



**BetterWork**

# **13th Biannual Synthesis Report**

Under the HOPE II Legislation  
Haiti

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## List of Acronyms

<b>ADIH</b>	Association des Industries d’Haïti (Haitian Industry Association)
<b>BMST</b>	Bureau de la Médiatrice Spéciale du Travail
<b>CAOSS</b>	Conseil d’Administration des Organes de Sécurité Sociale (Board of Social Security Bodies)
<b>CP</b>	Compliance point
<b>CSS</b>	Conseil Supérieur des Salaires (Wages High Council)
<b>CTMO-HOPE</b>	Commission Tripartite de Mise en œuvre de la loi HOPE
<b>EA</b>	Enterprise Advisor
<b>HELP</b>	Haiti Economic Lift Program
<b>HOPE</b>	Haitian Hemispheric Opportunity Through Partnership Encouragement Act
<b>ITUC</b>	International Trade Union Confederation
<b>MSDS</b>	Material Safety Data Sheet
<b>MAST</b>	Ministère des Affaires Sociales et du Travail (Ministry of Labor and Social Affairs)
<b>OFATMA</b>	Office d’Assurance de Travail, de Maladie et de Maternité (Office for Work, Health and Maternity Insurance)
<b>ONA</b>	Office Nationale d’Assurance Vieillesse (National Office for Old-Age Insurance)
<b>OSH</b>	Occupational safety and health
<b>PAC</b>	Project Advisory Committee
<b>PIC</b>	Parc Industriel de Caracol
<b>PICC</b>	Performance Improvement Consultative Committee



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<b>PIC</b>	Parc Industriel de Caracol
<b>PICC</b>	Performance Improvement Consultative Committee
<b>PIM</b>	Parc Industriel Métropolitain (also referred to as SONAPI)
<b>PPE</b>	Personal Protective Equipment
<b>SC/AFL-CIO</b>	Solidarity Center/American Federation of Labor - Congress of Industrial Organizations
<b>SDT</b>	Social Dialogue Table
<b>TAICNAR</b>	Technical Assistance Improvement and Compliance Needs Assessment and Remediation
<b>USDOL</b>	United States Department of Labor





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## Section I: Introduction and methodology

Better Work Haiti, a partnership between the International Labour Organization (ILO) and the International Finance Corporation (IFC), was launched in June 2009. The program aims to improve the working conditions and competitiveness of the apparel industry by increasing respect of the Haitian labor code and of the ILO Declaration on Fundamental Principles and Rights at Work and strengthening economic performance at the enterprise level.

Better Work Haiti targets the apparel industry in Haiti, especially in the capital Port-au-Prince and in the north-east region of the country. In 2015, total export revenues from the textile and garment industry accounted for approximately 90% of national export earnings and 10% of national GDP. The apparel industry is also among the largest employers within Haiti, creating jobs for approximately 40,000 people. Most workers (about 65–70%) are women who support a number of family members.

The program assists participating factories by conducting independent compliance assessments and providing advisory services and trainings. This report presents the results of assessments, advisory and training services provided to 26 factories in the period between September 2015 and August 2016. As part of its mandate to share information with all stakeholders in the program and encourage continuous improvement, Better Work Haiti produces twice yearly synthesis reports containing information on the performance of all participating factories in the period.<sup>1</sup>

### Structure of the report

This is the thirteenth report to be produced by Better Work Haiti in the framework of the HOPE II legislation. This synthesis report provides an overview of the working conditions of 26 factories. As outlined in the tenth public biannual synthesis report, Better Work transitioned to a revised service delivery model in spring 2015 with stronger focus on advisory services. Therefore, compliance information presented in this public report is based on assessment and advisory services at the factory level. In the period between March and August 2016, fourteen out of the currently operating 26 exporting factories in Haiti, were assessed by Better Work and their updated compliance information is included in this report. For the remaining twelve factories,

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<sup>1</sup> Assessments are being conducted on an annual basis for each participating factory. Therefore, assessment information is updated in every second compliance synthesis report for each individual factory.



information from their last assessment – conducted in the previous reporting cycle – is included to present aggregated industry level compliance data. The number of factories in Haiti exporting to the United States continues to be rather stable with minor fluctuations. Over the past 5 years, the number of exporting factories has always been between 20 and 30 enterprises with rather slow growth in terms of workforce. However, with the new industrial park Caracol near Cap Haitien, there is 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 approximately 40% of the total employment in the sector.

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

The second section of the report outlines the compliance assessment findings from the most recent factory assessments in all factories. As explained above, the Better Work service delivery model underwent some changes in 2015. Factories are now being assessed on an annual basis. Therefore, compliance information in these biannual public reports is drawn from the last assessment that has been conducted in each factory. For about half of the factories, this last assessment will have taken place in the past 6 months, for the other half, the most recent assessment has been conducted 6-12 months ago. The third section of the report describes Better Work Haiti advisory and training services in the period from March – August 2016 in all participating factories

The fourth section of the report outlines the priorities of the Better Work Haiti program in the upcoming months. Finally, the last section describes the efforts made by the factories to correct the compliance needs identified in the Better Work Haiti compliance assessments. This section also allows for an overview of compliance of each factory (see factory tables in section V). The reporting format of this section has been revised, yet the factory tables in that section continue to correspond to the reporting requirements of the HOPE II legislation towards the entity implementing the TAICNAR program (International Labour Organization).<sup>2</sup> Information provided for each of the participating factories includes: identified non-compliance points for each individual factory, improvement priorities; efforts made by the factory to remedy the compliance needs and with respect to non-compliance areas that have not been remediated, the amount of time that has elapsed since the non-compliance was first reported publicly. For factories that have not been assessed in the last 6 months but in the previous assessment cycle, additional information on their progress on

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<sup>2</sup> For the reporting requirements of the HOPE legislation, see Annex 1.



previously identified non-compliance points is stated. Also, the date of the last assessment is mentioned for each individual factory.

## Context

### THE HOPE II LEGISLATION AND THE TAICNAR PROJECT

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.

The two components of the TAICNAR program aim at strengthening labor compliance of the industry in Haiti. The first of these elements of the TAICNAR program 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, 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, which is a partnership of the ILO and the IFC, 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.

## RECENT DEVELOPMENTS

This section of the report presents the changes and developments that have occurred during the last six months which have an impact on the Better Work Haiti program and broadly on the apparel sector in Haiti.

- ◆ Apparel exports from Haiti to the US continue to grow, rather slow but steady with an average growth of approximately US\$ 50 million per annum over the past 3 years. The total export volume of apparel products from Haiti to the US in 2015 was US\$ 895 million with approximately half of these exports being shipped under the trade preferences granted under the HOPE II legislation. In terms of millions, the export figures of July 2016 are slightly below the July 2015 figures (by 3.86%). However, in terms of square meter equivalents (SME), a very minor increase of 0.94% can be noted when July 2015 and 2016 are being compared. It therefore remains to be seen if the overall growth for 2016 can continue along the trend of the three previous years.<sup>3</sup>

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<sup>3</sup> [www.otexa.trade.gov](http://www.otexa.trade.gov)



- ◆ Employment figures for the apparel sector remain relatively stable at approximately 40,000. It has to be noted, that the employers association ADIH includes management staff in these calculations. Based on Better Work's data collection over more than five 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 36,000 with 65-70% being women. ADIH continues to update these figures based on statistics provided by its member companies several times a year. The biggest companies in the sector remain S&H Global (8,045 employees) and CODEVI (7,800 employees), both located in Haiti's North.
  - ◆ New elections are planned for October 2016. Since early 2016, an interim government has been put in place in Haiti. The first round of presidential elections held in October 2015 did not result in a selection and the planned second round could not be implemented as originally planned. Therefore, the political environment remains rather volatile.
  - ◆ The month of May saw several protests of workers requesting the Government to publish the new minimum wage. Workers were requesting an increase to 500 Gourdes from the then existing level of 240 Gourdes per 8 hours of work. On 23 May 2016, the new minimum wage increase was published in the official newspaper "Le Moniteur". For the apparel sector, the two tier minimum wage remains in place which continues to cause conflict and confusion among worker representatives, employers, international buyers and human rights groups. As of May 2016, the "minimum wage of reference" has been increased from 240 to 300 Gourdes for 8 hours of work while the "production wage" has been increased from 300 to 350 Gourdes for 8 hours of work. Although this is a 25% increase in terms of mere figures for the minimum wage of reference, the devaluation of the Haitian currency Gourdes continues to lower the purchasing power for Haitian citizens.
  - ◆ Share Hope continues its program of workers' wellbeing initiatives in the sector in Haiti. The HERHealth program in Haiti which is training factory workers on important health topics is currently implemented in five factories and is funded by Share Hope (70%) and by buyers (30%). The buyers supporting the project are Li & Fung Foundation/ F&T Apparel (a division of Global Brands Group) and Levi Strauss Foundation. Share Hope is also implementing a high school completion program as well as a new project to help factories better utilize their clinics. The project intends to help factories use the resources they already have (factory clinics, doctors and nurses) for the benefit of workers' health and well-being. With Share Hope's worker wellbeing initiatives, they have joined the Sustainable Development Goals movement to work on the betterment of the livelihoods of people and the environment.
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- ◆ USAID’s LEVE project continues to provide targeted assistance to the apparel sector in Haiti. The project focuses on value chain enhancements (LEVE – Local Enterprise and Value Chain Enhancement). Through collaboration with lead firms and other sector stakeholders, LEVE is aiming at promoting new investment in Haitian-based production. Among the activities supported by LEVE are trainings provided to local manufacturers to increase their workforce, technical mechanics training for several companies, assistance to a supplier in their move from make-and-trim to full package production etc.
- ◆ On 20–21 September, Better Work organized its buyers and multi-stakeholders forum. This annual event brings together the different parties involved in Haiti’s apparel sector, such as employers, unions, Government officials from various Ministries and other government entities, international donors and international buyer representatives sourcing apparel products from Haiti. The forum provides a platform for networking and discussions on current challenges and opportunities in the sector. Buyer representatives were also offered the opportunity to visit different factories and to have one-on-one meetings with different other stakeholders, such as union or government officials. Two topics that were discussed intensely during the event were freedom of association and issues related to this in the sector in Haiti as well as the challenge to remediate persisting non-compliance issues.

## 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. The details of Better Work’s assessment methodology are explained in chapter 1.3 of this reports. Aggregated findings for the entire industry regarding compliance with national and international labor law are outlined in chapter II of the report. Chapter V 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, 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). 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 another important component of the TAICNAR program required by the HOPE legislation in order for Haiti to receive tariff benefits.

In the context of this ILO-MAST capacity building project, a taskforce of 18 inspectors and other Ministry officials has been set up within the Ministry. A series of different trainings for the Ministries’ mediators, conciliators and labor inspectors have been provided since June 2014 in collaboration with the Labor Ombudsperson and Better Work Haiti, such as training on international core labor standards, deontology and methodology of labor inspection, practice of labor inspection and labor administration tools, Occupational Safety and Health, the Labor Law, negotiation skills, mediation etc. The initial training curriculum was completed in mid-2016.

Since the inception of the MAST capacity building project, it has been planned that these trained labor inspectors will shadow Better Work Enterprises Advisors (EAs) in conducting labor inspection visits in the apparel sector as well as other activities by Better Work EAs, such as advisory or training services. This collaboration is aiming at giving an opportunity to MAST inspectors to capitalize on Better Work’s enterprise level knowledge and methodology in their core service delivery. These shadow visits have started to take place since August 2015. The MAST inspectorate task force members will further contribute to disseminate and transfer the acquired knowledge and competencies to their other colleagues.

