug-17	Compensation	Premium Pay	Inaccurate payment for regular hours worked on legally mandated holidays.	Adjust payroll system to ensure that the payment for regular hours worked on legally mandated holidays is based on worker's average earning.		3
Aug-17	Compensation	Paid Leave	Inaccurate payment for legally mandated holidays.	Ensure that the payment for legally mandated holidays is based on worker's average earnings.		3
Aug-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of employer's contributions to ONA.	Revised payroll procedure to ensure that ONA payments are based on the basic salary instead of the worker's minimum wage.		79
Aug-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of worker's contributions for social insurance to ONA.	Ensure that ONA payments are based on the basic salary instead of worker's average earnings.		79
Aug-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Inadequate labeling of chemicals and hazardous substances in the mechanic room.	Label all chemical containers, provide training on the safe handling of chemical substances and also monitor the labeling of containers.		3

Aug-17	Occupational Safety and Health	OSH Management Systems	Excessive workplace temperatures in the packing, sewing and inspection sections of Buildings 2, 3 and 4.	Maintain temperature levels below 30 C in the noted areas.		3
Aug-17	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Ensure that the factory has at least 21 functioning toilets for men and 65 functioning toilets for women.		3
Aug-17	Occupational Safety and Health	Welfare Facilities	The eating area at Thor can only accommodate a small percentage of the workforce.	Ensure that the eating area can accommodate all workers.		3
Aug-17	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff to include at least 7 nurses and 3 doctor's visit per week.		3
Aug-17	Occupational Safety and Health	Emergency Preparedness	Several escape routes were obstructed by boxes of finished goods on floors 2 and 5.	Ensure that the evacuation aisles remain unobstructed during working hours, including overtime.		73
Aug-17	Working Time	Overtime	No authorization has been obtained from the Department of Labour for overtime work.	Obtain authorization from MAST before working overtime.	New regulation eliminated this requirement.	13
Aug-17	Compensation	Social Security and Other Benefits	The factory does not forward the employer's contribution to OFATMA for maternity and health insurance.	Collect and forward 3 percent of the worker's basic salary to OFATMA for maternity and health insurance.	The pays 2 percent of worker's average earnings to OFATMA for maternity and health insurance.	3
Aug-17	Compensation	Social Security and Other Benefits	The factory does not collect and forward worker's contributions to OFATMA for maternity and health insurance.	Ensure that 3 percent of worker's basic salary is collected and forwarded to OFATMA for maternity and health insurance.	The factory collect and forward 2 percent of worker's average earnings to OFATMA for maternity and health insurance. All workers are registered.	3
Assessment July 2016						
Jul-16	Occupational Safety and Health	Emergency Preparedness	One exit door was locked and another exit led to another room instead of an outdoor space.	Ensure that each building has at least 2 exits that are unlocked at all times.	A security guard was stationed near the previously locked gate, so that it can be kept unlocked now at all times.	
Jul-16	Occupational Safety and Health	Emergency Preparedness	Electrical maintenance is not adequate.	Limit electrical hazards at the workplace.	This issue was corrected during the assessment.	

Jul-16	Working Time	Overtime	Time records showed that workers worked up to 84 hours of overtime in a trimester.	Limit overtime work to a maximum of 80 for a 3 month period.	Management said that they have stopped working on Sundays in order to reduce the amount of overtime.	
Jul-16	Working Time	Overtime	No authorization to work on Sundays obtained from the Department of Labor.	Obtain prior authorizations from MAST for work on sundays.	Authorization has been requested from MAST.	
Jul-16	Working Time	Overtime	No authorization for overtime work obtained from the Department of Labor.	Obtain prior authorizations from MAST for overtime.	Authorization has been requested from MAST.	
Jul-16	Compensation	Social Security and Other Benefits	Employer contribution to ONA.	ONA payments should be accurately calculated.		
Jul-16	Contract and Human Resources	Dialogue, Discipline and Disputes	Disciplinary measures not compliant with the law.	Ensure that termination is made in line with legal requirements.	The dismissed workers have been reinstated.	
Jul-16	Occupational Safety and Health	Worker Protection	Inadequate PPE were provided to workers	Provide adequate PPE to the workers in the spot cleaning area.	Management provided PPE as needed.	
Jul-16	Occupational Safety and Health	Welfare Facilities	No soap was available in the toilets at the time of the visit.	Increase the supply of soap in the toilets and ensure regular verification.	Management increased the supply of soap and are trying to control wasteful habits.	
Jul-16	Occupational Safety and Health	Welfare Facilities	Drinking water	Maintain an adequate supply of drinking water for all workers.	The management increased the supply of water.	

BETTER WORK HAITI – 15TH SYNTHESIS REPORT



Factory: Premium Apparel S.A.
Location: Port-au-Prince
Number of workers: 1998
Date of BW Oct-09
Date of last two Better Oct-16 Oct-15
Work assessments:

Advisory and Training Services

11-Aug-17 Emergency Preparedness & Accident Investigation Industry Seminar
4-Aug-17 Factory tour to verify the corrections made on OSH. PICC meeting on the development of a monitoring plan for obstructed aisles. Meeting with HR manager to review other points of the improvement plan.
29-Jul-17 PICC Industry Seminar
27-Jul-17 Haitian Labor Law Training
5-Jul-17 Emergency Preparedness & Accident Investigation Industry Seminar
30-Jun-17 Meeting with HR Manager and Compliance Officer to discuss the improvement plan. Factory tour, PICC meeting.
14-Jun-17 Haitian Labor Law Training
21-Apr-17 PICC Meeting on OSH issues, and the integration of worker representative
17-Mar-17 Industrial Relations Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment October 2016						
Oct-16	Compensation	Paid Leave	Workers are not compensated for their breastfeeding breaks.	Ensure that all nursing women benefit from the breastfeeding break as required by the law.	There is a new policy in place so that a report of nursing woman is issued to the department of accounting to ensure that all nursing women benefit from the breastfeeding break as required by the	13
Oct-16	Compensation	Social Security and Other Benefits	The factory is late for ONA payment	Ensure on-time payment of ONA and pay ONA on basic earnings instead of minimum wage		13
Oct-16	Compensation	Social Security and Other Benefits	The amounts collected from workers for ONA is not forwarded on time.	Ensure that workers' contribution are collected and forwarded to ONA.		13
Oct-16	Compensation	Social Security and Other Benefits	Inaccurate payment to OFATMA for the maternity and health insurance.	The factory registered with the new maternity and health insurance. Yet, 3 percent of workers' basic salary need to be forwarded to OFATMA for maternity and health insurance.		13
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of oil being used in the workplace	Ensure that all hazardous and chemicals substances used in the workplace are properly labelled.	All containers have been labelled.	13

Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Insufficient trainings on chemical usage and personal protective equipment.	Reinforce training for workers who work with chemicals and hazardous substances.		13
Oct-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No adequate washing facility in the event of exposure to chemicals and hazardous materials.	Provide adequate washing facilities and cleansing materials in the event of exposure to hazardous substances.	Eyewash solution has been replaced. The factory is intending to increase the number of eyewash stations.	13
Oct-16	Occupational Safety and Health	Worker Protection	Unsafe electrical installation near the generator	Ensure that all electrical wires, switches and plugs are properly installed, grounded, and maintained.	The panel has been purchased and the accessories are available.	13
Oct-16	Occupational Safety and Health	Working Environment	Workplace temperature and/or ventilation.	Ensure that the temperature does not exceed 30 degree in all sections.	The factory added new exhaust fans.	13
Oct-16	Occupational Safety and Health	Welfare Facilities	Eating area is insufficient to accommodate all the workers.	Increase the eating area of the second building	Management has added another eating space in the second building to address this issue.	19
Oct-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets	Increase the number of toilets in the workplace	Seven additional toilets for men have been added in one building.	79
Oct-16	Occupational Safety and Health	Health Services and First Aid	No medical checks have been provided to workers within the first three months of hiring.	Provide medical checks for workers upon hiring	The factory is currently adjusting the clinic to ensure that the physician can do the medical	67
Oct-16	Occupational Safety and Health	Health Services and First Aid	Health checks for workers who are exposed to work-related hazards.	Provide free medical checks to workers who have been exposed to work-related hazards.	The factory is currently making adjustments to the clinic to ensure that the on site physicians can conduct medical checks for the workers. Management mentioned that the spot cleaning	67
Oct-16	Occupational Safety and Health	Health Services and First Aid	Annual medical checks are not systematically arranged for all workers.	Ensure that all workers receive annual medical checks.	The factory is currently adjusting the clinic to ensure that the physician can do the medical checks	67
Oct-16	Occupational Safety and Health	Health Services and First Aid	Insufficient onsite medical staff	Ensure that the number of nurses is compliant with the legal requirement	The factory has hired additional medical staff and currently has 4 on site nurses, 2 permanent doctors and another visiting doctor who is available once a week.	67
Oct-16	Occupational Safety and Health	Emergency Preparedness	Several aisles were found obstructed by boxes and machinery	Ensure that all emergency exits are accessible, unobstructed and unlocked during working hours, including overtime.	The compliance team is currently working on a new procedure.	19

Oct-16	Occupational Safety and Health	Emergency Preparedness	Cellular phones were found being charged near containers of chemical K-M7, a highly flammable substance and all over the workplace.	Ensure that all sources of ignition are appropriately safeguarded.	Charging station for mobile phones have been added in the personal effects area outside the workplace.	13
Assessment October 2015						
Oct-15	Compensation	Wage Information, Use and Deduction	Incomplete payroll records.	Keep one accurate payroll records with all cash payments made for Sunday work included.		
Oct-15	Compensation	Paid Leave	The factory pays sick leave based on the minimum wage and not on the average salary of the worker.	Ensure that the payment for sick leave is based on the average salary for piece rate workers.		
Oct-15	Compensation	Paid Leave	The factory pays maternity leave based on the minimum wage and not on the average salary of the worker.	Ensure that the payment for maternity leave is based on the average salary for piece rate workers.		
Oct-15	Compensation	Social Security and Other Benefits	The factory is not affiliated to OFATMA for the newly available mandatory health and maternity insurance.	Register to the mandatory health and maternity insurance from OFATMA.	OFATMA extended to deadline to register to the insurance until September 2016.	
Oct-15	Compensation	Social Security and Other Benefits	The factory does not collect and forward worker's contribution to OFATMA for the newly available mandatory health and maternity insurance.	Register to the mandatory health and maternity insurance from OFATMA.	OFATMA extended to deadline to register to the insurance until September 2016.	
Oct-15	Occupational Safety and Health	Working Environment	Temperature exceed Better Work recommendation	Ensure that the temperature level is under the recommended limits.		
Oct-15	Occupational Safety and Health	Working Environment	Light level do not meet the recommended limit.	Ensure that the light level is respecting the recommended limits.		
Oct-15	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets	Increase the number of toilets.		
Oct-15	Occupational Safety and Health	Welfare Facilities	Soap not available in the toilets during assessment.	Ensure that soap is available in the toilets.		
Oct-15	Occupational Safety and Health	Welfare Facilities	Eating area is insufficient to accommodate all the workers.	Add more seats in the eating area for the second building.		
Oct-15	Occupational Safety and Health	Health Services and First Aid	No medical check is provided for the workers within the first three months of hiring.	Provide medical checks for workers within the first three months of hiring.		
Oct-15	Occupational Safety and Health	Health Services and First Aid	Workers who are exposed to work related hazards do not receive periodical health checks.	Provide medical checks for workers who are exposed to work related hazards.		
Oct-15	Occupational Safety and Health	Health Services and First Aid	Insufficient onsite medical staff	Hire additional medical staff as stipulated by the law.		

Oct-15	Occupational Safety and Health	Health Services and First Aid	Annual medical checks are not systematically arranged for all workers.	Provide annual medical checks for workers.
Oct-15	Occupational Safety and Health	Emergency Preparedness	Several aisles and escape routes were obstructed with boxes and other materials.	Keep all the aisles and escape routes cleared.
Oct-15	Working Time	Overtime	Workers from different sections had worked more than 80 hours of overtime per trimester	Ensure that overtime hours do not exceed 80 hours per trimester.
Oct-15	Working Time	Overtime	The employer did not request authorization from MAST before working overtime.	Request authorization from MAST before working overtime.

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: Quality Sewing Manufacturing S.A
Location: Port-au-Prince
Number of workers: 456
Date of registration: Oct-09
Date of last two Better Work assessments: Apr-16 Jun-15

Advisory and Training Activities

29-Sep-17 Discussion on good practices for holding a PICC meeting. The group brainstormed on best way to do follow up after the meetings.
31-Aug-17 Elaboration of a questionnaire together with the OSH committee to assess OSH compliance. Exercise on identification of risks and hazards in the workplace.
29-Jul-17 PICC Industrial Seminar
5-Jul-17 Industry Seminar on Emergency Preparedness & Accident Investigation
27-Jun-17 Introduction to Occupational Health and Safety compliance points.
25-May-17 Meeting to discuss the goal of the committee (PICC) and its terms.
13-May-17 PICC Meeting
11-Apr-17 Discussion with management, trade union and 3 workers about a recent conflict between management and unions

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment July 2017						
Jul-17	Freedom of Association and Collective Bargaining	Interference and Discrimination	Attempt to interfere, manipulate or control the union.	Respect the right of workers to freely associate with or form a trade union.		4
Jul-17	Freedom of Association and Collective Bargaining	Interference and Discrimination	Termination or non renewal of worker's employment contract due to union membership or activities.	Respect the right of workers to freely associate with or form a trade union. Plan regular meetings with union		4
Jul-17	Compensation	Wage Information, Use and Deduction	Inaccurate compensation for regular working hours.	Ensure that the payroll records are accurate and reflect the exact working hours.	The factory is in the process of purchasing a time card punching machine.	4
Jul-17	Compensation	Paid Leave	Inaccurate payments for non-working holidays.	Pay for non-working holidays according to the Labor Code.		76
Jul-17	Compensation	Paid Leave	Inaccurate payments for weekly rest days.	Pay for weekly rest days according to the Labor Code.		76

Jul-17	Compensation	Paid Leave	Inaccurate payments for sick leaves.	Pay for sick leaves according to the Labor Code.		76
Jul-17	Compensation	Social Security and Other Benefits	Wrong calculation of ONA's contributions.	Calculate ONA contributions according to the Labor Code.		4
Jul-17	Compensation	Social Security and Other Benefits	Wrong calculation of ONA's contributions.	Calculate ONA contributions according to the Labor Code.		4
Jul-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of payments to OFATMA for work-related accident insurance.	Pay OFATMA for work-related accident insurance according to the Labor Code.		4
Jul-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of payments to OFATMA for maternity and health insurance.	Pay OFATMA for maternity and health insurance according to the Labor Code.		4
Jul-17	Compensation	Social Security and Other Benefits	Inaccurate calculation of payments to OFATMA for maternity and health insurance.	Pay OFATMA for maternity and health insurance according to the Labor Code.		4
Jul-17	Contract and Human Resources	Employment Contracts	Inadequate enforcement of apprentice contracts.	Comply with the Labor Code and the factory's internal rules regarding apprentice contracts.	The factory is in the process of changing the template for apprentice contracts according to legal requirements.	4
Jul-17	Occupational Safety and Health	OSH Management Systems	No evidence of management conducting assessments of general occupational safety and health issues in the workplace.	Regularly assess OSH issues at the workplace. Create an OSH assessment template. Conduct regular assessments and maintain records.		76

Jul-17	Occupational Safety and Health	Chemicals and Hazardous Substances	No inventory of chemicals.	Keep an updated inventory for all chemicals used in the workplace.	The factory had an awareness session with his maintenance staff regarding this issue.	76
Jul-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Unidentified chemical containers.	Label all chemical containers used in the workplace.		76
Jul-17	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS' were posted for thinner in the Mechanical Workshop.	Post MSDS' where workers are using chemicals and hazardous substances.		76
Jul-17	Occupational Safety and Health	Worker Protection	No training provided to workers to properly use personal protective equipment and machines.	Train workers on the use of personal protective equipment.		76
Jul-17	Occupational Safety and Health	Worker Protection	More than 30 percent of all machines in the Main Building were missing pulley and eye guards.	All sewing machines should be properly equipped with the necessary safety guards.	The factory bought the required finger guards and is in the process of installing them. A purchase order has also been sent to replace the missing eye guards.	76
Jul-17	Occupational Safety and Health	Worker Protection	Electrical distribution boards were not well maintained.	Conduct regular maintenance of electrical equipment.	Electrical distribution boards have been securely mounted on walls.	4
Jul-17	Occupational Safety and Health	Working Environment	Excessive temperatures noted around the workplace.	Take appropriate measures to keep the workplace temperature under 30 C.	The factory replaced the defective fans and added four more fans in the production floor.	76
Jul-17	Occupational Safety and Health	Working Environment	Inappropriate lighting at the workplace.	Ensure adequate lighting for the sewing, packing, inspection and trimming sections.	The factory replaced the defective lights.	15

Jul-17	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for workers.	Comply with the Labor Code regarding the number of toilets.		76
Jul-17	Occupational Safety and Health	Welfare Facilities	Drinking water provided for workers did not pass the safety test.	Provide safe drinking water to workers. Immediately follow up on this issue and conduct another test to verify the water quality.	The factory has started to perform monthly tests to monitor the drinking water quality. A new sample was sent to the testing laboratory, which indicated that the water was safe for drinking.	4
Jul-17	Occupational Safety and Health	Welfare Facilities	The factory has an eating area that can only accommodate 25 percent of its workforce.	Provide an eating area that can accommodate all the workers	The factory has expanded the eating area and is in the process of buying benches to rearrange the space to accommodate more workers.	76
Jul-17	Occupational Safety and Health	Health Services and First Aid	No medical checks conducted for newly hired workers within the first three months of employment.	Arrange medical checks for newly hired workers within the first three months of employment.		48
Jul-17	Occupational Safety and Health	Health Services and First Aid	Annual medical checks were not provided to all workers in the last 12 months.	Arrange annual medical checks for all workers.		48
Jul-17	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Comply with the Labor Code regarding the total number of onsite medical staff.		76
Jul-17	Occupational Safety and Health	Health Services and First Aid	Assessors found 1 empty first aid box.	Ensure that the first aid boxes are properly maintained and equipped. Provide a sufficient number of first aid boxes throughout the plant.		48
Jul-17	Occupational Safety and Health	Emergency Preparedness	No fire alarm system was observed in the second building.	Install a fire alarm system in the second building.		18

Jul-17	Occupational Safety and Health	Emergency Preparedness	Unidentified fire extinguishers.	Provide fire extinguisher near the stock trim room, mechanic shop and the mezzanine floor.		18
Jul-17	Occupational Safety and Health	Emergency Preparedness	No evacuation plans were posted in the second building	Post an evacuation plan in the second building.		36
Jul-17	Occupational Safety and Health	Emergency Preparedness	Last fire drill was conducted in July 2015.	Conduct two fire drills a year.		60
Jul-17	Working Time	Regular Hours	Inaccurate attendance records.	Ensure that attendance records are accurate and reflect the exact working time.		4
Jul-17	Working Time	Overtime	Excessive overtime.	Ensure that overtime hours do not exceed the legal limit of 80 hours per trimester.		60
Jul-17	Working Time	Overtime	No prior authorization obtained from the Department of Labor for working overtime.	Obtain prior authorization from the Department of Labor for overtime work.		66
Assessment April 2016						
Apr-16	Compensation	Wage Information, Use and Deduction	Time records were inconsistent with the payroll.	Keep accurate time and payroll records.		
Apr-16	Compensation	Paid Leave	Workers are incorrectly paid for weekly rest days.	Correctly pay for weekly rest days.		
Apr-16	Compensation	Paid Leave	The payment for sick leaves is inaccurate.	Correctly pay for sick leaves.		
Apr-16	Compensation	Paid Leave	The payment for maternity leaves is inaccurate.	Correctly pay for maternity leaves.		
Apr-16	Contract and Human Resources	Termination	During a review of terminated files, EAs observed several files without any notice of termination or prior warnings.	Ensure that each dismissed worker's file includes a notice of termination.		
Apr-16	Occupational Safety and Health	OSH Management Systems	Management does not record work-related accidents and does not submit any records to OFATMA on a monthly basis.	Record work-related accidents and send these records to OFATMA on a monthly basis.		