In fall 2015 and prior to conducting joint assessment visits between Better Work teams and MAST inspectors, MAST and Better Work Haiti signed two important documents that further strengthens the collaboration between MAST and the ILO. A



general Memorandum of Understanding (MoU) on the collaboration between the two institutions aims at harmonizing and coordinating their respective interventions in the Haitian apparel industry in order to improve working conditions in the sector. The MoU particularly specifies the scope of the collaboration with regards to inspection visits in apparel factories, particularly in light of the HOPE II trade preferences. The associated “Zero Tolerance Protocol” (ZTP) relates to Better Work’s confidentiality agreement with factories. In general, Better Work shares detailed findings from factory assessments only with the factory itself and any buyers authorized by the factory. However, in the case of severe violations of workers’ rights as listed in this zero tolerance protocol, Better Work will inform the Ministry of Social Affairs and Labor and subscribed international buyers about the issues identified.<sup>4</sup>

The ILO/ MAST project also assisted the Labor Inspectorate of MAST to develop a strategic inspection plan for the apparel sector including target inspection visits. According to this plan, 46 inspection visits are planned to be conducted in all the regions (Ouest, Fort-Liberte and Caracol) from June 2016 through December 2016. The plan has been validated by MAST. Within the 46 inspection visits planned, 22 out of 46 will be first inspection visits and 24 out of 46 will be follow up visits. The inspection visits started in June as planned.

The project also assists the Ministry with practical assistance in terms of tools and equipment to be used for inspection visits. Computers, calculators, Labor Laws and the international labor standards ratified by Haiti have all been given to the MAST task force and 3 regional offices (Ouest, Fort Liberte and Caracol) in order for them to do their work efficiently. An additional vehicle will be provided to facilitate the work of the Ministry’s inspection department.

The Project is also working on an inspection manual which constitutes an important tool in terms of inspection guidance. A first draft of the manual has been prepared and is currently under review. The inspection manual will also contain appendices with all the other tools identified in the Haitian labor code and also some additional suggested tools that can be used by the labor inspectors and which will allow them to fulfil their inspection role successfully. Among these tools are checklists, templates for inspection sheets, inspection reports and an observation letter, an enterprise information questionnaire etc.

In March 2016, the project launched a KAP (Knowledge, Attitude and Practices) study through a local implementation partner. The objective of the study is to measure the level of knowledge about labor standards of workers and employers in the sector in Haiti. The study has been completed with several hundred participants. The final report is currently under review and results will help to put together a comprehensive

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<sup>4</sup> To access both documents, please consult the Better Work Haiti website ([http://betterwork.org/haiti/?page\\_id=1815](http://betterwork.org/haiti/?page_id=1815)).





Information, Education and Communication campaign (IEC) to improve knowledge of workers and employers about the subject.

Another activity under the ILO-MAST capacity building project is to assist the MAST in the modernization of a call centre which should serve as a key contact for workers and employers to bring issues to the attention to MAST. The call centre can direct any queries to the department concerned within the Ministry. The installation of the equipment for the call center has been fully completed and will now be followed by a training of the agents on the use of the equipment which will be followed by training on communication skills and the labor law.

Another joint activity of the ILO-MAST project, the Better Work Haiti team and the Ministry is the elaboration of a comprehensive labor law guide. This practical guide has been elaborated between all parties over several months. The final version had been pending approval from the Ministry due to the political situation and changes in personnel at MAST. In September 2016, the guide was validated by MAST and will now be translated into 5 languages (English, French, Kreyol, Spanish, and Korean) and published as a tool for employers, workers and any other interested party in the form of a handbook and a mobile app.

In August 2016, task force members were also invited to an extensive workshop organized by Better Work for all social partners in the apparel sector. The workshop focused on collective bargaining agreements (CBA). Only three such agreements exist in factories in Haiti. The workshop allowed participants to increase their knowledge on prerequisites for CBAs as well as the process of negotiating CBAs. MAST inspectors were invited as observers to the workshop to allow the Ministry representatives to equally learn about this subject.

Since 2011, the ILO has been assisting the MAST in the process of a tripartite revision of the Labor Code. Political processes have 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 labour 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 labour law reform process. Each of the tripartite



partners is represented in this commission and therefore the support of this process is a direct support on social dialogue in itself. It is planned to reinstate tripartite negotiations of the Labor Code in November 2016, the MAST will shortly announce it officially.

### **INDUSTRIAL RELATIONS IN THE HAITIAN APPAREL INDUSTRY**

At the time of writing this report, 10 officially recognized trade union centrals/confederations and 31 officially recognized factory level unions, are present in 19 out of the 26 currently operating factories which are part of the Better Work Haiti program. Thus, approximately 73 % of exporting apparel factories in the country now have a union presence.<sup>5</sup> In general, unions are quite reluctant to share information about their membership with any third party. However, Better Work Haiti estimates that total numbers of union membership still remain relatively low. In addition, the majority of unions are unable to collect union dues which makes it difficult to keep accurate statistics on membership.

Strengthening industrial relations is an integral part of Better Work's project agenda. Better Work Haiti addresses this on two levels; (i) individual factory level interventions with advisory and training services as part of Better Work's core services to strengthen enterprise level social dialogue and sound industrial relations as well as (ii) sectoral interventions to strengthen social dialogue beyond individual factory level issues, e.g. through the Social Dialogue Table. To this end, Better Work Haiti continues to partner with other key stakeholders in the sector such as Solidarity Center, CSI/CSA, other ILO departments, and MAST in order to assist the industry on gaining more mature industrial relations.

At the factory level, Better Work extended its training portfolio on relevant topics. Between May 2016 and October 2016, Better Work Haiti piloted a new bipartite training module on Industrial Relations. The Better Work team also continues to provide grievance mechanisms training to help the factories improve their existing systems to prevent conflicts at the factory level. Further relevant modules continue to be offered to factories such as trainings on workers' rights & responsibilities, workplace communication, and negotiation skills.<sup>6</sup> During and after these trainings, the most common questions from participants relate to two areas which seem often trigger conflicts in the factories: (i) compensation and (ii) relationship between management and workers. Better Work Haiti observes that workers often mistrust management and assume that they are being taken advantage of. This is typically

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<sup>5</sup> Note that union presence in additional factories exists and has been previously reported but these additional factory-level unions have not yet attained official recognition and therefore are not included in the calculation. <sup>6</sup> The full Better Work Haiti training catalogue can be accessed here: [http://betterwork.org/haiti/?page\\_id=65](http://betterwork.org/haiti/?page_id=65)

<sup>6</sup> The full Better Work Haiti training catalogue can be accessed here: [http://betterwork.org/haiti/?page\\_id=65](http://betterwork.org/haiti/?page_id=65)



caused by misinformation or lack of knowledge about legal requirements and shows the need for mass awareness raising among factory workers. This has been raised by unions as well as employers on different occasions. The most appropriate means in Haitian culture for information sharing to such a broad audience is audio material. Better Work has therefore started to work on designing short audio spots through which different subjects can be addressed and conveyed to workers in an entertaining way. Almost all factories have audio systems which could be used for dissemination. Radio channels could also be used. The first spots are currently under preparation.

As mentioned above, Better Work organized a workshop on collective bargaining agreements (CBA) with an international expert in August 2016. Fourteen factories and all 10 union organizations active in the sector participated in this extensive training. Participants gained important knowledge on CBAs, necessary prerequisites and detailed information on the negotiation process. Currently, only three factories in the sector in Haiti have a valid CBA. One of the issues resurfacing during the workshop is the fact that the union movement in the sector is quite fragmented which prevents a unified approach from worker representatives' side.

Following the release of the first report of the Conseil Supérieur des Salaires (Wages High Council –CSS) in November 2013, workers walked off the job in Port-au-Prince in early December 2013, calling for a higher increase in the minimum wage. The protests disrupted production and resulted in some violence. A number of workers from different factories were dismissed in connection with these events. Complaints from three factories for property damage by employers' side and by workers for wrongful dismissals were filed with the MAST and remain unresolved as of the writing of this report. In the case of one factory, MAST stated that it was not the competent authority to adjudicate the case and the matter was transferred to the High Labor Court for resolution. That case continues to be pending and no decision has been taken by the Authorities.

In some cases such as the one mentioned above, Better Work finds that issues stemming from a factory-level dispute are subject to an ongoing formal dispute resolution process. In such cases, Better Work holds off on making compliance findings on the issues that are directly under consideration by the authorities until the matter has been resolved. Once the dispute is resolved, Better Work determines compliance on the relevant issues in the subsequent assessment report. This practice can result in delays in reporting compliance findings on issues stemming from disputes, but it allows for Better Work's compliance decisions to take into account the official resolution of the dispute.

With the delay of the release of the third report of the CSS in 2016, workers from different unions walked again off the job in Port-au-Prince on 11 and 19 May, 2016. The protestors were calling for the government to publish the law and they equally



asked for an increase of the minimum wage to 500 Gourdes. The protests disrupted production. A number of workers representatives from different factories were dismissed in connection with these events. Complaints from the union federation for wrongful dismissals were filed with the Office of the Labor Ombudsman. After mediation and negotiations between unions and factory management, and with the support of the Labor Ombudsman and MAST the dismissed workers were reinstated in August 2016.

The Social Dialogue Table was formally created by representatives of the employers and the unions, and the government as an observer and with support of Better Work Haiti in July 2012 as a space for exchange, consultation and negotiation to harmonize relations between employers and workers' organizations. It is actively supported by the Office of the Labor Ombudsman. The Social Dialogue Table is serving as a forum for exchange and negotiation between employers and workers in order to strengthen the competitiveness of the Haitian apparel sector in creating employment and contributing to the Haitian economy through the promotion of decent work. Since its establishment in mid-2014, the executive secretariat of the roundtable has called for regular meetings on a monthly basis. The secretariat was supposed to be renewed after completion of a two year term. However, this renewal is still pending due to a conflict about representativity among unions which is related to the fragmentation of the union movement in the apparel sector in Haiti mentioned earlier above.

The Office of the Labor Ombudsman continues to play a key role in the prevention and remediation of factory level conflicts in the apparel industry. In 2015, the Labor Ombudsman intervened and mediated in eight individual factory level dispute cases throughout Port-au-Prince. She closely coordinates her mediation work with relevant departments from the Ministry of Social Affairs and Labor (MAST). A number of cases have already been successfully remediated through this collaboration and all partners appreciate the Labor Ombudsperson as a significant support to more mature industrial relations in Haiti's apparel sector. She is also actively involved in the Social Dialogue Table and chairs the Better Work Haiti Project Advisory Committee (PAC) in line with HOPE requirements.

## **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 1: Better Work compliance assessment framework

	Compliance clusters	Compliance Points
Core Labor Standards	1 Child labor	1. Child Laborers 2. Documentation and Protection of Young Workers 3. Hazardous Work and other Worst Forms
	2 Discrimination <sup>7</sup>	4. Gender 5. Race and Origin 6. Religion and Political Opinion
	3 Forced Labor	7. Bonded Labor 8. Coercion

<sup>7</sup> 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.



Working Conditions	4	Freedom of Association and Collective Bargaining	9.	Forced Labor and Overtime
			10.	Prison Labor
			11.	Collective Bargaining
			12.	Freedom to Associate
			13.	Interference and Discrimination
	5	Compensation	14.	Strikes
			15.	Union Operations
			16.	Method of Payment
			17.	Minimum Wages <sup>8</sup>
			18.	Overtime Wages
			19.	Paid Leave
			20.	Premium Pay
			21.	Social Security and Other Benefits
	6	Contracts and Human Resources	22.	Wage Information, Use and Deduction
			23.	Contracting Procedures
			24.	Dialogue, Discipline and Disputes
25.			Employment Contracts	
7	Occupational Safety and Health	26.	Termination	
		27.	Chemicals and Hazardous Substances	
		28.	Emergency Preparedness	
		29.	Health Services and First Aid	
		30.	OSH Management Systems	
		31.	Welfare Facilities	
		32.	Worker Accommodation	
		33.	Worker Protection	
		34.	Working Environment	
8	Working Time	35.	Leave	
		36.	Overtime	
		37.	Regular Hours	

## CALCULATING NON-COMPLIANCE

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 non-compliance rate does not sufficiently describe the specific issues that Enterprise Advisors (EAs) observe during assessments. In order to address this, tables presenting non-compliance findings in more detail are also presented in Section II (see “In Focus” tables). These tables allow the reader to fully appreciate specific

<sup>8</sup> Since the 8<sup>th</sup> Better Work Haiti synthesis report, Better Work Haiti only reports non-compliance with the minimum wage of reference of 240 Gourdes (as of 1<sup>st</sup> May 2015). The reporting on the production wage of 320 Gourdes (350 Gourdes as of 01 May 2016) will be done with specific details on each factory’s percentages of workers’ average earnings in the factory tables in section V of the report.



challenges in compliance identified in factory assessments. In Focus tables report the number of factories found to be non-compliant with respect to each question Better Work assesses.

### **BETTER WORK AND PUBLIC REPORTING**

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 planning to expand its reporting in the other Better Work countries to include individual factory-level compliance information, starting at the end of 2016. 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.

In July 2010, Better Work Haiti published an initial compliance synthesis report, which featured aggregated compliance information based on factory assessments conducted by the program between October and December 2009. In October 2010, Better Work then published its first Biannual Report under the requirements of the HOPE II legislation (see Annex 1). Subsequently, Better Work Haiti produced two such reports per year as required by the HOPE II legislation. The reports are always published on 16 April and 16 October respectively. The current report includes aggregated industry compliance data, as well as detailed factory-level analysis of compliance needs, priorities for remediation identified by the factory and efforts made to address compliance needs.

### **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.<sup>9</sup> 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 analysed 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

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<sup>9</sup> Better Work has recently published the list of questions from its Compliance Assessment Tool (CAT) including their legal references. It can be accessed here: [http://betterwork.org/haiti/?page\\_id=1731](http://betterwork.org/haiti/?page_id=1731)



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 twelve assessments conducted over several 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 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 cheat the auditing system 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.

### **BETTER WORK'S REVISED SERVICE DELIVERY MODEL**

Since Better Work's establishment, compliance with labor laws and international standards has improved across all country programs. In its initial phases (phase 1: 2007 - 2009 / phase 2: 2009 - 2012), the Better Work program has collected lessons learned from its various country operations. In order to carry the program into its third phase, Better Work underwent an independent evaluation, which made a series of key recommendations. One of the main suggestions was that Better Work should advance and restructure its services to increase the onus of responsibility for change onto the factory personnel that Better Work staff engages with.

Subsequently and in line with this recommendation, the Better Work's service package of assessment, advisory and training services has been revised in close consultation with all of the program's constituents. Each Better Work country program has developed its own roll-out plan to incorporate the various components



of this new approach which focuses on management systems and aims at increasing factory ownership through improved relations between management and workers.

The revised service delivery model is putting stronger emphasis on a systems-based approach that builds factory ownership over time, without losing the essential element of assessments, which is the program's objective measure of outcomes in improving working conditions. The revised service delivery model is meant to improve and allow Better Work services to work together more effectively. In Haiti, this revised service delivery model came with a shift of focus from a heavy assessment-centred approach (two annual assessments per factory) to more in depth advisory and training services.

The adjusted service delivery model consists of the same core services that Better Work offered previously: assessments, advisory and training services. The sequence and format of all of these services are adjusted to deliver a more comprehensive package to all participating factories. For further details of the revised factory level service model, please consult Annex 3.

## **IMPLICATIONS OF THE REVISED APPROACH FOR PUBLIC REPORTING UNDER HOPE II**

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. The requirements of the HOPE II law with regards to biannual reports being published by the entity operating the TAICNAR program are quoted in annex 1 (HOPE II Legislation Reporting Requirements).

The change in Better Work's service delivery model described above will not derogate these requirements of the HOPE II legislation. Public biannual synthesis reports will continue to be published on the 16<sup>th</sup> of April and the 16<sup>th</sup> of October of each year. The findings from each factory's annual assessment will be reported in one of these two synthesis reports including the date of each factory's assessment. The report following 6 months later will contain information from advisory services, especially with regards to remediation efforts by the factory concerning the non-compliance issues identified in the past assessment. Therefore, information provided will exceed the HOPE II requirements of reporting on the preceding 6 months period as progress will be stated over an entire 12 months period. This longer cycle will give factories more opportunities to work with their assigned Better Work Enterprise Advisor to find long-term solutions for weak management systems, which are at the root cause of recurrent non-compliance issues.



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## Section II: Findings

### Compliance Assessment Findings from September 2015 - August 2016

#### NON-COMPLIANCE RATES

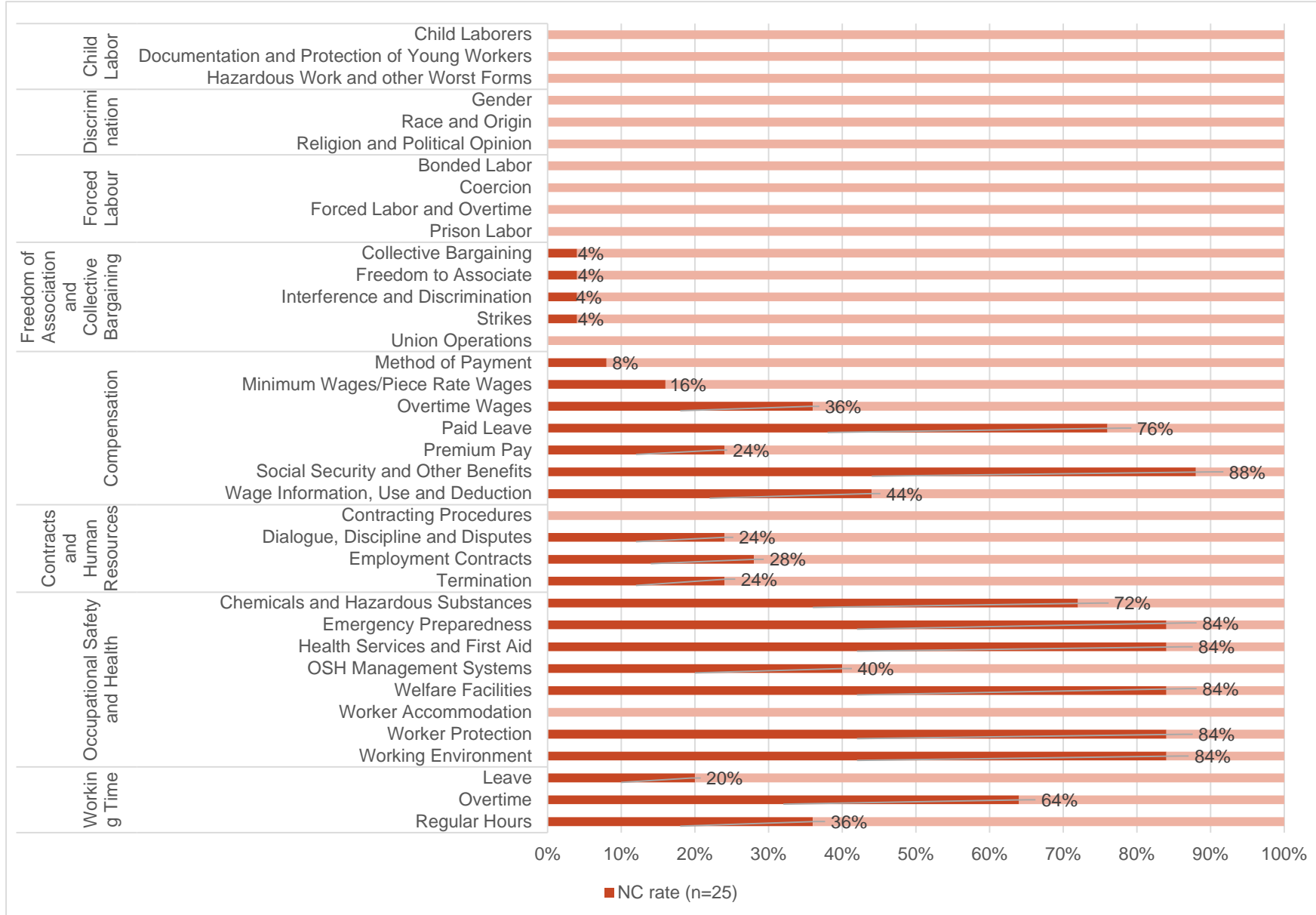
Chart 1 presents non-compliance findings for the 26 assessed factories in Haiti, showing non-compliance rates as well as the number of factories in non-compliance in brackets.

Key findings are provided in Section 2.2 below. In Focus Tables provide additional information for Compliance Points, at the question level, where a significant number of factories was out of compliance. 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, progress on the remediation of 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 analysing 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 tackle this problem. However, additional measure may be necessary. Better Work's differentiation approach that will be implemented in 2017 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 (A factory is found non-compliant in a compliance point if it is found out of compliance on any one aspect of it.)





## Detailed Findings

### CORE LABOR STANDARDS

During the last round of assessments, which took place between September 2015 and August 2016 in 26 factories, the following results have been observed.

#### CHILD LABOR

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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

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No non-compliance point was identified under the discrimination cluster in any of the factories during the last round of assessments in all 26 facilities.

#### FORCED LABOR

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

#### FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING

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There are four instances of non-compliance in this reporting period under the Cluster for Freedom of Association and Collective Bargaining. Four non-compliance points have a non-compliance rate of 4% each: (i) Collective Bargaining, (ii) Freedom to Associate, (iii) Interference and Discrimination and (iv) Strikes. Two of these four cases have already been reported in the 12<sup>th</sup> public synthesis report under the HOPE II legislation. Further details on all four cases are explained below.

In one factory, as illustrated in previous public reports, the non-compliance finding is due to a failure to implement certain provisions of the CBA in force. In the same factory, a non-compliance was identified related to strikes during the last assessment of that facility. This case has already been reported in the last (12<sup>th</sup>) public synthesis report. The factory was found in non-compliance for punishing workers for participating in a strike. In this case, 33 workers were terminated after having gone on strike to protest the termination of an executive committee member of a union. Management stated that the 33 workers were terminated because of a change in production style as the workers were not able to perform the new operations. Yet, 20 out of 33 files of those terminated workers indicated that they were in fact terminated for their participation in a strike which the employer claimed was undertaken without any valid reasons. No official independent body has determined whether the reasons for the strike were valid. Based on the evidence above, Better Work found non-compliance for firing workers for their participation in a strike. After the incident, the factory took initiative to train their staff on termination procedures



and related legal requirements. The 33 workers were also paid in accordance with the law and the union has not appealed the terminations.

The two non-compliance findings on Freedom of Association and Interference and Discrimination both relate to the January 2016 termination of a union representative who had previously been terminated and reinstated by the factory. (The same factory was found in non-compliance for the first termination in the previous assessment.) The union federation has not been able to discuss the matter with management, despite making several attempts.

During the assessment, the EAs found no warning or blame letters in the worker's file that could justify the termination. At the time of writing this report, the union federation is contesting the dismissal of the worker in question in addition to the lack of dialogue regarding this case. Interviewed workers said they cannot freely form and join the union of their choice in the factory, because they believe that workers who try to form a union are terminated.

The factory was found in non-compliance for Freedom to Associate ("Can workers freely form and join the union of their choice?") as well as Interference and Discrimination ("Has the employer terminated workers or not renewed a worker's employment contract due to the worker's union membership or activities?").

For remediation efforts of these cases, please consult individual factory tables in section V of this report.

## **WORKING CONDITIONS**

### **COMPENSATION**

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In the compensation cluster, the highest rates of non-compliance persist in the compliance point of Social Security and Other Benefits (88%), as well as the compliance point on Paid Leave (76%). The issues for these points are detailed in the tables below as well as the ones for the compliance point on Wage Information, Use and Deduction which has a non-compliance rate of 44%. The one on Overtime Wages has a rate of 36%. Under the Minimum Wage, 16% of assessed factories are in non-compliance.



In Focus 1 : Social Security and Other Benefits

Question	# factories out of compliance
Does the employer collect and forward workers contributions to OFATMA?	11
Does the employer collect and forward workers' contributions to ONA?	12
Does the employer pay 3% of workers' basic salary to OFATMA for maternity and health insurance?	11
Does the employer pay 3% of workers' basic salary to OFATMA for work-related accident insurance?	6
Does the employer pay the required employer contribution to ONA?	14
Does the employer pay workers their annual salary supplement or bonus?	4

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. With this service being made available, Better Work changed its assessment methodology and started to assess compliance against the law in 2015. However, in early 2016, OFATMA itself published a letter giving a grace period to factories to sign up. This is owed to the fact that in the absence of OFATMA services for maternity and health insurance, several factories had made other arrangements to give health insurance coverage to their workers, e.g. there are several factories that have made arrangements with private service providers which cannot easily be terminated. Based on this grace period, Better Work had to change its approach again and did not put factories in non-compliance on this point in the past assessment cycle. Yet, it has to be noted that this initial grace period was given until September 2016 and moving forward, Better Work will again assess compliance against this legal requirement if no other directives are given. OFATMA is meeting enterprises individually to discuss the best way to transition to the new government service.