Apr-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Lack of updated chemical inventory list.	Ensure that the chemical inventory list is up to date.		
Apr-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Several containers of chemical substances were missing labels.	Ensure that all containers of chemicals and hazardous substances are properly labeled.		
Apr-16	Occupational Safety and Health	Chemicals and Hazardous Substances	With the exception of the main spot cleaning station, all the other spot cleaning areas did not have any MSDS.	Provide MSDS in all the other spot cleaning areas where hexane is also used.		
Apr-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash stations and cleansing materials near the spot cleaning areas nor the chemical storage area.	Provide eye wash stations and cleansing materials near the spot cleaning and the chemical storage areas.		
Apr-16	Occupational Safety and Health	Worker Protection	Lack of adequate PPEs in some sections.	Provide all workers with the required PPE.		
Apr-16	Occupational Safety and Health	Worker Protection	No adequate seats were available for workers in the washing area.	Ensure that the factory is compliant with ergonomic requirements.		
Apr-16	Occupational Safety and Health	Worker Protection	Machines of all types were missing belt and pulley guards. Bartack machines were missing eye guards.	Install appropriate safety guards on all the machines.		
Apr-16	Occupational Safety and Health	Working Environment	The workplace was inadequately lit.	Ensure that the light levels are compliant in all the sections.		
Apr-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Provide required number of toilets for women.		
Apr-16	Occupational Safety and Health	Welfare Facilities	The factory has an eating area that only accommodates 20 percent of its workforce at once.	Increase the capacity of the eating area.		
Apr-16	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Employ at least 2 nurses and provide 3 doctor's visits per week.		
Apr-16	Occupational Safety and Health	Health Services and First Aid	EAs noticed one empty first aid box and another that was poorly equipped.	Provide sufficiently equipped first aid boxes around the workplace.		

Apr-16	Occupational Safety and Health	Health Services and First Aid	No medical checks have been provided by OFATMA in 2016 and many workers did not receive this service in 2015.	Provide free annual medical checks to all workers.		
Apr-16	Occupational Safety and Health	Emergency Preparedness	Lack of adequate fire fighting equipment.	Ensure that all the fire extinguishers are properly identified and functional.		
Apr-16	Occupational Safety and Health	Emergency Preparedness	No evacuation plans were posted in the workplace.	Install an evacuation plan in both the main and cutting buildings.		
Apr-16	Occupational Safety and Health	Emergency Preparedness	One exit and some aisles were obstructed due to loading activities.	Ensure that aisles and exits remain unobstructed at all times.		
Apr-16	Occupational Safety and Health	Emergency Preparedness	No regular fire drills.	Conduct at least two emergency drills per year.		
Apr-16	Working Time	Regular Hours	Attendance records are not accurate.	Ensure that the attendance records are accurate.		
Apr-16	Working Time	Overtime	Excessive overtime in some sections.	Maintain overtime hours within the limit set by law (not more than 80 hours per trimester).		
Apr-16	Working Time	Overtime	No current authorization for overtime work.	Obtain prior authorization from the Department of Labour for overtime work.		
Apr-16	Working Time	Leave	Breastfeeding break is not offered to all eligible workers.	Inform workers about the breastfeeding break policy.		

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: Sewing International S.A
Location: Port-au-Prince
Number of workers: 2208
Date of registration: Sep-09
Date of last two Better Work May-17 Apr-16

Advisory and Training activities

6-Sep-17 Investigation on recent strikes and subsequent dismissals. Interview with General Manager, plant manager and HR manager. Workers' interview
30-Aug-17 Investigation on recent strikes and subsequent dismissals. Interview with management, unions and workers. Documentations review such as files of dismissed workers, payroll and attendance sheet
11-Aug-17 Emergency Preparedness & Accident Investigation Industry seminar
29-Jul-17 PICC Industry seminar
28-Jul-17 Factory tour with compliance officer. Review of the remediation actions related to HR and compensation with HR manager.
27-Jul-17 Haitian Labor Law Training
5-Jul-17 Emergency Preparedness & Accident Investigation Industry seminar
27-Jun-17 Meeting with management to discuss the improvement plan and follow up actions required on social security issues and disciplinary measures.
14-Jun-17 Haitian Labor Law Training
1-Apr-17 Management Skills Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2017						
May-17	Compensation	Paid Leave	Payment for maternity leaves is based on the minimum wage instead of the worker's average daily earnings.	Adjust payroll system to ensure that maternity leave payment is accurate.	The changes have been made in the payroll system, payment for maternity leave is based on workers' average earnings.	72
May-17	Compensation	Paid Leave	Payment for sick leaves is based on the minimum wage instead of the workers' average daily earnings.	Adjust payroll system to ensure that sick leave payment is based on workers' average daily earnings.	The changes have been made in the payroll system, payment for sick leave is based on workers' average earnings.	12
May-17	Compensation	Social Security and Other Benefits	The employer's contribution to ONA is based on the minimum wage.	Ensure on time and accurate payments to ONA. The employer should pay 6 percent of the workers basic salary to ONA.		18
May-17	Compensation	Social Security and Other Benefits	The worker's contribution to ONA is based on the minimum wage.	Ensure on time and accurate payments to ONA. Workers should contribute 6 percent of their basic salary to ONA.		18

May-17	Compensation	Social Security and Other Benefits	Employer contribution to OFATMA for maternity and health insurance.	Collect and forward 3 per cent of worker's average earnings.		5
May-17	Compensation	Social Security and Other Benefits	Collect and forward worker's contribution to OFATMA for maternity and health insurance.	Ensure that 3 per cent of worker's average earnings collected and forwarded to OFATMA for maternity and health insurance.		5
May-17	Working Time	Overtime	Workers from packing, extra and utility worked up to 137 hours of overtime per trimester.	Monitor overtime hours worked in order to comply with the 80 hours allowed per trimester.		72
May-17	Working Time	Overtime	No authorization has yet been obtained from the Ministry of Labor to perform overtime.	Request authorization to work overtime from MAST		5
May-17	Occupational Safety and Health	Health Services and First Aid	The factory only has 2 nurses and 3 doctor's visits per week.	Factory should have at least 9 nurses.		72
May-17	Occupational Safety and Health	Health Services and First Aid	Medical Check for workers upon hiring.	Ensure that workers receive medical checks within their first three months of hiring.		5
May-17	Occupational Safety and Health	Health Services and First Aid	Annual medical checks for workers.	Ensure Annual medical checks is provided to all workers.		72
May-17	Occupational Safety and Health	Health Services and First Aid	Health checks for workers who are exposed to work related hazards.	Provide medical checks at least twice a year to workers who have been exposed to work related hazard.	Workers exposed to work related hazard have received a medical check by the on site Doctor.	5
May-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Labeling of chemicals and hazardous substances in spot cleaning area.	Label all containers and display posters on the labeling of chemicals substances. Provide training and identify a person in charge of		5
May-17	Occupational Safety and Health	Emergency Preparedness	Fire fighting equipment not installed in the trim warehouse on floor 8.	Install smoke detectors in the trim warehouse Identify areas that need additional smoke detectors designate a person in charge of the monthly audit.		5
May-17	Occupational Safety and Health	Emergency Preparedness	Emergency exit obstructed with fabric.	Create an action plan to ensure all the exits remain unblocked based on the root causes identified.		5

May-17	Occupational Safety and Health	Working Environment	Workplace temperatures in the sewing, quality and pressing sections exceeded BW recommendation of 30 C.	Workplace temperatures should be maintained below 30 C.		48
May-17	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Ensure that number of toilets is compliant with the legal requirements.		36
May-17	Occupational Safety and Health	Welfare Facilities	Hand washing facilities and adequate soap.	Ensure that soap is available at all times in the toilets.		5
May-17	Occupational Safety and Health	Welfare Facilities	Eating area is insufficient for the total number of workers in the factory.	Increase the capacity of the eating area to appropriate levels.		72
Assessment April 2016						
Apr-16	Compensation	Overtime Wages	Overtime hours worked on weekly rest days are not paid accurately.	Correctly pay for overtime worked on weekly rest days.	Management said that they stopped working on Sundays in order to reduce the amount of overtime	78
Apr-16	Compensation	Paid Leave	Payment for sick leave is inaccurate.	Payment for sick leaves should be based on worker's average earnings. Make the necessary adjustment in the payroll system for compliance.		6
Apr-16	Compensation	Paid Leave	Payment for maternity leave is inaccurate.	Payment for maternity leaves should be based on worker's average earnings. Make the necessary adjustment in the payroll system for compliance.		66
Apr-16	Compensation	Social Security and Other Benefits	The factory is late for ONA payments.	Ensure that the monthly ONA payments are made on time.		12
Apr-16	Compensation	Social Security and Other Benefits	Collect and forward workers contribution to ONA	Ensure that the monthly ONA payments are made on time.		12
Apr-16	Compensation	Social Security and Other Benefits	The factory's registration to OFATMA insurance is not completed.	Ensure that the OFATMA payments are made on time.	Payment for the 2015-2016 fiscal year have been made.	12
Apr-16	Occupational Safety and Health	Worker Protection	Several workers were not using PPE.	Provide workers with appropriate PPE and train them on its use.	A vacuum system has been installed in the spot cleaning section.	66
Apr-16	Occupational Safety and Health	Worker Protection	Several machines missing eye guards and belt guards.	Install safety guards on all the machines.	Safety guards were installed on all the machines.	78

Apr-16	Occupational Safety and Health	Working Environment	The temperatures exceeded the BW recommended limit of 30 C.	Ensure that the workplace temperature levels are maintained within the recommended limit.	More fans have been installed to address this issue.	42
Apr-16	Occupational Safety and Health	Working Environment	The workplace was inadequately lit.	Improve the level of lighting in the quality and packing sections.	The lights have been changed and management are waiting for BW to verify the lux level in noted sections.	42
Apr-16	Occupational Safety and Health	Welfare Facilities	The factory has insufficient number of toilets according to the law.	Provide 31 functioning toilets for men and 70 toilets for women in order to be compliant with the law.	The factory added 3 more toilets for men.	30
Apr-16	Occupational Safety and Health	Welfare Facilities	The current eating area can only accommodate about one fourth of the workforce.	Increase the capacity of the eating area to accommodate all workers.		66
Apr-16	Occupational Safety and Health	Health Services and First Aid	The factory only has two nurses and three doctor's visits a week.	Ensure that the factory has a permanent on site medical service with at least 9 nurses and a full-time operational clinic.		66
Apr-16	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers received the annual medical checks.	Provide annual health checks for all workers.	The factory is working on a procedure that requires newly hired workers to systematically receive medical checks at the factory.	66
Apr-16	Working Time	Overtime	Workers in several departments worked up to 90 hours of overtime during the reviewed trimester.	Reduce overtime hours as per the limit set by law for a trimester.	Management explained that they stopped working on Sundays to reduce overtime hours.	66