In addition, a number of other issues remain a challenge under this compliance point. Eleven factories are in non-compliance for not collecting and forwarding workers' contributions to OFATMA on time.

Twelve 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 payments of these contributions. The Haitian Labor Code requires that payments (six percent of the basic salary to be paid by employees and 6 percent of the basic salary to be paid by the employers) are made within the first ten working days of each month for the previous month.



Six factories are in non-compliance for payment of 3% of workers' basic salary to OFATMA for the work-related accident insurance.

Payments of the annual salary supplement or bonus has been identified as a non-compliance for four factories. This raise in the non-compliance rate is due to the fact that Better Work Haiti revised its approach on the assessment of the payment of annual salary supplement or bonus as of May 2015 in order to more accurately reflect the requirements of article 148 of the Labor Code after clarification from MAST.

#### In Focus 2 : Paid Leave

Question	# factories out of compliance
Does the employer pay workers correctly during breastfeeding breaks?	1
Does the employer pay workers correctly during sick leave?	14
Does the employer pay workers correctly for annual leave?	4
Does the employer pay workers correctly for legally mandated holidays?	3
Does the employer pay workers correctly for maternity leave?	15
Does the employer pay workers correctly for weekly rest days?	7

The non-compliance rate on the compliance point Paid Leave remains quite high at 76%. At the question level, it shows that payments for workers who are on sick leave or on maternity leave were not correctly done by 14 and 15 factories respectively. 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 not yet adjusted their calculations although advised to do so in advisory services.

Four factories also did not pay workers correctly for annual leave which also needs to be calculated based on the average daily rate. In 5 additional cases, payments to workers during weekly rest days was not done in compliance with the law by the factory.

Payments for legally mandated holidays were not done correctly in three factories.





### In Focus 3 : Wage Information, Use and Deduction

Question	# factories out of compliance
Does the employer keep only one accurate payroll record?	11
Does the employer properly inform workers about wage payments and deductions?	0
Has the employer made any unauthorized deductions from wages?	1

In eleven cases, Better Work has identified incomplete payroll records. Factories concerned by this non-compliance finding keep payroll records which do not reflect all of the hours actually worked. Such cases have particularly been identified during overtime hours worked at night, on public holidays or the weekly rest days for which the employer pays an additional amount in cash to the workers without the adequate records in the payroll system.

One factory has also been found non-compliant under this compliance point for non-authorized deductions from workers' wages which were disguised as disciplinary actions against the provisions of the law.

## PRODUCTION WAGE

During its compliance assessments, Better Work collects information from each company which serve for information purposes only. This information includes a detailed breakdown of the workforce of each factory, including details about gender distribution, number of management staff and also how many of the factory workers work on an incentive system. As of the 8<sup>th</sup> biannual public synthesis report, the compliance point on the production wage (piece rate wage) has been removed from Better Work's compliance assessment tool in the compensation cluster. However, Better Work continues to collect data from each factory on the percentages of workers on an incentive system earning the production wage levels mentioned in the law. Based on this individual factory level data, Better Work is measuring the aggregated weighted percentage of workers reaching the defined production wage. With the newly announced minimum wage as of May 2016, the minimum wage of reference has been increased to 300 Gourdes (measured as a compliance point) and 350 Gourdes for production for 8 hours of work (information only point). This percentage has been increasing almost steadily over previous years and has reached a peak of exactly 50% based on the factory level data available for the last two assessment cycles of Better Work Haiti. The overall number of workers working on an incentive system based on Better Work's data from the factories is 27,864, so approximately 14,000 workers are reaching this production target. In addition, it has



to be noted that workers also often work overtime which is compensated in addition to the above mentioned wage level.

Table 2 : Weighted percentage of workers on an incentive system earning at least 320 (350 Gourdes as of 1st May 2016) per eight hours of work across all factories assessed by Better Work10

Synthesis Report Publication	Weighted percentage of workers on an incentive system earning at least 320 (350 Gourdes as of 1st May 2016) per eight hours of work
April 2014	29%
October 2014	37%
April 2015	41%
October 2015	38%
April 2016	40%
October 2016	50%

## CONTRACTS, AND HUMAN RESOURCES

### In Focus 4 : Employment Contracts

Question	# factories out of compliance
Do all persons who perform work for the factory, both on the premises and offsite, have a contract?	0
Do the contracts comply with the labor code, collective agreement and internal work rules?	0
Do the internal work rules comply with legal requirements?	7
Do the written employment contracts specify the terms and conditions of employment?	0
Do workers understand the terms and conditions of employment?	0

Under the compliance cluster for Contracts and Human Resources, the compliance point for Employment Contracts had the highest non-compliance rate with seven factories (28%) being in non-compliance. All these non-compliance points relate to

<sup>10</sup> Better Work collects the percentages of workers on an incentive system per factory who earn at least 320 (350 Gourdes as of 1<sup>er</sup> Mai 2016) or more during eight hours of work (excluding workers who have been recruited within the past 3 months, or those who have been using their equipment for 3 months or less). The calculations are based on average earnings. Please note that the percentages provided in this table are being calculated as weighted averages, taking into consideration the different factory sizes and their respective number of workers on an incentive system and figures are based on the last assessment conducted by Better Work at each facility. In the figures presented in this 13<sup>th</sup> compliance synthesis report, the figures for one factory could not be included as their payroll records did not allow a proper calculation of the earnings of the workers who are paid based on an incentive system.



the same question (“Do the internal work rules comply with legal requirements?”). All of these factories do in fact have internal work rules, yet the law requires that internal work rules need to be approved by the Ministry of Social Affairs and Labor (Art. 398 of the Labor Code). In the case of four factories, this approval has not yet been obtained although it had been submitted to the Ministry in all cases. In one case, the ministry requested changes, in the other two cases, the document has simply not been sent back from MAST. In three other cases, some changes in the internal work rules are necessary. The revised internal work rules require a new approval by the authorities which is pending in all three cases.

### OCCUPATIONAL SAFETY AND HEALTH (OSH)

Occupational Safety and Health remains the Cluster with the highest percentages of non-compliance. Five Compliance Point show a non-compliance rate of 80% or higher. Further details on the specific non-compliances are indicated in the tables below.

#### In Focus 5: Chemicals and Hazardous Substances

Question	# factories out of compliance
Are chemicals and hazardous substances properly labelled?	13
Are chemicals and hazardous substances properly stored?	4
Does the employer have chemical safety data sheets for all the hazardous chemicals used in the workplace?	13
Does the employer keep an inventory of chemicals and hazardous substances used in the workplace?	5
Does the employer provide adequate washing facilities and cleansing materials in the event of exposure to hazardous chemicals?	14
Has the employer effectively trained workers who work with chemicals and hazardous substances?	4
Has the employer taken action to assess, monitor, prevent and limit workers' exposure to chemicals and hazardous substances?	3

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) available at any time and the inventories always kept up to date. Frequent changes of staff in charge of Occupational Safety and Health (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. Thirteen factories are in non-compliance for the labelling of chemicals and hazardous substances and six for the incorrect storage of such products. Thirteen factories do not have the necessary chemical safety data sheet available for these substances and equally fourteen factories don't have enough or not well equipped eye washing. Three 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. With respect to the effective training of workers who use chemicals and hazardous substances, four factories were found in non-compliance. Better Work continues to provide assistance to factories on their management systems during advisory services which are at the root of the problem for many recurring non-compliance issues.

#### In Focus 6: Emergency Preparedness

Question	# factories out of compliance
Are emergency exits and escape routes clearly marked and posted in the workplace?	8
Are flammable materials safely stored?	1
Are possible sources of ignition appropriately safeguarded?	2
Are the emergency exits accessible, unobstructed and unlocked during working hours, including overtime?	10
Are there enough emergency exits?	0
Does the employer conduct periodic emergency drills?	9
Does the workplace have a fire detection and alarm system?	2
Does the workplace have adequate fire-fighting equipment?	10
Has the employer trained an appropriate number of workers to use the fire-fighting equipment?	5

Eight factories did not have evacuation plans accurately reflecting the emergency routes of the place of work and nine factories did not do regular emergency drills. Better Work recommends two emergency drills per year.

In one factories, EAs found flammable materials that were not safely stored and in two factories, possible sources of ignition were not sufficiently safeguarded with 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.

In ten factories, Better Work found that the emergency exits were obstructed, often by boxes.

Fire detection and alarm systems were found to be insufficient in two factories and fire-fighting equipment was equally found in non-compliance in ten factories. In most cases, the number of fire extinguishers was insufficient or low pressure was found on individual fire extinguishers. This remains a recurring problem as factories



fail to put proper management systems in place to ensure consistent verification of these issues.

Five factories did not train the recommended 10% of the workforce on the use of fire-fighting equipment.

#### In Focus 7: Health Services and First Aid

Question	# factories out of compliance
Do workers have a medical check within the first three months of hiring?	11
Do workers have annual medical checks?	14
Do workers who have been exposed to work-related hazards receive free health checks?	5
Does the employer address safety and health risks to pregnant or nursing workers?	0
Does the workplace have required onsite medical facilities and staff?	19
Has the employer ensured there are a sufficient number of readily accessible first aid boxes/supplies in the workplace?	3
Has the employer provided first-aid training for workers?	5

Nineteen 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 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 factory clinic program launched by Share Hope in partnership with Better Work is supposed to assist factories improve their clinics and to better use the resources they have. Ten factories participate in this program.

Fourteen factories were non-compliant and did not organizing annual medical checks for workers and eleven 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 yet been made as to how the regular medical checks of workers are to be covered.



In five factories, workers who are exposed to hazards did not receive medical attention required by the law and one factory did not address safety and health risks to pregnant or nursing workers.

First aid boxes were not readily accessible or were missing adequate content in three factories. With regards to workers trained on first aid, all factories do perform such trainings, yet in five cases the factories failed to train the 10% of the workforce as recommended by Better Work.

#### In Focus 8: Welfare Facilities

Question	# factories out of compliance
Does the employer provide workers enough free safe drinking water?	4
Does the workplace have adequate accessible toilets?	19
Does the workplace have adequate hand washing facilities and adequate soap?	9
Does the workplace have all required facilities?	0
Does the workplace have an adequate eating area?	13

Under Welfare Facilities, non-compliance rates remain relatively high due to reasons described in previous reports related to the number of toilets, missing soap and insufficient adequate eating areas in factories.

In nineteen 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, nine factories do not provide soap at all times. Although all factories provide free drinking water to their workers, four factories do not test the quality of the water on a regular basis. Among the thirteen factories that are in non-compliance for the eating area, four do not have such an eating area at all and the remaining nine do have an eating area, yet is not big enough to accommodate the entire workforce.

#### In Focus 9: Worker Protection

Question	# factories out of compliance
Are appropriate safety warnings posted in the workplace?	5
Are electrical wires, switches and plugs properly installed, grounded, and maintained?	7



Are proper guards installed and maintained on all dangerous moving parts of machines and equipment?	10
Are workers effectively trained and encouraged to properly use personal protective equipment and machines?	8
Are workers punished if they remove themselves from work situations that they believe present an imminent and serious danger to life or health?	0
Does the employer comply with ergonomic requirements?	7
Does the employer provide workers with all necessary personal protective clothing and equipment?	11

In eleven 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. Seven factories are non-compliant with respect to ergonomic requirements, including for the provision of chair to folders for all the workers and as well as the anti-fatigue mats and/or foot-rests for the workers standing up.

The assessors found 10 factories in which not all the machines and equipment had all the appropriate guards installed on all dangerous moving parts. The guards often break and require regular verification and maintenance which is why non-compliance on this point tends to be high. Many factories do not have effective mechanisms to monitor this situation in a systematic way and to review the protections of machines on a regular basis. The factories also depict the lack of availability of certain parts among the suppliers, especially for very old machines. Under the revised Better Work service delivery model extensively described throughout this report, Better Work seeks to strengthen management systems in the factories in order to bring lasting solutions to this kind of non-compliance.