BETTER WORK HAITI - 15TH SYNTHESIS REPORT


Factory: S&H Global S.A
Location: Caracol
Number of workers: 8483
Date of registration: Jun-12
Date of last two Better Work assessments: Jul-17 Jul-16

Advisory and Training Activities

28-Sep-17 Haitian Labor Law Training
3-Sep-17 PICC Industrial Seminar
31-Aug-17 Occupational Safety and Health Training
31-Aug-17 Meeting to discuss sick leave and absenteeism.
13-Jul-17 PICC Meeting to follow up on the issues identified in the previous meeting and the progress made.
2-May-17 Sexual Harassment Prevention Training
2-May-17 Sexual Harassment Prevention Training
30-Apr-17 Discussion on Freedom Of Association Policy
29-Apr-17 Training on BW Industrial Disputes Protocol
28-Apr-17 Supervisory Skills Training
22-Apr-17 Discussion on Freedom Of Association Policy
1-Apr-17 Management Skills Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment July 2017						
Jul-17	Compensation	Paid Leave	Incorrect basis used (minimum wage) to calculate legally mandated holiday payments for workers entitled to incentives.	Employees who receive incentives for piece rate work should be paid based on average earnings for legally mandated holidays. They should also be informed of these changes.	Payment of holidays is compliant with legal requirements	15
Jul-17	Compensation	Paid Leave	Incorrect basis used (minimum wage) to calculate weekly days payments for workers entitled to incentives.	Employees who receive incentives for piece rate work should be paid for weekly rest days based on average earnings.	Payment of weekly rest day is compliant with legal requirements	15
Jul-17	Compensation	Paid Leave	Incorrect basis (minimum wage) used to calculate sick for workers entitled to incentives.	Employees who receive incentives for piece rate work should be paid for sick leaves based on average earnings.	Payment of sick leave is compliant with legal requirements	15
Jul-17	Compensation	Paid Leave	Incorrect basis used to calculate maternity leave payments for workers entitled to incentives.	Employees who receive incentives for piece rate work should be compensated for maternity leaves based on average earnings.	Payment of maternity leave is compliant with legal requirements	15

Jul-17	Compensation	Social Security and Other Benefits	Incorrect basis used to calculate the employer's contributions to ONA.	For workers entitled to incentive payments, the employer's contribution to ONA should be based on these workers' average earnings.	Employer's contributions to ONA is compliant with the legal requirements.	15
Jul-17	Compensation	Social Security and Other Benefits	Employer contributions are not forwarded to OFATMA.	Register for the maternity and health insurance service with OFATMA.	Company had meetings with OFATMA representatives in order to make sure that, after the payment, these services are properly provided to all workers.	3
Jul-17	Compensation	Social Security and Other Benefits	Workers contributions are not forwarded to OFATMA.	Register for the maternity and health insurance service with OFATMA.	Company had meetings with OFATMA representatives in order to make sure that, after the payment, these services are properly provided to all workers.	3
Jul-17	Contract and Human Resources	Employment Contracts	Employment contract not in compliance with the labour code. Wrongful categorization of those working on core operations as "temporary workers".	Company needs to review the employment status of all temporary workers and issue adequate contracts.	The company recategorized all temporary workers as regular workers. All the relevant workers have also signed new contracts and are now receiving the legally stipulated benefits for regular workers.	3
Jul-17	Contract and Human Resources	Contracting Procedures	Excessive overtime hours stipulated in the contracts for security guards.	Ensure overtime hours are within legal limits.	New regulation eliminated this requirement.	3
Jul-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Unidentified and unlabeled chemical containers.	Properly maintain and store chemical products. Assign a person in charge of monitoring the chemical labeling process.	The factory marked various storage tanks for oil, gas and water. The mechanics and the factory Compliance officers are in charge of regularly monitoring the labeling process.	27
Jul-17	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS' posted for chemicals in the spare mechanical parts warehouse in Module 1.	List the chemicals used and stored in the noted area and post the required MSDS. This process should be monitored regularly.	All MSDS' have been posted. The Compliance Team is conducting regular weekly audits to ensure that MSDS' are always available.	3
Jul-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Non-functional eye wash station. No eye wash station in the spare mechanical parts warehouse.	Eye wash stations should be maintained properly.	Eye wash station was installed.	3
Jul-17	Occupational Safety and Health	Worker Protection	Workers in the pressing section were not using the protective ear plugs provided by the factory.	Training needed on regular PPE usage for both workers and supervisors.	Several trainings, warning letters and disciplinary actions, were implemented.	27

Jul-17	Occupational Safety and Health	Worker Protection	Several single needle machines were missing finger guards.	Install finger guards as required. Conduct regular inspections of safety guards on all machines.	This issue has been immediately addressed by installing finger guards as required.	3
Jul-17	Occupational Safety and Health	Worker Protection	No exit signs posted in warehouse 2.	Ensure that exit signs are posted above all exit doors.	Exit signs are posted above all exit doors.	3
Jul-17	Occupational Safety and Health	Working Environment	Excessive workplace temperatures.	Ensure that the workplace temperature does not exceed a maximum of 30 C.	The factory has installed cooling systems in all the modules. Several non-functioning exhaust fans were repaired to ensure compliance with this point. Thermometers have been installed in each department to better monitor the temperature. Non-functioning parts of the cooling system are being repaired.	3
Jul-17	Occupational Safety and Health	Working Environment	Noise levels exceeded the recommended limit.	Ensure that the noise level does not exceed a maximum of 90 dB for an 8-hour workday. Provide PPE training for both workers and supervisors. Ensure that PPE regulations are strictly applied in the noisy areas.	The employer monitor the noise level and posted warning signs in the pressing area to encourage workers to use ear plugs. Noise warnings have also been posted in the factory's administration office to warn employees to reduce noise levels at the workplace.	27
Jul-17	Occupational Safety and Health	Welfare Facilities	Factory is not in compliance with the requirement for men's toilets.	Provide more restrooms for men.	Based on the gender distribution in each unit, some of the women's restrooms were reallocated for men.	15
Jul-17	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire more nurses.	The factory hired additional nurses.	3
Jul-17	Occupational Safety and Health	Health Services and First Aid	Inadequate number of first aid boxes; some of the existing boxes are inaccessible.	First aid boxes should be easily accessible and provided throughout the workplace.	Additional first aid boxes have been installed in the main storage area.	3
Jul-17	Occupational Safety and Health	Emergency Preparedness	Obstructed access to a fire alarm switch. No smoke detectors in the warehouse.	Ensure that all fire alarm switches are easily accessible. Install smoke detectors in the warehouse.	Smoke detectors have been installed in warehouses 1 and 2;	3
Jul-17	Occupational Safety and Health	Emergency Preparedness	Unreliable fire extinguisher maintenance services.	Ensure that all fire extinguishers are adequately maintained.	All the fire extinguishers have been placed in their designated locations.	18
Jul-17	Occupational Safety and Health	Emergency Preparedness	An evacuation map was missing in washing 1.	Provide evacuation maps throughout the factory.	Evacuation maps have been posted in all the different sections throughout the factory.	3

Jul-17	Occupational Safety and Health	OSH Management systems	Work-related accidents records were not submitted to OFATMA.	Submit accidents records to OFATMA on a monthly basis.	The factory submitted all accidents records to OFATMA. The compliance department is now in charge of ensuring that this is done on a monthly basis.	3
Jul-17	Working Time	Regular Hours	Multiple work schedules inconsistent with collective working agreements and the law.	Approval from MAST is needed for any changes related to working hours.	Company sent an approval letter from MAST. All workers are informed of the new working hours.	3
Jul-17	Working Time	Overtime	Excessive overtime hours.	Ensure that overtime work does not exceed legal limits.	New regulation eliminated this requirement.	3
Jul-17	Working Time	Overtime	Unauthorized overtime work.	Obtain MAST's approval prior to performing overtime work.	New regulation eliminated this requirement.	3
Assessment July 2016						
Jul-16	Compensation	Paid Leave	Incorrect calculation of sick leave payments for piece rate workers.	Comply with Article 148 regarding the payment of sick leaves.	Better Work has provided the relevant legal references and documentation from MAST and upon review, management is now correctly paying for sick leaves.	
Jul-16	Compensation	Paid Leave	Incorrect calculation of maternity leave payments for piece rate workers	Management should review the legal guidelines regarding the calculation of maternity leave payments and adjust their system accordingly.	Better Work has provided the relevant legal references and documentation from MAST and upon review, management is now correctly paying for maternity leaves.	
Jul-16	Occupational Safety and Health	Worker Protection	Workers in the incinerator chambers were not provided with appropriate anti-heat and fire protective clothing.	Provide PPE to all workers and train them on the importance of their use.	Weekly training sessions on the use of PPE have been organized for supervisors and new procedures on PPE use have been implemented. Appropriate PPEs are now provided to all the workers who work in the incinerator chambers. Posters have been put up identifying the health problems that employees could face when not using PPEs and the disciplinary actions against those who violate the internal	

Jul-16	Occupational Safety and Health	Working Environment	Excessive temperatures recorded in several sections throughout the workplace.	Limit workplace temperatures to a maximum of 30 C.	The factory has installed cooling systems in all the modules. Several non-functioning exhaust fans were repaired to ensure compliance with this point. Thermometers have been installed in each department to better monitor the temperature. Non-functioning parts of the cooling system are being repaired.	
Jul-16		Working Environment	Excessive noise levels.	Limit noise levels to a maximum of 85 dB.	The Compliance Team has requested the purchase of a noise level meter to regularly monitor noise levels around the workplace and address any related issues. They have posted safety warning signs around the pressing area to raise the workers' awareness on the use of ear plugs. The team has also advised the administration to reduce the music volume at the workplace.	
Jul-16	Compensation	Paid Leave	Incorrect calculation of legally mandated holiday payments.	Provide accurate payment for legally mandated holiday.	Better Work shared the relevant legal references and documentations from MAST with the factory. Legally mandated holidays are paid correctly.	
Jul-16	Compensation	Paid Leave	Incorrect basis used (minimum wage) to calculate compensation for weekly rest days.	Provide accurate payment for weekly rest days.	Better Work shared the relevant legal references and documentations from MAST with the factory. Weekly rest days are paid correctly.	
Jul-16	Compensation	Social Security and Other Benefits	Incorrect calculation of ONA payments for workers receiving incentives.	Ensure ONA payment comply with the legal requirements.	The factory now correctly calculates all ONA payments.	

Jul-16	Compensation	Chemicals and Hazardous Substances	Unlabeled containers in Modules 1 and 2.	Implement new measures to ensure that the production supervisors and workers are aware of such compliance needs. Monitor chemical use in the workplace. Assign a person in charge of chemical maintenance.	The factory implemented new measures to ensure that managers and supervisors follow the appropriate regulation on chemical usage. To monitor chemical usage, each factory now has a person in charge of monitoring chemical use and storage. At the time of distribution, the responsible personnel must ensure that all containers are properly labeled. For storage purposes, mechanics may only use bottles or containers provided by the company and these containers should also be labeled with the factory number and the employee code. When not in use, containers should always be safely kept at the designated chemical storage area.	
Jul-16	Occupational Safety and Health	Worker Protection	EA observed an unidentified electrical box and exposed wiring in Module 1.	Post hazard signs on all electrical boxes and safeguard exposed wiring.	Electrical maintenance has been improved and all electrical boxes have the necessary warning signs.	
Jul-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets .	Repair the non-functioning toilets.	SONAPI has addressed this issue in Modules 3 and 4. More restrooms have been added and the factory is now in compliance.	
Jul-16	Occupational Safety and Health	Welfare Facilities	Unavailability of soap in the restrooms.	Ensure that soap is always available in all restrooms.	Soap has been made available in all the restrooms.	
Jul-16	Occupational Safety and Health	Emergency Preparedness	Obstructed evacuation aisles in the stock room of Module 2.	Ensure that evacuation aisles remain unblocked at all times.	All aisles have been cleared.	
	Working Time	Overtime	The office drivers and housekeepers	Ensure that overtime work does not	According to MAST and as per an authorization letter provided, the drivers and housekeepers situation has been regularized as per legal requirements.	

BETTER WORK HAITI – 15TH SYNTHESIS REPORT



Factory: The Willbes Haitian II S.A.
Location: Port-au-Prince
Number of workers: 1405
Date of registration: Aug-10
Date of last two Better Work May-17 Jun-16

Advisory and Training Services

16-Sep-17 Training on Occupational Safety and Health for Spanish speaking managers.
12-Sep-17 Training on Haitian Labor Law
5-Sep-17 Meeting with compliance Manager to review remediation efforts related to payroll and medical checks. Factory tour to verify machine guards and equipment.
25-Aug-17 Meeting to discuss compensation issues and the ones related to social security and benefits. Factory tour.
6-Aug-17 Supervisory Skills training
29-Jul-17 PICC Industry Seminar
23-Jul-17 Supervisory Skills training
13-Jul-17 Discussion on the improvement plan and remediation of pending issues. Preparation of training plan for OSH issues and supervisory skills. Factory tour.
13-May-17 PICC meeting to discuss workers' concerns.
5-May-17 Meeting with the compliance manager on the implementation of better management systems for OSH and HR issues. Review of compensation issues. Factory tour.
28-Mar-17 Workers Rights & Responsibilities training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2017						
May-17	Compensation	Paid Leave	Payments for non-working holidays are based on the minimum wage instead of average earnings.	Ensure to pay non-working holidays as required by law	The payroll system has already been changed, so that the non-working holidays are paid based on the average earnings.	6
May-17	Compensation	Paid Leave	Payments for weekly rest days are based on the minimum wage instead of average earnings.	Ensure that payments for weekly rest days are based on average earnings.	The payroll system has already been already changed so that the weekly rest days are paid based on the average earnings.	6
May-17	Compensation	Paid Leave	The payments for sick leaves are based on the minimum wage instead of average earnings.	Ensure that payments for sick leave are based on average earnings.	Payment system has been reviewed and all the necessary adjustments have been made. Sick leaves are paid based on average earnings.	17
May-17	Compensation	Social Security and Other Benefits	The factory calculates ONA contributions based on the minimum wage instead of the base salary.	Ensure that ONA contributions are based on the base salary.	The contribution to ONA for all Willbes factories is paid based on the workers' base salary.	6
May-17	Compensation	Social Security and Other Benefits	Workers' contributions to ONA are calculated based on the minimum wage instead of the base salary.	Ensure that ONA contributions are based on the base salary.	ONA contributions are based on the base salary. Facility properly collects and forwards workers' contributions to ONA.	6

May-17	Compensation	Social Security and Other Benefits	The factory does not pay the employer contribution to OFATMA for maternity and health insurance.	Register with OFATMA for maternity and health insurance.	The Willbes Haitian S.A has initiated the registration process with OFATMA, by paying the Company's contribution for the month of July 2017.	6
May-17	Compensation	Social Security and Other Benefits	The factory does not collect and forward the workers' contribution to OFATMA for maternity and health insurance.	Register with OFATMA for maternity and health insurance.	The Willbes Haitian S.A has initiated the registration process with OFATMA, by paying the Company's contribution for the month of July 2017.	6
May-17	Occupational Safety and Health	Chemicals and Hazardous Substances	No updated inventory of chemicals and hazardous substances used in the workplace.	Keep an updated inventory of chemicals and hazardous substances used in the workplace.	Facility normally keeps an inventory of all chemicals used. At the time of the assessment, the records were not updated due to a shipment received at the time, which had not been added to the inventory. The inventory logbook is now been maintained as recommended.	6
May-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled chemicals containers.	Label all containers of chemicals in Creole. Train mechanics on Occupational Safety and Health concerns.	Facility ensured to have all chemical containers properly labeled and identified in the local language.	6
May-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals are not properly stored.	Ensure that chemicals are properly stored.	Facility ensured to have all chemical substances properly stored. Workers will be trained according to storage methods by Better Work.	6
May-17	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS' were posted for chemicals stored in the chemical room.	Post MSDS' were chemicals are used. Ensure that they are clearly labeled.	All chemical substances were provided with the MSDS.	6
May-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Documented evidence of actions taken by management to control and oversee workers' exposure to chemicals and hazardous substances were unavailable during the assessment.	Keep records of awareness training provided to workers. Post awareness messages in appropriate places throughout the workplace.		6
May-17	Occupational Safety and Health	Chemicals and Hazardous Substances	There was no eye wash station in the spot cleaning area of building 45.	Provide eye washing facilities where needed, especially in the spot cleaning areas.	Management installed an eye wash station at the spot cleaning room.	29
May-17	Occupational Safety and Health	Worker Protection	Workers using thinner were not wearing any protective masks.	Provide adequate masks to workers that are using chemicals. Provide safety training to exposed workers on the usage of protective equipment.	This practice was stopped immediately. All work related to chemical substances have been allocated to the spot cleaning area where workers are provided with the necessary PPE to perform their duties safely.	6

May-17	Occupational Safety and Health	Worker Protection	Several workers were not using the safety guards installed on their machines.	Ensure that all machines have their necessary guards. Train workers and supervisors on OSH matters.	All the machines have their necessary guards. OSH training for supervisors have been scheduled in September 2017.	71
May-17	Occupational Safety and Health	Worker Protection	Several sewing machines are missing finger guards.	Ensure that all machines have their necessary guards	All single needle machines were provided with needle guards	71
May-17	Occupational Safety and Health	Worker Protection	Uncovered electrical boxes with exposed wires and cables and other electrical equipment improperly installed and stored in the packing and pressing sections of building 43.	Ensure proper maintenance of electrical equipment. Keep a log of weekly inspections.	All electrical boxes have been covered; this was previously lacking as a result of welding work in building 43 for the installation of the air cooling system.	71
May-17	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets	Comply with the law regarding the number of functioning toilets.	22 additional toilets have been added. The factory does not have more plans to increase the number of toilets as they comply with International standards. Building additional toilets would be hard due to the lack of space.	71
May-17	Occupational Safety and Health	Health Services and First Aid	No systematic medical checks were arranged for workers exposed to work-related hazards.	Arrange a minimum of two medical checks per year for workers exposed to work-related hazards.	The factory has started conducting mandatory medical checks for all workers and are scheduled to finish the process in 4 months. Additional checks are being requested through OFATMA. Also, the factory changed the doctor's contract to full-time.	71
May-17	Occupational Safety and Health	Health Services and First Aid	The factory does not offer systematic annual medical checks for all workers.	Arrange a minimum of one medical check per year for all workers.	The factory has started conducting mandatory medical checks for all workers and are scheduled to finish the process in 4 months. Additional checks are being requested through OFATMA. Also, the factory changed the doctor's contract to full-time.	71
May-17	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Have an appropriate number of medical staff according to the Haitian Labor Code.	Facility has an additional clinic on site. Management is making arrangements to increase the number of medical staff.	71
May-17	Occupational Safety and Health	Emergency Preparedness	Several obstructed fire alarm switches were observed. Missing smoke detectors in several buildings.	Provide adequate fire fighting equipment. Install smoke detectors in buildings 41, 44 and 46.	Facility took immediate actions to address these findings. Fire alarms are properly maintained and accessible and electrical switches are properly covered.	6
May-17	Occupational Safety and Health	Emergency Preparedness	Missing fire extinguishers in several buildings.	Regularly monitor fire extinguishers. Maintain an OSH checklist and perform regular internal OSH assessments.	Fire extinguishers were installed in the designated areas and properly maintained.	71