Five factories have not displayed the necessary security signs on the electrical boxes and seven factories have been found non-compliant because they do not provide a sufficient maintenance of their electrical installations. In effect, in these factories the evaluators observed electrical wires exposed in the boxes or electrical equipment.



#### In Focus 10: Working Environment

Question	# factories out of compliance
Are noise levels acceptable?	3
Are the temperature and ventilation in the workplace acceptable?	16
Is the workplace adequately lit?	15
Is the workplace clean and tidy?	3

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 sixteen factories respectively. 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 fifteen factories were found to be non-compliant on light levels which can have an impact on productivity. -

Three factories were found to not be clean and tidy and equally three factories continued to have noise levels exceeding the recommended maximum of 90 Db.

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.

## WORKING TIME

#### In Focus 11: Overtime

Question	# factories out of compliance
Does the employer comply with limits on overtime hours worked?	11
Does the employer obtain authorization from the Department of Labor before working on Sundays?	1
Does the employer obtain authorization from the Department of Labor before working overtime?	10
Is overtime work voluntary?	1





In eleven 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. Ten 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 one factory failed to obtain that authorization by the government prior to working on Sundays. Based on the interviews with workers and management in one factory in the 12<sup>th</sup> assessment cycle, EAs were able to note that overtime was not voluntary at the factory. According to the workers, they could leave work after the eight hours of work but they would be punished the following day for not staying after eight hours. The management explained that the punishment is for not informing the factory that they could not stay and perform overtime work.

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## Section III: Better Work Haiti Advisory Services and Training

### Better Work Haiti Advisory Services

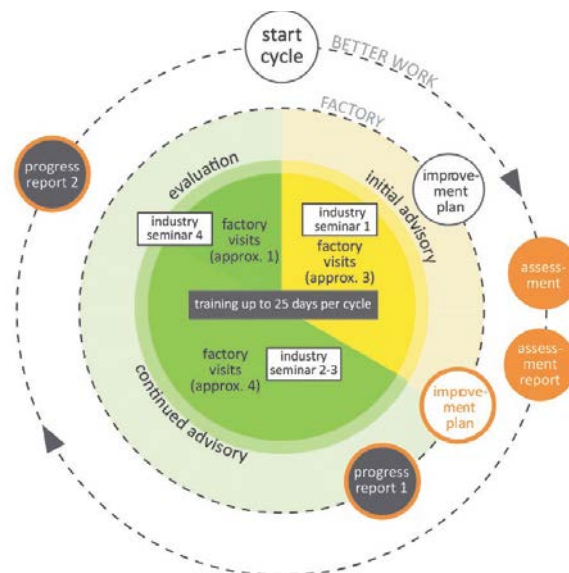
This section highlights the advisory and training services undertaken by Better Work Haiti during the period of March to August 2016. With the rollout of the revised service delivery model by Better Work in all of its country programs, the importance of advisory services – among the three Better Work core services of assessment, advisory and training services – has been emphasized even more. 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 adjustments in the services that Better Work delivers to factories provide opportunities for the program to work with factories on root causes that are underlying repeated non-compliance issues.

Under the revised approach, factories undergo an initial period of advisory services in which a designated Enterprise Advisor supports the factory on a one-on-one coaching basis before the independent Better Work assessment is being carried out. In this initial advisory period, the Advisor assists the factory to set up the bipartite worker – management committee PICC (Performance Improvement Consultative Committee). Through interactive exercises, the worker-management committee identifies where the factory may need improvements in terms of labor compliance, management systems and training needs and sets targets. This work also extends to the Advisor reviewing the committees own effectiveness. The committee then



initiates and realizes early improvements. The factory is responsible for the quality of these improvements. Through this process of self-diagnosis and early remediation, Better Work aims to increase ownership, accountability, dialogue and partnership. After the 100 day period concludes, Better Work conducts its independent assessment of the factory's compliance performance. After Better Work's assessment, advisory and training services continue. The designated Enterprise Advisor continues to assist the bipartite committee to hold regular meetings, follow up on issues identified through self-diagnosis by the PICC as well as by Better Work's assessors and remediation of these issues.

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 Haiti, Better Work launched the rollout of the revised model in April 2015 through an industry seminar. Subsequently, the set-up of PICCs in factories continued together with the introduction of the self-diagnosis process. At the time of writing of this report, the status of each factories' PICC is indicated in the table below. Fourteen factories have set up a functioning PICC in their factory. Four PICCs exist on paper but are inactive and the assigned Better Work Enterprise Advisor is working with the factory to get these committees active again. In two additional factories, the set-up of the PICCs is currently in progress. Six factories have no PICC.



	<b>Name of factory</b>	<b>PICC Status</b>
1.	Citadelle Manufacturing	Set up and functioning
2.	Caribbean Island Apparel S.A.	Set up and functioning
3.	Cleveland Manufacturing S.A.(newly	Set up in progress
4.	CODEVI	No PICC yet
5.	Fairway Apparel S.A.	Set up and functioning
6.	Fox River Caribe, INC	Set up but inactive
7.	Go Haiti S.A. (newly registered)	Set up and functioning
8.	Goal Export S.A.	Set up but inactive
9.	H&H Textiles S.A.	No PICC yet
10.	Horizon Manufacturing S.A.	Set up and functioning
11.	Indigo Mountain Haiti S.A.	No PICC yet
12.	Interamerican Wovens APH S.A.(newly	No PICC yet
13.	Interamerican Wovens S.A.	Set up but inactive
14.	Life S.A.	No PICC yet
15.	Modas BU IL Haiti S.A.	Set up but inactive
16.	MGA Haiti S.A	Set up and functioning
17.	Isis Apparel S.A. (former One World Apparel)	Set up and functioning
18.	Pacific Sports Haiti S.A.	Set up and functioning
19.	Palm Apparel S.A.	Set up and functioning
20.	Quantum Apparel S.A. (previously Premium	Set up and functioning
21.	Quality Sewing MFG. S.A.	Set up and functioning
22.	Sewing International S.A.	Set up in progress
23.	S&H Global S.A.	Set up and functioning
24.	The Willbes Haitian II S.A.	Set up and functioning
25.	The Willbes Haitian III S.A.	No PICC yet
26.	Val D'Or Apparel MFG Haiti S.A.	Set up and functioning

Important elements of Better Work's revised service model are ownership, accountability, dialogue and partnership. In terms of ownership, Better Work encourages the factory to use a self-diagnosis tool provided by Better Work. The tool has recently been further improved based on factories' feedback on the initial version of the self-diagnosis tool. In fact, factories that have access to the online platform of Better Work can now directly add self-identified issues on the Better Work online portal. This portal is the platform that is also used by Better Work to share factory data with authorised 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 now also offers the opportunity for factories to update their improvement plan themselves. Better Work Haiti organized an industry seminar on self-reporting in order to introduce this new tool to the factories with the support of Better Work Global. Management representatives from 15 factories attended this



event which also provided an opportunity to remind these factory representatives of the importance of ownership in the new services delivery model.

In the reporting period, several factories were also required to produce their own progress report (for further information on progress Report No. 1, see service cycle graph on page 33) which is due approximately in the 5th month of an annual cycle. This follows the initial period of advisory services (formation of PICC, introduction of self-diagnostic process in the first three months of the cycle), the Better Work assessment and the finalization of the assessment report. The progress report used to be written by Better Work as well but under the revised service model and the emphasis on ownership of the process by the factory, this report has been handed over to the factories now. This first progress report allows a factory to state its progress in remediation against non-compliance points identified by Better Work as well as other challenges that the factory is facing. This self-produced progress report by the factory which is being written on a Better Work template, is equally shared with subscribed brands through the online portal. This template has been shared with factories together with a guidance document and Enterprise Advisors are providing assistance to the factories that are experiencing difficulties with this new requirement. However, the Better Work Global team is working on an improved version of this first progress that will also be available on the Better Work portal soon to further facilitate the process for the factories to write this report.

Since approximately 69% of factories in the Better Work Haiti program have a PICC set up – an increase from 8% in 2014 – approximately half of advisory services are now being delivered in the form of PICC meetings. The PICC meetings which include management and worker representatives testify of a new level of social dialogue at the factory level. Better Work is supporting the process through facilitating the dialogue. Since their first meeting, PICC representatives from both sides are encouraged to actively engage in the self-diagnosis process. Better Work’s Enterprise Advisors introduce the PICC members to the use of problem solving techniques in order to identify improvement priorities. The Enterprise Advisors is expected to move to the role of a coach of the PICC, letting the PICC members lead the process themselves. So far, three factories are already running their own meetings without the presence of the Better Work Enterprise Advisor. A well-functioning PICC will also be a criteria that has to be fulfilled in order to reach “stage two”.

As part of the revised service model, Better Work has also launched industry seminars in 2015. The purpose of these seminars is to deliver clustered advisory service 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. Industry seminars can be attended by management and/or worker representatives. The objective of such trainings with participants from different factories is supposed to increase learning effects, as participants will be able to exchange and learn from each other on best practices. In March an industry seminar on risk management was



offered to factories, in June the topic for two industry seminars held was grievance mechanisms and in August, a seminar on self-reporting was offered as mentioned above.

A few factors posed challenges to Better Work's advisory services in the reporting period. Several factories initially hesitated to sign up to Better Work in 2016 given the newly introduced fees for access to the full package of Better Work services as of January. This delayed delivery of advisory services in the first months of the year. Moreover, industrial relations in some factories were, and in some cases continue to be, tense including the demonstrations in May surrounding the increase of the minimum wage. This impacts Better Work's ability to deliver advisory services. In particular, setting up a PICC in a factory where unions and management have difficulties to agree can be challenging as union representatives are supposed to take a certain number of seats on the PICC. Continuous support to factories is needed to increase the level of social dialogue among both parties at the factory level.

## **Better Work Haiti Training Services**

In addition to factory assessments and advisory work, the Better Work program has designed a range of trainings intended for workers, line supervisors and managers. A new training catalogue for 2016 with all training modules available in Haiti was released and can be accessed online.<sup>11</sup> Newly launched trainings by the Better Work team since 2016 include Industrial Relations training and a new one day long workplace communication training. These trainings - together with other modules such as the grievance mechanisms training which Better Work continues to offer - aim at assisting factories in preventing conflicts and putting better mechanisms in place to avoid issues in the workplace.

Better Work also continues to roll out several trainings with support from brands. GAP Inc. has been partnering with Better Work to roll out various trainings in four Better Work country programs focusing on workplace cooperation. Several of the trainings mentioned above fall in this category as well as a training for factories on the bipartite worker-management committee PICC and a training on workers' rights and responsibilities.

With support from The Walt Disney Company, Better Work continues to deliver trainings for management staff at factories. After the successful training of 700 supervisors in Haiti, a new leadership skills training for middle management will be launched at the end of the year. This new training was designed from the global Better Work team for rollout in all country programs. It is based on the request of

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<sup>11</sup> [http://betterwork.org/haiti/?page\\_id=65](http://betterwork.org/haiti/?page_id=65)



many supervisors who participated in the 3 day long soft skills training for similar training for their superiors.

In August 2016, Better Work Haiti also launched the above mentioned supervisory skills training for Spanish speaking supervisors. Many factories in Haiti have management staff from Central America who are Spanish speaking. Factories have repeatedly asked Better Work to offer specific trainings for this group. In collaboration with Better Work Nicaragua, a total of 130 supervisors from various countries in Central America but also from the Philippines working in factories in the North of Haiti were trained on grievance mechanisms and supervisory skills. Better Work Haiti will continue to offer Spanish speaking courses for factories.

In addition to these trainings from the standard Better Work training catalogue, Better Work continues to offer courses to the stakeholders of the sector on particular topics, such as the extensive training on collective bargaining agreements which was offered through an international expert in August. First, employers and workers each received 2 and a half days of trainings respectively, then they underwent two days of joint training which included practical exercises with scenarios and simulated negotiations. The Ministry taskforce members from the inspection department was invited as an observer for the joint training session. The AFL-CIO's Solidarity Center assisted with the facilitation of the workshop.

Since January 2016, the Better Work Training Team trained a total of 973 participants in the various trainings offered to factories. 387 training participants out of this total percentage were women.

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## Section IV: Conclusions and Next Steps

### Conclusion

Overall compliance levels in Haiti's apparel industry have not seen significant improvements over the past assessment cycles. This challenge has been previously identified and is not unique to Haiti. In order to successfully address this issue, all stakeholders need to collaborate. Factories need to show commitment to remediate non-compliance points in a sustainable way. This requires effective management systems and Better Work is assisting on this issue through its advisory and training services. Worker representatives are also key to this and play an important role in the process. Therefore, the bipartite management-worker committees that Better Work is



setting up in the factories are a crucial mechanism in order to improve overall compliance and performance of a factory. The trade unions active in the sector should overcome their intra-union conflicts for the benefit of a stronger union movement overall. Without a mature level of social dialogue from employers and worker representatives and willingness to learning from all sides, improvements at the factory level are hampered. This is why all of these aspects - high levels of compliance, a mature level of social dialogue, effective management systems and a commitment to learning – are part of Better Work’s differentiation model described above. The differentiated approach will allow for more targeted service to assist factories depending on the level of their performance regarding those aspects.

The Government of Haiti also has an important role to play. The collaboration between the Ministry of Social Affairs and Labor - in particular the Labor Department - the Office of the Labor Ombudsman, Better Work, and the ILO/MAST project over the past 2 years have already shown great success. The Labor Law Guide which will soon be published in five languages is the result of a several months-long consultation process which provided an excellent opportunity to clarify several aspects of the law through MAST guidance. The joint visits by Better Work Enterprise Advisors and MAST inspectors is equally a very successful learning opportunity for both sides. If elections will be successfully held in October, it is expected that these working relationships can be further intensified and strengthened. Better Work is also seeking to intensify its working relationship with the Ministry of Commerce. The engagement of the Ministry of Social Affairs and Labor and the Ministry of Commerce in activities related to the apparel industry will send an important signal to the international community about the disposition of the government of Haiti to attract and keep foreign investment.

There are other ILO programs and departments working with the tripartite Haitian stakeholders in various areas and sectors on the larger Decent Work Country Program (DWCP) for Haiti. The work of Better Work in the apparel sector feeds into this larger decent work agenda. Areas of work closely related to Better Work’s activities, such as the labor law reform process or the partnering ILO/MAST capacity building project, have an impact on Better Work operations. Therefore, efforts to support the Haitian constituents need to continue to be coordinated in order to benefit the overall socio-economic development of Haiti.

International brands sourcing in Haiti should equally contribute to the development of the apparel sector in Haiti which plays a pivotal role in the country’s economy. Better Work promotes transparency in global supply chains and Haiti’s apparel sector is a frontrunner and an excellent example of transparency. All factory level compliance data is publicly available at the individual enterprise level due to the HOPE requirements. More international brands doing business in Haiti should acknowledge these efforts by avoiding duplication of audits and multiple corrective action plans. Better Work has seen evidence that transparency can be a very effective



means to improvements if labor law violations are tackled with joint efforts of all parties involved.

The HOPE legislation continues to provide great opportunities for the various stakeholders of the industry to work together on improvements needed to increase the competitiveness of Haiti's apparel industry in comparison with others in the region and the world. Necessary improvements and key work ahead includes changes in national legislation, infrastructural challenges as well as capacity building needs of workers and middle management in the factories.

## Next Steps

Better Work will continue to use its work at the factory and the sectoral level to promote the respect of international and national labor laws, social dialogue, ownership and accountability of its national partners. Better Work will continue to strengthen PICCs in the factories and stronger management systems in order to address persisting non-compliance issues. The introduction of a differentiated service package for factories at stage one and two is planned for 2017. Better Work's training services will continue to evolve organically based on the needs identified and the capacities available. Training of middle management on leadership and management soft skills will become a particular focus of the program over the coming months.

In its collaboration with the Ministry of Social Affairs and Labor (MAST), Better Work and other ILO programs will also continue to strengthen the capacities of the national government partners in terms of labor inspection and their conciliation and mediation services. The harmonious and fruitful collaboration with the Office of the Labor Ombudsman and the social dialogue table will further contribute to strengthen more mature industrial relations in the apparel sector in Haiti.

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## Section V: 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 section "Factory Tables" at the end of this chapter. Please note that several of the assessed factories 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 September 2015 and August 2016

	<b>Name of factory</b>
1.	Caribbean Island Apparel S.A.
2.	Citadelle Manufacturing S.A. (has only been assessed once to date)
3.	CODEVI
4.	Fairway Apparel S.A.
5.	Fox River Caribe, INC
6.	Global Manufacturers & Contractors S.A. (closed)
7.	Goal Export S.A. (has only been assessed once to date)
8.	H&H Textiles S.A.
09.	Horizon Manufacturing S.A.
10.	Indigo Mountain Haiti S.A
11.	Interamerican Wovens S.A.
12.	Interamerican Wovens - APH S.A. (has only been assessed once to date)
13.	Life S.A. (has only been assessed once to date)
14.	Modas BU IL Haiti S.A.
15.	MGA Haiti S.A
16.	Multiwear S.A. (closed)
17.	Isis Apparel S.A. (closed)
18.	Pacific Sports Haiti S.A.
19.	Palm Apparel S.A.
20.	Premium Apparel S.A.
21.	Quality Sewing MFG. S.A.
22.	Sewing International S.A.
23.	S&H Global S.A.
24.	The Willbes Haitian II S.A.
25.	The Willbes Haitian III S.A.
26.	Val D'Or Apparel MFG Haiti S.A.

The Haitian Employers' Association (*Association des Industries d'Haiti* - ADIH) has started to update the employment figures for the apparel industry on a monthly basis. Better Work Haiti is collaborating with ADIH on updating and aligning these figures regularly. In ADIH's latest publication of the figures from August 2016, 41,953 employees were registered in all Haitian factories and so the figure has remained relatively stable over the past year (in September 2015, ADIH counted 41,188 employees in the sector). Yet, it has to be noted that this figure includes the administrative staff of these factories as well. From previous years of data collection, Better Work Haiti knows that the administrative staff for all factories accounts to approximately 10-15% of the total employee figure. Also, in Haiti, the percentage of female factory workers among the workforce lies between 65- 70%.



## 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.

The format of the tables has been revised as of this 13<sup>th</sup> public biannual synthesis report to present data in a more comprehensive way. Better Work measures compliance with international core labor standards and national labor laws in a set of 8 clusters. 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 2. 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.<sup>12</sup> Previously, each factory table contained all compliance points of the Better Work Haiti CAT and the individual factory's performance was indicated through a system of dots (black dots for non-compliance, white dots for compliance and half dots for points on which the factory had improved on some compliance issues but still had other persisting non-compliance issues). This approach has been revised with this new format. Only non-compliance points from either one of the last two assessments of each individual factory will be listed in the individual factory tables. 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 2. 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).

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<sup>12</sup> [http://betterwork.org/haiti/?page\\_id=1731](http://betterwork.org/haiti/?page_id=1731)



- ◆ 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;
- ◆ 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 or below each table, e.g. advisory and training services provided by Better Work. Under each individual factory table, Better Work is also providing information on the production wage. The percentage of workers on an incentive scheme being paid 320 Gourdes (350 Gourdes as of 01 May 2016) or more during ordinary hours of work is verified during each Better Work assessment. These percentages can vary over the cycles as they depend on a number of factors, such as the geographical location which can cause challenges to find skilled workforce (e.g. in the newly developed industrial area in the North where no apparel industry existed before), fluctuation of orders and production cycles.

**Factory:** Caribbean Island Apparel S.A.  
**Location:** Port-au-Prince  
**Number of workers:** 2261  
**Date of registration:** Sep-09  
**Date of last two Better Work assessments:** Jan-16 Jan-15

**Advisory and Training Services**

**23-Feb-16** Meeting with management to plan for the next PICC meeting to discuss the points identified in the last Better Work report. 2. Factory tour  
**22-Mar-16** PICC meeting on management systems and risks assessment  
**07-Jun-16** Discussion with management regarding challenges faced with regards to compliance efforts; Discussion on PICC and effectiveness of social dialogue at the factory.  
**18-Aug-16** Participation in Collective Bargaining industry seminar  
**23-Aug-16** Participation in Collective Bargaining industry seminar

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Jan-16	<b>Compensation</b>	Paid Leave	The payment of legally mandated holidays is not accurate for workers on an incentive scheme.	Ensure that the payment of legally mandated is accurate.	Calculations are being reviewed in order to fix this issue.	
Jan-16	<b>Compensation</b>	Social Security and Other Benefits	Forwarding of workers' contributions to OFATMA for maternity and health insurance.	Forward workers' contributions to OFATMA for maternity and health insurance.	OFATMA extended the deadline to register for maternity and health insurance until September 2016.	
Jan-16	<b>Compensation</b>	Social Security and Other Benefits	Employer contribution to OFATMA for maternity and health insurance.	Pay employer contribution to OFATMA for maternity and health insurance.	OFATMA extended the deadline to register for maternity and health insurance until September 2016.	
Jan-16	<b>Compensation</b>	Paid Leave	Sick leave is not accurate for workers on an incentive scheme. It is based on the minimum wage of reference and not on the workers's average wages.	Update payroll system in order to base payment for sick leave on average earnings instead of minimum wage.	The payroll system was updated in order to meet this requirement.	
Jan-16	<b>Compensation</b>	Paid Leave	Maternity leave is not accurate for piece rate workers. In fact, it is based on the minimum wage of reference and not on the workers's average wages.	Update payroll system in order to base payment for maternity leave on average earnings instead of minimum wage.	The payroll system was updated in order to meet this requirement.	
Jan-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Unidentified chemical containers (KM7) found in the spot cleaning areas for all buildings and unidentified containers of unknown substances were found in the mechanic's shop .	Ensure that all chemicals and hazardous substances used in the workplace are labeled.	A system was put in place in order to ensure compliance with this point with frequent checks from the management.	
Jan-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Unavailability of MSDS for thinner and KM7 in the chemical storage room.	Keep updated MSDS for all chemicals and hazardous substances used in the workplace.	All MSDS were posted where necessary.	
Jan-16	<b>Occupational Safety and Health</b>	Worker Protection	Not all workers are using their personal protective equipment.	Ensure that all workers are using their personal protective equipment.	Training were organized for workers using dangerous machines including workers in the mechanic shop. Also posters were also posted as reminders for all workers.	12
Jan-16	<b>Occupational Safety and Health</b>	Worker Protection	Unidentified and poorly maintained electrical box in building 10.	Ensure that all electrical boxes in all buildings are properly maintained and identified.	All electrical boxes in all buildings are properly maintained and identified.	12

Jan-16	<b>Occupational Safety and Health</b>	Worker Protection	Several electrical boxes were found without the adequate safety warnings in buildings 10, 13, 14 and H4.	Ensure that all electrical boxes in all buildings are properly maintained and identified.	All electrical boxes in all buildings are properly maintained and identified.	12
Jan-16	<b>Occupational Safety and Health</b>	Working Environment	The temperature levels were too high in sewing, inspection, packing section and cutting section.	EA recommends factory to look into sprinkler system on metal sheets.	Additional exhaust fans were added in buildings 11 and 12.	48
Jan-16	<b>Occupational Safety and Health</b>	Working Environment	Workplace lighting is insufficient.	Improve lighting levels where needed.	New installations are present in building 14 and 13. new lights will soon be installed in all buildings.	48
Jan-16	<b>Occupational Safety and Health</b>	Working Environment	During the assessment visit EAs found that the boiler/generator area was not clean and tidy.	Keep the factory clean and tidy.	This issue was addressed and systemic maintenance and cleaning are performed regularly.	48
Jan-16	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets.	The non functioning restrooms for men were fixed in building 11.	30
Jan-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	The factory has an adequate fire detection and fire alarm system. However it was obstructed during the assessment.	Install adequate fire detection and fire alarm system.		18
Jan-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	The escape routes in buildings 13 and 14 are not correctly marked.	Ensure that all escape routes are correctly marked.	New floor marking is being painted on in all buildings.	18
Jan-16	<b>Working Time</b>	Overtime	Workers in certain sections had worked more than 80 hours of overtime per trimester.	Monitor and limit overtime hours to a maximum of 80 hours for a 3 month period for all workers.		
Jan-15	<b>Occupational Safety and Health</b>	Working Environment	Workplace lighting is insufficient.	Ensure that the workplace adequately lit.		36
Jan-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Number of emergency exits is insufficient.	Ensure that there are enough emergency exits.	Changes were made in the layout in order to ensure compliance with this point.	12
Jan-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Ensure that the workplace has enough adequate accessible toilets.		24
Jan-15	<b>Occupational Safety and Health</b>	Worker Protection	Most of the sewing machines did not have adequate safety guards.	Install and maintain proper guards on all dangerous moving parts of machines and equipment.		6
Jan-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Fire detection and alarm system.	All buildings need to have fire detection and alarm systems.	Fire detection devices were added where needed.	12
Jan-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Marking or posting of emergency exits and/or escape routes in the workplace.	All emergency exits and escape routes must be marked and posted.	Emergency exits and escape routes are marked and posted where necessary.	12