May-17	Occupational Safety and Health	Emergency Preparedness	The evacuation plans posted at the workplace need to be updated according to the newly renovated floor layout. Several emergency exits have not yet been equipped with emergency exit lights. Also, the evacuation aisle markings on the floor need to be revised.	Update the evacuation plans. Equip exits with emergency exit lights. Mark the evacuation aisles according to the new floor layout.	The evacuation plan has been updated according to the new layout of the floor. New emergency exit lights have been purchased.	6
May-17	Occupational Safety and Health	Emergency Preparedness	Buildings 42 and 43 are interconnected, each building has a main exit and a shared secondary exit. This second exit was locked at the time of the assessment.	Keep the exits accessible during working hours. Better Work recommends that there are 2 accessible exits on each floor.	Facility has ensured accessible and adequate emergency exits. The construction work has been completed and is no longer obstructing the exit ways.	6
Assessment June 2016						
Jun-16	Compensation	Paid Leave	The calculation of annual leave is not accurate for workers who were entitled to maternity leave during the year.	Ensure payment for annual leave is accurate.	Maternity leave payments is now based on the average of all earnings from the last three months of work.	
Jun-16	Compensation	Paid Leave	The piece rate workers who go on breastfeeding break are paid the minimum wage instead of the average earnings.	Ensure payments for maternity leave are based on average earnings.	Nursing workers now receive compensation based on the average of all earnings from the last three months of work for breastfeeding breaks.	
Jun-16	Compensation	Social Security and Other Benefits	The calculation used for the annual salary supplement is not correct for workers who were entitled to maternity leave payment during the year.	Ensure annual salary supplement payments are accurate.	Maternity leave payment is now considered as a part of total earnings when calculating annual salary supplements or bonuses.	
Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	EAs observed several unlabeled containers in the chemical room which contained a thinner-like chemical product.	Ensure all containers of chemicals and hazardous substances are properly labeled.		
Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Missing MSDS in the material room in building 42, the boiler room and also in the cutting area.	Provide MSDS for all chemicals and hazardous substances in use in the workplace.	Management stated that thinner is not used in the boiler room or the cutting area and will ensure that all chemical products are properly stored and provided with MSDS. However, during the advisory visit in February, EA observed unlabeled thinner bottles in the material room and two bottles of Blow Out in the cutting section.	
Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	There is no eye wash station in the ink preparation room. Also, the one in the chemical room is not working and no eye wash station was available in the material room and in the boiler room.	Add eye wash stations where needed.	The ink preparation room was provided with an eye wash station and the one in the chemical room has been repaired.	

Jun-16	Occupational Safety and Health	Worker Protection	No earplugs were found in the generator room and heat protective aprons were not available for workers in the boiler room.	Provide workers appropriate personal protective equipment.	Earplugs were provided to workers in the generator room.	
Jun-16	Occupational Safety and Health	Worker Protection	During the factory tour, several machines were observed missing eye guards and finger guards.	Install appropriate guards on all machines.	An inventory of missing needle guards is being maintained in order to regularly purchase and install them when needed.	
Jun-16	Occupational Safety and Health	Worker Protection	During the factory tour, EAs observed one main electrical box open on the floor in building 43.	Ensure all electrical boxes are properly protected and isolated.	All the electrical boxes were properly covered.	
Jun-16	Occupational Safety and Health	Working Environment	Temperatures in the workplace exceed the recommended level of 30 C.	Ensure that temperature level is compliant in all sections.	A cooling system has been installed.	
Jun-16	Occupational Safety and Health	Welfare Facilities	The factory is compliant with the law with regards to men's toilets but needs 33 additional toilets for women.	Increase the number of toilets for women.	Management stated that they do not have any plans to increase the number of toilets as they consider this to be a responsibility of the industrial park administration. Building additional toilets has also been noted as a challenge due to the lack of space.	
Jun-16	Occupational Safety and Health	Welfare Facilities	Although the factory has a designated eating area onsite, it cannot accommodate all workers.	Increase the capacity of the current eating area.	Two new eating areas are now available for the workers.	
Jun-16	Occupational Safety and Health	Health Services and First Aid	Workers said that they do not receive any medical checks within the first three months of hiring.	All newly hired workers must be submitted to a medical check within the first 3 months of employment.	The factory has a doctor who will provide health checks to newly recruited workers.	
Jun-16	Occupational Safety and Health	Health Services and First Aid	The factory does not provide health checks to all workers who have been exposed to work related hazards.	Provide health checks at no cost for workers who are exposed to work-related hazards.	Workers who are exposed to work-related hazards have already received one medical check during the advisory period.	
Jun-16	Occupational Safety and Health	Health Services and First Aid	Workers said that they do not receive annual medical checks. However, the factory hired a doctor who will provide health checks to workers on a regular basis.	Provide annual medical checks for all workers.	The factory has a doctor who will provide health checks to workers on a regular basis.	
Jun-16	Occupational Safety and Health	Health Services and First Aid	The factory has 2 nurses and a doctors who visit the factory 6 days per week . To comply with the Haitian Labor Code, a factory of this size must have a permanent onsite medical service with at least 6 nurses and 5 doctors' visits per week.	Ensure that the factory has an onsite medical service with at least 6 nurses and 5 doctors' visits per week.		

Jun-16	Occupational Safety and Health	Emergency Preparedness	Obstructed fire extinguisher.	Ensure all fire extinguishers remain unobstructed at all times during working hours.	All fire extinguishers are easily accessible and unobstructed. Members of the compliance team are doing daily OSH tours to ensure that extinguishers are unobstructed.	
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BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: The WILLBES Haitian III S.A
Location: Port-au-Prince
Number of workers: 728
Date of registration: Aug-10
Date of last two Better Work assessments: Jun-17 Jun-16

Advisory and Training Services

16-Sep-17 Training on Occupational Safety and Health for Spanish speaking managers.
12-Sep-17 Training on Haitian Labor Law
6-Sep-17 Training on Haitian Labor Law
25-Aug-17 Advisory on improvement Plan. A special focus on compensation points and the ones related to social security and benefits. Factory tour.
6-Aug-17 Supervisory Skill Training
23-Jul-17 Supervisory Skill Training
13-Jul-17 Discussion on the improvement plan and remediation of pending issues. Preparation of training plan for OSH issues and supervisory skills. Factory tour.
5-May-17 Meeting on improvement plan. Remediation to be done on chemical management. Discussion on calculation of ONA contributions. Factory tour.
28-Mar-17 Workers' Rights & Responsibilities Training
15-Mar-17 Meeting with management and the union to explain the PICC role. The Union agreed that members of the union will be part of the PICC.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment June 2017						
Jun-17	Compensation	Overtime Wages	Daily break time is not in line with legal requirements.	Provide one hour break as indicated in the internal work rules.	Factory posted notices around the factory to let workers know that they are entitled to an hour long lunch break.	15
Jun-17	Compensation	Overtime Wages	Overtime hours worked at night were not compensated at 100 percent above the normal wage.	Accurately compensate workers for night shift work.	Facility made the necessary adjustments on the payroll to properly compensate for overtime hours during night shift.	3
Jun-17	Compensation	Paid Leave	Payments for non-working holidays are based on the minimum wage instead of average earnings.	Accurately compensate for legally mandated holiday based on an average earnings.	The payroll system has been changed so that non-worked holidays are paid based on the average earnings.	3
Jun-17	Compensation	Paid Leave	Payments for weekly rest days are based on the minimum wage instead of average earnings.	Accurately compensate for weekly rest days based on average earnings.	The payroll system has been changed so that weekly rest days are paid based on the average earnings.	3

Jun-17	Compensation	Social Security and Other Benefits	Employer contribution to ONA is calculated based on the minimum wage instead of the base salary.	Pay ONA contributions for all workers that have been working at the factory for more than three months. ONA contributions should be calculated based on the workers' base salaries.	The required employer contribution to ONA for the workers in the printing building has already been paid. The amount is now being calculated using the base salary.	15
Jun-17	Compensation	Social Security and Other Benefits	Workers' contributions to ONA is calculated based on the minimum wage instead of the base salary.	Collect and forward workers' contributions to ONA and accurately calculate the contributions based on the base salary.	The contributions to ONA for all Willbes factories is accurate. Contributions are being collected from all workers.	15
Jun-17	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register with OFATMA for maternity and health insurance.	The employer has initiated the registration process with OFATMA, by paying the company's contribution for the month of July 2017.	5
Jun-17	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register with OFATMA for maternity and health insurance. Collect and forward workers' contributions to OFATMA.	OFATMA officials have started meeting with workers to explain the scope of the Health Insurance scheme to our employees.	5
Jun-17	Contracts and Human Resources	Termination	Workers were dismissed without valid reason.	Properly document workers' employment history and any other relevant information in their personnel files.	The HR Manager has been warned and re-trained to perform his duties properly. Periodic reviews are being conducted to make sure this does not happen in the future.	5
Jun-17	Contracts and Human Resources	Reductions in workforce size or suspensions due to changes in operations	The factory did not notify MAST prior to the temporary suspension of work.	Send a notification to MAST to justify the temporary suspension of work.	The print shop Manager has been trained on this issue. Going forward, the Labor Office will be notified prior to any temporary suspensions to reduce the workforce.	5
Jun-17	Contracts and Human Resources	Dialogue, Discipline and Disputes	Workers and union members complained about supervisors who frequently used vulgar language against the workers.	Add supervisory skill training for supervisors. Establish disciplinary measures for persistent offenders.	Supervisors from all Willbes Haiti factories participated in the supervisory skills training by Better Work.	5

Jun-17	Occupational Safety and Health	OSH Management Systems	The employer do not submit the records to OFATMA on a monthly basis.	Submit work-related accidents and diseases records to OFATMA on a monthly basis.	The monthly reports of the work-related accidents are being sent to OFATMA on a monthly basis.	5
Jun-17	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabelled hazardous and chemical substances.	Identify all dangerous substances. Post warning signs near the gas tanks. Properly safeguard any sources of ignition.	Warning signs have been posted in the noted areas. Identification labels on the tanks will be placed shortly.	5
Jun-17	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS missing for hazardous and chemical substances used in the workplace.	Ensure that MSDS' are available in the storage warehouse in the printing building.		15
Jun-17	Occupational Safety and Health	Worker Protection	All of the single needle machines were missing finger guards.	Ensure that machines have their necessary safety guards. Train the maintenance team on Occupational Safety and Health issues.	All single needle machines were provided with finger guards. Sewing machine operators will be trained on the mandatory use of safety guards to comply with the internal rules.	15
Jun-17	Occupational Safety and Health	Worker Protection	Obstructed electrical panel.	Keep electrical equipment away from flammable materials. Conduct weekly inspection tours to address OSH issues.	Employees working in that area were warned and re-trained to keep the electric panels free from flammable materials.	5
Jun-17	Occupational Safety and Health	Working Environment	Excessive temperatures were noted in Buildings 34 and 35.	Maintain a maximum temperature of 30 C in all sections.		16
Jun-17	Occupational Safety and Health	Working Environment	Inadequate lighting was noted in the packing and pressing sections.	Ensure a minimum of 500 lux in the packing and pressing sections.		5