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jan-16	92%
Jan-15	0.6

**Factory:** CODEVI  
**Location:** Ouanaminthe  
**Number of workers:** 7800  
**Date of registration:** Sep-09  
**Date of last two Better Work assessments:** Nov-15 Feb-15

**Advisory and Training Services**

**03-Feb-16** Meeting with training team to discuss the training plan.  
 Meeting with compliance manager to discuss the progress report.  
**15-Mar-16** Meeting with the compliance manager to discuss the issues in the improvement plan.  
**16-Mar-16** Meeting with the union to discuss pending IR issues and PICC implementation. Meeting with the compliance officer to review internal OSH assessment process. Meeting with the park administrator to review issue related to annual leave.  
**02-Apr-16** Communication in the Workplace Training  
**10-Apr-16** Workers' Rights & Responsibilities Training  
**24-May-16** Meeting with the training officer to discuss the upcoming training plans. Meeting with the social compliance officer to discuss the progress on the improvement plan.  
**01-Jun-16** Negotiation Skills Training  
**02-Jun-16** Industrial Relations Training  
**30-Jul-16** Communication in the Workplace Training  
**06-Aug-16** Communication in the Workplace Training  
**07-Aug-16** Communication in the Workplace Training  
**05-Sep-16** Supervisory Skills training for dominican supervisors (3 days)  
**06-Sep-16** Meeting with the compliance manager to introduce the new features of the STAR portal.  
**07-Sep-16** Meeting with the compliance officer to review the improvement made. Factory tour.

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Nov-15	Compensation	Overtime Wages	Work hours completed during night shift not paid 100 per cent above normal wage as required.	Ensure that overtime wages are properly paid.		12
Nov-15	Compensation	Paid Leave	Payment for sick leave was based on minimum wage and not on average salary for production workers.	Provide adequate payment for sick leave to all eligible workers.		48
Nov-15	Compensation	Paid Leave	A review of payroll records and worker interviews revealed that payment for maternity leave was based on minimum wage.	Provide adequate payment for maternity leave to all eligible workers.		48
Nov-15	Compensation	Paid Leave	Workers from all the factories who completed 48 hours or six consecutive working days were not granted pay for the weekly rest day.	Provide payment for weekly rest days to all permanent workers, if they have worked 6 consecutive days, or 48 hours within 6 days or less.	The factor changed its work schedule to ensure that workers are only working 5 days per week.	48

Nov-15	<b>Compensation</b>	Social Security and Other Benefits	The factory is not registered with OFATMA for the work-related accident insurance.	Inform workers of the implementation of the work related accidents insurance. Submit accident insurance registration documents to OFATMA. Ensure that payment and updated list of workers are submitted to OFATMA on a yearly basis.		42
Nov-15	<b>Compensation</b>	Social Security and Other Benefits	Forwarding of workers' contributions to OFATMA for maternity and health insurance.	Forward of workers' contributions to OFATMA for maternity and health insurance.		
Nov-15	<b>Compensation</b>	Social Security and Other Benefits	Employer contribution to OFATMA for maternity and health insurance.	Pay employer contribution to OFATMA for maternity and health insurance.		
Nov-15	<b>Freedom of Association and Collective Bargaining</b>	Collective Bargaining	The CBA is not fully implemented.	Review collective bargaining agreement.		54
Nov-15	<b>Freedom of Association and Collective Bargaining</b>	Strikes	Workers were permanently fired for having participated in the strike.	Review termination policy with HR staff and union representatives. Reinstatement all eligible workers.	CODEVI provided training to the management team 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	<b>Occupational Safety and Health</b>	OSH Management Systems	The factories at CODEVI have not provided any evidence of OSH self assessments completed during the past year.	Conduct monthly OSH self assessment.	The factory has an OSH officer who is conducting OSH self assessment on a monthly basis.	54
Nov-15	<b>Occupational Safety and Health</b>	OSH Management Systems	CODEVI factories have not registered with OFATMA. Therefore, they have not send any accident report to the institution.	The factory need to provide work related accident insurance to workers and send the accident records to OFATMA on a regular basis..		54
Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Several unlabeled containers of various chemicals, such as solvent, were observed in BKI and FW plants.	Ensure that all hazardous and chemicals substances used in the workplace are properly labeled. Clearly assign responsibilities for this task to a specific staff member.  Train workers on the importance of labeling and hazard pictograms.		60
Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No adequate chemical storage was observed in several buildings.	Ensure that all chemicals and hazardous substances used in the factory are stored properly. Issue instruction on proper storage to the staff members working with chemicals.		60
Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No MSDS were posted in areas where solvent and Blow-out were used in several buildings.	Ensure that MSDS are available for all chemicals and hazardous substances used in the factory in local language.		60
Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No evidence of proper measures 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.	60

Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No proof of training provided to workers using chemicals and hazardous substances.	Train workers using chemicals and hazardous substances.	Trainings were provided in chemicals management to workers at different levels. Chemicals management is also covered in the workers induction training.	60
Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No eye wash stations were observed in areas where chemicals were stored in several buildings.	Provide eye wash station where appropriate in the workplace. Ensure that eye wash stations are properly maintained.		60
Nov-15	<b>Occupational Safety and Health</b>	Worker Protection	Workers in the mechanic shop of for one building were not provided the appropriate PPEs.	Define staff in charge of providing and renewing the PPEs for each factory. - Update the PPE regulation (based on MSDS and hazard inventory). - Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		60
Nov-15	<b>Occupational Safety and Health</b>	Worker Protection	No evidence of training on the safe use of machines and equipment.	- Provide employees with training to properly use personal protective equipment and machines. - Post signs to remind workers about the proper use of machines guards.	Training was provided and PPE are covered in the induction process.	60
Nov-15	<b>Occupational Safety and Health</b>	Worker Protection	Several chairs without backrest were observed in MD and AM2 plants.	Define staff in charge of maintaining chairs for each factory. - Ensure that all chairs in the factory have backrest.		60
Nov-15	<b>Occupational Safety and Health</b>	Worker Protection	Numerous machines were observed with no appropriate protection guards fitted in in MD, BKI and AM1 plants.	- Define staff in charge of maintaining machine guards for each factory. - Ensure that all machines have proper guards.		60
Nov-15	<b>Occupational Safety and Health</b>	Worker Protection	At least one set of electrical boxes did not have any appropriate safety warnings posted in two plants.	Ensure that appropriate safety warnings are posted in all plants.	The factory posted additional safety warnings.	60
Nov-15	<b>Occupational Safety and Health</b>	Working Environment	In some buildings the temperature levels were beyond the recommended limits.	Ensure that the temperature level is adequate in all plants.		60
Nov-15	<b>Occupational Safety and Health</b>	Working Environment	In some sections light levels were found to be below the recommended average.	Ensure that the light level is adequate in all plants.		
Nov-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Ensure that the factory has sufficient toilets for both genders according to law. Keep existing toilets clean and functioning.		60
Nov-15	<b>Occupational Safety and Health</b>	Welfare Facilities	No soap in the restrooms.	Ensure that soap and water is available in all toilets.		60



Nov-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The number of seats available in the eating area is insufficient to accommodate the number of workers currently employed in the park.	Provide an eating area to accommodate all workers.		60
Nov-15	<b>Occupational Safety and Health</b>	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 started to provide annual medical checks for all workers. Medical records are available.	60
Nov-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient number of medical staff.	Hire additional qualified medical staff as required by law.		60
Nov-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	The employer has not trained an appropriate number of workers in first-aid.	Provide training to at least 10% of workforce in first aid.	Additional workers were trained in first aid at FWI.	60
Nov-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	No systematic annual medical checks were arranged for workers.	Provide systematic annual medical checks for all workers. Keep medical records updated.	The factory started to provide annual medical checks for all workers. Medical records are available.	60
Nov-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Several missing and obstructed fire extinguishers were observed in the plants.	Install and maintain proper fire-fighting equipment and ensure they are readily accessible at all times.	The factory installed a sufficient number of fire extinguishers. Also, they ensure that the maintenance service provider always provides adequate equipment to replace to non working ones during maintenance.	36
Nov-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	The factories at CODEVI have not trained an appropriate number of workers in fire-fighting.	Provide training to at least 10% of workforce in fire fighting.	The factory trained additional workers in fire fighting.	36
Nov-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	At least two emergency exits were obstructed at the time of the assessment in the BKI plant.	Ensure that all emergency exits are kept accessible, unobstructed, and/or unlocked during working hours, including overtime.		36
Nov-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	No records of fire drills were reported for one plant for the last 12 months.	Conduct periodic emergency drills for each factory every 6 months.	The factory conducted fire drill in FWI.	
Nov-15	<b>Working Time</b>	Overtime	Several workers in different sections were found to have completed more than 80 hours overtime per trimester.	Comply with limits on overtime hours worked in all factories.		48
Nov-15	<b>Working Time</b>	Overtime	A review of documents revealed that CODEVI had no prior authorization from MAST before working overtime.	Submit the written agreement between CODEVI and the two unions to perform overtime to MAST for approval.	The written agreement between CODEVI and the two unions to perform overtime has been submitted to MAST for approval. CODEVI is waiting for the authorization.	48
Nov-15	<b>Working Time</b>	Leave	Annual Leave	Provide time off for annual leave according to the law.	All the missing leave days were provided.	6

Feb-15	<b>Compensation</b>	Overtime Wages	Workers from all the factories who performed overtime hours during night shift (beyond 6:00 PM) were paid only 50% above normal wage.	Pay workers at least 100% above the normal wage for overtime hours worked at night (After 6:00 PM). - Insert this rule in the internal regulation/ amend the CBA if needed. - Inform workers about their right to be paid at least 100% above the normal wage for overtime hours worked at night .		6
Feb-15	<b>Compensation</b>	Overtime Wages	Overtime work performed on weekly rest days (Saturdays) are not paid 100%. Instead, they were paid 50% above normal wage.	Pay workers 100% above the normal wage for all overtime hours worked on weekly rest days. - Insert this rule in the internal regulation/ amend the CBA if needed. - Inform workers about their right to be paid 100% above the normal wage for overtime on rest days.		6
Feb-15	<b>Compensation</b>	Paid Leave	Workers from all the factories who completed 48 hours or six consecutive working days were not granted pay for the weekly rest day.	Provide payment for weekly rest days to all permanent workers rest day per week, if they have worked 6 consecutive days, or 48 hours within 6 days or less. - Insert this rule in the internal regulation/ amend the CBA if needed. - Inform workers about their right to be paid for weekly rest days.	The factor changed its work schedule to ensure that workers are only present from 5 days per week.	42
Feb-15	<b>Compensation</b>	Social Security and Other Benefits	OFATMA work-related accident insurance is not paid by CODEVI.	Pay employer contribution to OFATMA for work-related accident insurance.		36
Feb-15	<b>Freedom of Association and Collective Bargaining</b>	Collective Bargaining	The collective bargaining agreement is not fully implemented.	Fully implement the following clauses of the collective agreement: - Improve the medical facilities as required by law. - Pay correctly for overtime hours worked at night. -Provide an eating area for workers in or near the industrial park, and to reach an agreement with food vendors to provide the vendors with space and amenities such as water, electricity and propane gas so they can sell meals to workers at reduced rates. -Set up a bipartite committee in each building, with 3 union representatives and 3 factory representatives.		48