Jun-17	Occupational Safety and Health	Welfare Facilities	The factory has 19 functioning toilets for women and 9 toilets for men. With its current workforce, the factory should have 5 functioning toilets for men and 45 functioning toilets for women.	Comply with the Haitian Law on the required number of toilets for men and women.		70
Jun-17	Occupational Safety and Health	Welfare Facilities	No soap is provided in the toilets for the workers to wash their hands.	Ensure that soap is available in the restrooms for the workers.	This issue was corrected during the factory assessment; janitorial staff and supervisor to ensure the availability of hand soap in the toilets at all times.	5
Jun-17	Occupational Safety and Health	Health Services and First Aid	Management provided a list of medical checks conducted in 2014 and worker interviews further revealed that no medical checks were arranged for newly hired workers within the first three months of employment.	Arrange medical checks for workers within their first three months of employment.	Mandatory medical checks have been started already and all workers will be covered within 4 months. Additional checks are being requested through OFATMA. Also, the factory changed the doctor's contract to full-time.	70
Jun-17	Occupational Safety and Health	Health Services and First Aid	No periodic medical checks were arranged for workers who have been exposed to work-related hazards.	Arrange at least two medical checks a year for workers who have been exposed to work-related hazards	Mandatory medical checks have been started already and all workers will be covered within 4 months. Also, the factory changed the doctor's contract to full-time.	70
Jun-17	Occupational Safety and Health	Health Services and First Aid	Annual medical checks were not provided to workers.	Arrange at least one medical check a year for all the workers.	Mandatory medical checks have been started already and all workers will be covered within 4 months. Also, the factory changed the doctor's contract to full-time.	70
Jun-17	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Comply with the Haitian law regarding the onsite medical staff.	Facility has a new clinic on site.	70
Jun-17	Occupational Safety and Health	Emergency Preparedness	The emergency escape routes in Building 35 have not been marked according to the newly arranged floor layout.	Mark emergency escape routes according to the new layout of the building. Ensure that the evacuation map is adapted to the new layout.	The emergency escape routes in Building 35 have been marked according to the newly arranged floor layout.	5

Jun-17	Working Time	Regular Hours	The daily break is not provided according to the internal work rules. Also, the pregnant women employed at the factory are unaware of their right to take two additional breaks of half hour each.	Provide one hour break to workers. Ensure that pregnant women are aware of their additional breaks. Post messages of their additional breaks throughout the factory and in the clinic room.	Factory reviewed the daily break time. The working hours are displayed in prominent areas around the factory. Training was provided to HR staff and all pregnant women employed at the factory are aware of their rights.	5
Jun-17	Working Time	Regular Hours	Prior authorization was not obtained from the Department of Labor before working at night.	Obtain an authorization from the Department of Labor before performing overtime work.	New regulation eliminated this requirement.	5
Jun-17	Working Time	Overtime	Overtime legal limits were exceed.	Ensure to not exceed the legal limits of overtime.	New regulation eliminated this requirement.	5
Jun-17	Working Time	Overtime	Overtime work is performed during daily break.	Provide a one hour break to workers according to the internal rules.	Factory reviewed the daily break time. The working hours are displayed in prominent areas around the factory. Training was provided to HR	5
Assessment June 2016						
Jun-16	Compensation	Minimum Wages/Piece Rate Wages	The adjustment for the minimum wage was not applied consistently for the month of May 2016.	Apply the adjustment of the minimum wage.	The payment was recalculated and the missing amount has been paid to all workers.	
Jun-16	Compensation	Overtime Wages	The adjustment to the minimum wage was not applied to overtime hours worked in May 2016.	Apply the adjustment of the minimum wage to overtime hours.	The payment was recalculated and the missing amount has been paid to all workers.	
Jun-16	Compensation	Paid Leave	Some workers were only paid the rest day if they complete 48 hours of work during the week regardless of how many days in the week they come to work.	Pay accurately for weekly rest days.	The calculation error in the system has been amended.	
Jun-16	Compensation	Social Security and Other Benefits	Employer contribution to ONA is inaccurate.	Employer must adjust the amount of their contributions to ONA based on the average earnings of the workers.	The contribution to ONA for all Willbes factories is paid based on the workers' base salary.	
Jun-16	Compensation	Social Security and Other Benefits	The amount collected and forwarded for workers' contributions for social insurance funds to ONA is inaccurate.	Employer must collect and forward workers' contributions to ONA based on the average earnings of the workers.	ONA contributions are based on the base salary. Facility properly collects and forwards workers' contributions to ONA.	

Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS for the glue spray used in the cutting section.	Provide MSDS for all chemicals and hazardous substances in use in the workplace.	MSDS are available for all chemical substances used in the workplace.	
Jun-16	Occupational Safety and Health	Worker Protection	One worker in the cutting section was seen using a chemical spray without the proper personal protective equipment.	Provide workers personal protective clothing and equipment.	All workers are provided with the necessary PPE.	
Jun-16	Occupational Safety and Health	Worker Protection	Several workers were observed standing without fatigue mats.	Ensure that the factory is compliant with ergonomic requirements.	All standing workers are provided with ergonomic mats.	
Jun-16	Occupational Safety and Health	Worker Protection	During the factory tour, several machines were seen without the appropriate safety guards.	Install appropriate guards on the machines.	An inventory of missing guards is being done in order to regularly purchase and install them when needed.	
Jun-16	Occupational Safety and Health	Working Environment	Temperatures in the workplace exceed the recommended level of 30 C.	Ensure that temperature level is compliant in all sections.	Air cooling systems have been installed.	
Jun-16	Occupational Safety and Health	Working Environment	Noise level is too high.	Ensure that noise level is compliant in all sections.	Last check showed that the noise levels in all section was under 90 db.	
Jun-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase number of toilets.		
Jun-16	Occupational Safety and Health	Welfare Facilities	The factory has an eating area. However, it can only accommodate about 20 per cent of the workforce.	Increase capacity of the current eating area.	An eating area with a capacity for 700 workers has been established and is ready for use and a second eating area, designed for 350 workers, is under construction.	
Jun-16	Occupational Safety and Health	Health Services and First Aid	Medical checks are not systematically provided within the first three months of hiring.	Provide medical check to all new workers.	The factory has a doctor that performs systematic checks for newly recruited workers.	
Jun-16	Occupational Safety and Health	Health Services and First Aid	Annual medical checks are not systematically provided.	Provide annual medical checks to all workers.	Health checks are performed annually for all workers.	
Jun-16	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Ensure that the factory has at least 3 nurses.		
Jun-16	Occupational Safety and Health	Health Services and First Aid	Inadequate first aid boxes.	Provide sufficient adequate first aid boxes.	The employer provide a sufficient number of readily accessible first aid boxes.	

BETTER WORK HAITI - 15TH SYNTHESIS REPORT



Factory: Val d'Or Apparel Mfg. S.A
Location: Port-au-Prince
Number of workers: 1260
Date of BW registration: Sep-14
Date of last two Better Work assessments: Nov-16 Nov-15

Advisory and Training Activities

24-Apr-17 Factory tour to verify progress in OSH and review of grievance investigation procedures.
29-Aug-17 Elaboration of an action plan on grievance mechanism procedures. Review of ONA deduction calculations.
19-Aug-17 Verification of the latest remediation actions and follow up on progress made on the grievance procedure.
2-Aug-17 Discussion of internal policy with top management and PICC committee with a special focus on the grievance procedures.
2-Aug-17 Review of internal policy with a special focus on the grievance mechanisms.
29-Jul-17 PICC Industry seminar
27-Jul-17 Haitian Labor Law Training
5-Jul-17 Emergency Preparedness & Accident Investigation Training
28-Jun-17 PICC meeting to discuss the role of the committee in the grievance mechanism. Presentation of tools to perform an effective investigation.
26-Jun-17 Training of Trainers on Supervisory Skills
17-May-17 PICC meeting
11-May-17 Advisory on sexual harassment investigation and prevention. Review of compensation issues. Factory tour to validate the remediation for OSH non compliance issues.
1-Apr-17 Management Skills Training
26-Mar-17 Supervisory Skills Training
25-Mar-17 Workers Rights & Responsibilities Training
17-Mar-17 Industrial Relations Training

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment November 2016						
Nov-16	Discrimination	Gender	Confirmed case of sexual harassment	Maintain a strict policy against sexual harassment at the workplace and systematically train newly hired workers, supervisors and managers on this topic. Strengthen and encourage the use of grievance reporting mechanisms and address any cases at an early stage.	Factory management conducted their own internal investigation and then implemented the following actions : 1) Training for supervisors and managers on sexual harassment prevention 2) Distribution of Valdor's policy against sexual harassment to supervisors 3) Posting the creole version of the policy on the bulletin board 4) Disciplinary measures taken against the supervisory staff involved in the reported cases	11
Nov-16	Compensation	Paid Leave	The payment for sick leaves is not accurate for all workers.	Accurately compensate workers for sick leaves in accordance with legal requirements.	Sick leave is now correctly compensated regarding to the Haitian Labor Code.	23
Nov-16	Compensation	Paid Leave	The payment for maternity leaves is not accurate for all workers.	Accurately compensate workers for sick leaves in accordance with legal requirements.	The sick leave is correctly paid now. It is based on average earnings.	23

Nov-16	Compensation	Social Security and Other Benefits	The factory has not registered with the health and maternity insurance provider of OFATMA.	Ensure that the factory is affiliated to the health and maternity insurance by OFATMA.	The factory invited OFATMA to promote the program with the workers before they start with registration.	23
Nov-16	Compensation	Social Security and Other Benefits	The factory does not collect and forward worker's contribution for the health and maternity insurance of OFATMA.	Ensure that the factory is affiliated to the health and maternity insurance by OFATMA.	The factory invited OFATMA to promote the program with the workers before they start with registration.	23
Nov-16	Contract and Human Resources	Dialogue, Discipline and Disputes	Verbal abuse cases were found at the factory.	Reinforce the grievance mechanism system. Provide training on supervisory skills. Post messages encouraging mutual respect throughout the workplace.	The factory has launched a series of training sessions for supervisors and management. Awareness raising posters are displayed on the bulletin board to encourage workers to use the suggestion boxes or to report any abuses from supervisors and managers directly to the HR.	11
Nov-16	Occupational Safety and Health	Worker Protection	The maintenance staff were not using dust masks and gloves, which were provided by management.	Train workers on the usage of PPE.	The factory planned to perform Continuous training for the maintenance crew and production operators along the year. They have already held regulars reminder sessions.	11
Nov-16	Occupational Safety and Health	Worker Protection	Exposed electrical wire found in the workplace.	Establish and maintain an effective electrical installation management system.	Electrical wires are properly maintained by the factory electrician.	11
Nov-16	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Provide an adequate number of accessible toilets for all workers in accordance with the Haitian labor code.	Management agreed to contact the owner of the industrial park to study the feasibility of adding new toilets. In the meantime, they will try to reallocate some of the men's toilets for the women.	11
Nov-16	Occupational Safety and Health	Welfare Facilities	During the factory tour, EAs observed that there was no soap in the workers' toilets.	Establish and maintain an effective OSH management system.	Management regularly supplied soap to all the toilets. Also, management aims to train the personnel working in the toilets to monitor this issue regularly.	11
Nov-16	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Comply with the Haitian Labor Code regarding the provision of onsite medical services.	The factory has signed a new contract with the medical services provider DASH which include a 5 day Doctor visits as of June 1st, and one nurse. The factory has hired three additional nurses. The factory is in compliance with the articles 478 & 479 of the Haitian Labor Code.	11
Nov-16	Occupational Safety and Health	Health Services and First Aid	First aid boxes not well supplied.	Ensure that all first-aid boxes are adequately equipped and can be easily accessible in a timely manner.	The OSH team is being re-trained on these requirements as some of the previously trained members have resigned. All the listed products are in the first aid boxes. During the last advisory the box were opened within the 2 minutes	11
Nov-16	Occupational Safety and Health	Emergency Preparedness	Obstructed and misplaced fire extinguishers found in the workplace.	Adequately maintain all firefighting equipment so that they are easily accessible in case of emergencies.	All fire extinguisher area were cleaned up and the firefighting equipment's were easily accessible.	11

Nov-16	Occupational Safety and Health	Emergency Preparedness	Several exit doors could not be fully opened and two other exit doors were found locked.	Ensure that the emergency exits are unlocked and unobstructed during working hours. To reduce the impact of the wind on work processes, management will also install plastic curtains on the door ways.	Management has installed plastic curtains on all exits doors to let those emergency exits unlocked and to reduce the impact of the wind.	11
Nov-16	Occupational Safety and Health	Emergency Preparedness	Cell phones were being charged inappropriately throughout the workplace.	Provide a designated phone charging station and post "No phone charging" signs in all other areas throughout the workplace.	A cell phone charging station was installed.	11
Assessment November 2015						
Nov-15	Compensation	Overtime Wages	Workers not correctly paid for overtime hours worked after 6 pm.	Adjust the payroll system to ensure that workers are paid 100% above the normal wage for overtime hours worked after 6 pm. Communicate the new system to all workers.	The factory revised the internal procedure for the payment of overtime work at night.	
Nov-15	Compensation	Paid Leave	Workers not correctly paid for weekly rest days when they complete 48 hours of work.	Adjust the payroll system to ensure that, as required by law, workers who complete 48 hours of work are paid for weekly rest days even if they do not complete 6 consecutive days of work. Communicate this change to all workers.		
Nov-15	Compensation	Paid Leave	Sick leave not systematically paid when workers submit medical certificate.	Ensure that workers are compensated for sick leaves according to the national law. Provide a list of accepted hospitals and clinics to workers. Hire a doctor to certify sick leave certificates from private hospitals and clinics.	The employer has agreed to accept medical leave certificates from non-public institutions.	
Nov-15	Compensation	Paid Leave	Maternity leave not systematically paid when workers submit medical certificate.	Provide a copy of the payment receipts to workers with the appropriate signatures and dates. Ensure that workers are compensated for maternity leaves according to the national law. Provide a list of accepted hospitals and clinics to workers. Hire a doctor to certify maternity leave certificates from non-public hospitals and clinics.	The employer has agreed to accept maternity leave certificates from non-public institutions.	
Nov-15	Compensation	Social Security and Other Benefits	The factory has not forwarded the employer's contribution to OFATMA for this fiscal year.	Pay the employer's contribution to OFATMA for work-related accident insurance.		
Nov-15	Compensation	Social Security and Other Benefits	The factory is not affiliated with OFATMA for health and maternity insurance.	Inform workers about OFATMA's maternity and health insurance services. Submit the maternity and health insurance registration documents to OFATMA. Ensure that the payment and an updated list of workers are submitted to OFATMA on a monthly basis.		
Nov-15	Compensation	Social Security and Other Benefits	The factory does not collect and forward worker's contribution for the health and maternity insurance of OFATMA.	Inform workers about OFATMA's maternity and health insurance services. Submit the maternity and health insurance registration documents to OFATMA. Ensure that the payment and an updated list of workers are submitted to OFATMA on a monthly basis.		

Nov-15	Contract and Human Resources	Employment Contracts	Internal work rules not compliant with the legal requirements.	Update the internal work rules to ensure that the new procedure, which is mainly related to the payment of maternity and sick leaves, is properly documented and sent to MAST for approval. Communicate the updated policy to workers.	The internal work rules have been updated.	
Nov-15	Contract and Human Resources	Dialogue, Discipline and Disputes	Illegal disciplinary measures.	Update the internal work rules to ensure that the new procedure related to unauthorized absences is properly documented and send it to MAST for approval. Communicate the new policy regarding unauthorized absences to workers.	The updated version of the internal work rules is approved by MAST and the new policy on disciplinary measures has been posted.	
Nov-15	Occupational Safety and Health	OSH Management Systems	The factory does not submit the accidents record to OFATMA on a monthly basis.	Ensure that reports of work-related accidents and diseases are maintained and submitted to OFATMA on a monthly basis.	Management maintained records for work-related accidents and diseases for the months of October and November 2015 and these were also submitted to OFATMA.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	Several unlabeled containers of chemicals were observed around the workplace.	Ensure that all hazardous and chemical substances used in the workplace are properly labeled. The labels should also include the name in creole and a hazard pictogram. This task should be assigned to a specific staff member with clear instructions on how to carry out this task. Review the MSDS' to know which pictograms are needed. Train workers on the importance of labeling and to understand hazard pictograms.	All hazardous and chemical substances used in the workplace were properly labeled.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	Several non-compatible chemicals were stored together.	Carefully review and follow the storage instructions as noted in MSDS' for all the chemicals used at the factory. Ensure that all chemicals and hazardous substances are stored properly. Staff members working with chemicals should be properly informed about safe storage practices.	The storage area for chemicals and hazardous substances was reorganized.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS' were found for the thinner in the storage room or the Pull Out on the inspection tables.	Ensure that MSDS' are available in the local language for all the chemicals and hazardous substances used in the factory.	MSDS' have been provided for all chemicals and hazardous substances used at the facility.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical mixing for the stamping machines was being done on the floor in front of several workers.	Identify training needs to raise the workers' and supervisors' awareness on safe chemical handling practices.	A special room has been designated for mixing chemicals and proper PPE has also been provided to these workers. An awareness training session has been held.	
Nov-15	Occupational Safety and Health	Chemicals and Hazardous Substances	No functional eye wash stations were observed in the workplace.	Provide eye washing stations in the workplace and ensure that they are properly maintained.	Eye wash stations were installed and the Compliance Manager is in charge of ensuring proper maintenance.	
Nov-15	Occupational Safety and Health	Worker Protection	Management did not provide appropriate masks for workers using chemicals.	Identify the staff in charge of providing and replacing PPE. Update the PPE regulation (based on MSDS and hazard inventory) and provide employees with all the necessary personal protective clothing and equipment accordingly. Train workers on the proper use of PPE. Post signs near the corresponding workstations to remind workers about PPE use.	Factory has provided proper masks for workers using chemical mixtures.	

Nov-15	Occupational Safety and Health	Worker Protection	Seats of workers in the washing area do not meet ergonomic requirements.	Washing should be done in a dedicated area where workers are properly accommodated to perform the task.	A new area for washing clothes has been designated by the factory administration.	
Nov-15	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as per the Haitian Labor Code.		
Nov-15	Occupational Safety and Health	Welfare Facilities	Insufficient eating area.	Ensure that an adequate eating area is available for all workers.	The cafeteria has been extended in order to accommodate about 750-800 workers during meal times. However, access to the cafeteria is only granted to workers who purchase food from the cafeteria.	
Nov-15	Occupational Safety and Health	Emergency Preparedness	Non functional emergency lights.	Install emergency lights near all exits.	Emergency lights were installed.	
Nov-15	Working Time	Overtime	Overtime hours exceed legal limits.	Conduct an analysis of the internal causes for excessive overtime to reduce overtime work. HR should also inform workers in advance about the production schedule.	Valdor has adjusted their overtime policy to prohibit excessive overtime work except for urgent production schedules, which must be approved by the General Manager. This policy has also been communicated to the workers.	
Nov-15	Working Time	Overtime	Overtime was not voluntary at the factory.	Inform all production employees that workers have the choice to refuse to work overtime.	Factory reviewed its working hours policy. This policy has been posted on the production floor. Supervisors and workers have been informed that workers have the choice to refuse to work overtime. Any operators working overtime are also required to sign the overtime sheet.	
Nov-15	Working Time	Overtime	No authorization from MAST for overtime work.	Request an authorization from MAST in order to work overtime.	This requirement was eliminated with new regulation.	
Nov-15	Working Time	Leave	Breastfeeding breaks are not provided at the factory.	Ensure that all eligible workers are provided with breastfeeding breaks.		
Nov-15	Occupational Safety and Health	Health Services and First Aid	No health checks have been conducted for workers who are exposed to work-related hazards.	Ensure that workers who are exposed to work-related hazards receive free health checks.		
Nov-15	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Ensure to have required onsite medical staff.		
Nov-15	Occupational Safety and Health	Health Services and First Aid	No annual medical checks are provided to workers.	Ensure that all workers have at least one annual medical check.		





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