Feb-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Hazardous substances such as thinner, machine oil and propane fuel were found on the floor and in unsafe storage in two buildings.	<ul style="list-style-type: none"> <li>- Read the section on storage of the MSDS of the chemicals used in the factory, and find out whether the factory complies with the requirements.</li> <li>-Identify a person in charge of chemical storage.</li> <li>- Issue instructions on proper storage.</li> <li>- Ensure all chemicals and hazardous substances used in the factory are stored properly.</li> </ul>		54
Feb-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No functional washing or cleansing material was found in three buildings.	<ul style="list-style-type: none"> <li>-Install adequate washing or cleansing materials in BKI, AM1 and MD buildings.</li> <li>-Identify a person in charge for checking regularly that the eye wash station is working properly.</li> </ul>		54
Feb-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	First Aid boxes in three buildings could not be opened in a timely fashion.	<ul style="list-style-type: none"> <li>- Ensure first-aid boxes to be always accessible to workers (e.g. at least two persons trained in first aid have the key and their pictures is next to the first aid box)</li> </ul>		54
Feb-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The workplace does not have enough adequate accessible toilets.	<ul style="list-style-type: none"> <li>- Increase the number of toilets</li> </ul>		54
Feb-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The workplace does not have an adequate eating area.	<ul style="list-style-type: none"> <li>Provide an eating area with sufficient space for workers.</li> </ul>		54
Feb-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The employer does not provide chair with backrest to all workers.	<ul style="list-style-type: none"> <li>-Provide workers with chairs with back rest for all workers.</li> <li>-Assign a person to verify that all chairs are adequate on a regular basis.</li> </ul>		54
Feb-15	<b>Occupational Safety and Health</b>	Worker Protection	Workers are not provided with all required personal protective clothing and equipment.	<ul style="list-style-type: none"> <li>- Define staff in charge of providing and renewing the PPEs</li> <li>- Update the PPE regulation (based on MSDS and hazard inventory)</li> <li>- Provide employees with all necessary personal protective clothing and equipment.</li> </ul>		
Feb-15	<b>Occupational Safety and Health</b>	Worker Protection	Missing guards on all dangerous moving parts of machines and equipment.	<ul style="list-style-type: none"> <li>- Define who is in charge of installing/maintaining the guards</li> <li>- Update the company regulation on machine guards (which guards are needed on which machines) and machine guards maintenance.</li> <li>- Install the guards in accordance with the company regulation.</li> </ul>		54
Feb-15	<b>Occupational Safety and Health</b>	Worker Protection	The factory did not provide adequate training for workers to use machines and equipment safely.	<ul style="list-style-type: none"> <li>- Conduct an additional training on machine guards</li> <li>- Improve the workers induction training</li> </ul>	The factory provided additional training on the safe use of machines and equipment. This subject is also covered in workers' induction program.	54

Feb-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No MSDS were posted in areas where solvent and Blow-out were used in several buildings.	Ensure that MSDS are available for all chemicals and hazardous substances used in the factory in local language.	54
Feb-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Several missing and obstructed fire extinguishers were observed in the plants.	Install and maintain proper fire-fighting equipment and ensure they are readily accessible at all time.	30
Feb-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient number of medical staff.	Hire additional qualified medical staff as required by law.	54
Feb-15	<b>Occupational Safety and Health</b>	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.	
Feb-15	<b>Occupational Safety and Health</b>	OSH Management Systems	CODEVI factories have not registered to OFATMA, therefore, they have not sent any accident report to the institution.	The factory need to provide work related accident insurance to workers and send the accident records to OFATMA on a regular basis.	48
Feb-15	<b>Occupational Safety and Health</b>	Worker Protection	Standing workers are not properly accommodated.	Ensure that all standing workers are properly accommodated.	54
Feb-15	<b>Working Time</b>	Overtime	Workers from certain sections were working an excessive amount of overtime hours over a 13 week period with regards to the law.	<ul style="list-style-type: none"> <li>- Conduct an analysis of the internal causes to excessive overtime, identify 1-2 main causes and develop action on this basis</li> <li>- Reduce overtime to the legal limit (80 hours over a period of 13 weeks).</li> <li>- HR informs workers in advance about the production schedule.</li> </ul>	42
Feb-15	<b>Working Time</b>	Overtime	The management of CODEVI did not have prior authorization from MAST allowing work on Sundays.	<p>Prepare a letter to request MAST authorization work on sunday.</p> <p>Obtain MAST approval for sunday Work.</p> <p>Identify a person in charge of authorization renewal as needed.</p>	42

Percentage of workers on an incentive system earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Feb-15	44%
Nov-15	68%

**Factory:** Fairway Apparel S.A.  
**Location:** Port-au-Prince  
**Number of workers:** 493  
**Date of registration:** Oct-10  
**Date of last two Better Work assessments:** Jun-16 Jun-15

**Advisory and Training Services**

**22-Jan-16** Meeting with factory owner to discuss the proposed Collective Bargaining Agreement (CBA) with one union.Factory tour completed.  
**26-Jan-16** Visit at the factory to measure light levels of new lighting installations.  
**23-Feb-16** Workers' Rights & Responsibilities Training  
**24-Feb-16** Workers' Rights & Responsibilities Training  
**01-Mar-16** Meeting with new compliance officer to introduce the improvement process and Better Work advisory services.  
 Update with HR manager on progress report.  
**10-Mar-16** Meeting with unions representatives to discuss issues related to negotiations on salary raise and the CBA  
**22-Mar-16** Meeting with compliance officer to review self diagnosis process.  
**24-Jun-16** Grievance Mechanism Training  
**18-Aug-16** Participation in Collective Bargaining industry seminar  
**31-Aug-16** OSH Training

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Jun-16	Compensation	Overtime Wages	Security guards not correctly paid for ordinary overtime.	Ensure security guards are paid according to the legal requirements.		
Jun-16	Compensation	Overtime Wages	Night shift overtime hours not paid to security guards.	Ensure security guards are paid according to the legal requirements.		
Jun-16	Compensation	Overtime Wages	Security guards not paid correctly for overtime hours during weekly rest day.	Ensure security guards are paid according to the legal requirements.		
Jun-16	Compensation	Overtime Wages	Security guards not paid correctly for overtime hours during legally mandated holidays.	Ensure security guards are paid according to the legal requirements.		
Jun-16	Compensation	Premium Pay	Night shift hours not correctly paid to security guards.	Ensure security guards are paid according to the legal requirements.		
Jun-16	Compensation	Premium Pay	Payment for regular working hours worked on weekly rest days for security guards.	Ensure security guards are paid according to the legal requirements.		
Jun-16	Compensation	Premium Pay	Security guards were not paid correctly during legally mandated holidays.	Ensure security guards are paid according to the legal requirements.		
Jun-16	Compensation	Wage Information, Use and Deduction	Inaccurate payroll noted.	Ensure that payroll is accurate.		
Jun-16	Contract and Human Resources	Termination	Annual leave not properly paid upon termination.	Ensure all workers are correctly compensated for unused annual leave upon termination.		
Jun-16	Compensation	Social Security and Other Benefits	Late ONA payment.	Complete the payment of initial debt to ONA and make ongoing monthly payments to ONA on time.		53
Jun-16	Compensation	Social Security and Other Benefits	Collecting and forwarding workers' contributions for social insurance funds to ONA.	Complete the payment of initial debt to ONA and make ongoing monthly payments to ONA on time.		53
Jun-16	Contract and Human Resources	Termination	The payment for notice upon termination is not compliant with legal requirements.	Pay annual leave as per legal requirements .		

Jun-16	<b>Contract and Human Resources</b>	Termination	Bonus payment not compliant with legal requirements.	Pay bonus as per legal requirements .		
Jun-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No Inventory of chemicals provided.	Have inventory of chemicals readily available .		
Jun-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Missing MSDS for chemicals and hazardous substances.	Have MSDS posted for all chemicals and hazardous substances.		
Jun-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Missing eye wash station for chemicals and hazardous substances.	Ensure that eye wash facilities are functional near chemicals and hazardous substances.		
Jun-16	<b>Occupational Safety and Health</b>	Worker Protection	Some workers are provided with inappropriate PPE.	Have adequate PPE where needed.		29
Jun-16	<b>Occupational Safety and Health</b>	Worker Protection	Lack of training for workers provided on the use of PPE.	Provide PPE trainings as needed.		29
Jun-16	<b>Occupational Safety and Health</b>	Working Environment	Workplace temperature exceeded the recommended limits..	Ensure that workplace temperature is compliant with limits.		47
Jun-16	<b>Occupational Safety and Health</b>	Working Environment	Insufficient light levels.	Ensure that light levels are compliant in all sections.		47
Jun-16	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Ensure that number of toilets is compliant with legal requirements.		65
Jun-16	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficiently large eating area.	Ensure that eating area is sufficient to accommodate workers.		65
Jun-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	Obstructed aisles.	Ensure that aisles are clear at all times .		6
Jun-16	<b>Working Time</b>	Regular Hours	Inaccurate attendance records.	Ensure that information on attendance records is accurate.		
Jun-16	<b>Working Time</b>	Leave	Sick leave not provided in accordance with legal requirements.	Provide 3 month of sick leave to workers in case of illness.		
Jun-16	<b>Working Time</b>	Leave	Breastfeeding break not provided.	Provide breastfeeding break to all eligible workers .		
Jun-15	<b>Compensation</b>	Wage Information, Use and Deduction	Inaccurate payroll records noted.	Ensure one system is maintained to record hours worked and link it to the payroll management.	Management has addressed this issue.	
Jun-15	<b>Contract and Human Resources</b>	Employment Contracts	Internal work rules not compliant with legal requirement.	Revise internal work rules and contracts to ensure uniformity and compliance with local laws.		
Jun-15	<b>Contract and Human Resources</b>	Termination	Annual leave not correctly paid upon termination.	Compensate all workers the appropriate amounts for unused annual leave upon termination.	All workers are compensated according to law.	
Jun-15	<b>Contract and Human Resources</b>	Termination	Workers with less than 3 months are not correctly compensated for their annual salary supplement or bonus when terminated.	Pay all workers accurately their due salary bonuses upon termination.	All workers are now paid according to the law upon termination or resignation.	
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Several workers were seen sitting on chairs without back rest.	Provide appropriate chairs for all sitting workers.		18

Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Several machines were missing belt guards and/or pulley guards.	Install the appropriate machine guards on all machinery.	Management is working to ensure proper guards have been installed on all machines.	18
Jun-15	<b>Occupational Safety and Health</b>	Working Environment	Excessive temperatures inside the workplace.	Take appropriate measures to maintain temperatures in the workplace below the recommended 30 C.		36
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Several extinguishers obstructed in the second building.	Prevent any fire fighting equipment being blocked.		
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Several aisles in building 2 were obstructed with boxes of fabrics.	Ensure all escape routes and aisles remain unblocked at all times.		
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	The evacuation plan in the second building was faded and not readable. It was difficult to depict the different sections on the plan.	Revise the evacuation plan and post it in the workplace.		
Jun-15	<b>Occupational Safety and Health</b>	Working Environment	Lack of overall cleanliness in building 2. Fabrics and threads were scattered on the floor.	Maintain the workplace tidy and clean.		36
Jun-15	<b>Occupational Safety and Health</b>	Social Security and Other Benefits	Employer contribution to ONA.	Complete the payment of initial debt to ONA and make ongoing monthly payment to ONA on time.		42
Jun-15	<b>Occupational Safety and Health</b>	Social Security and Other Benefits	Collecting and forwarding workers' contributions for social insurance funds to ONA.	Complete the payment of initial debt to ONA and make ongoing monthly payment to ONA on time.		42
Jun-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Lack of toilets.	Ensure that the factory has enough toilets.		54
Jun-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Eating Area.	Improve the conditions of the eating area to properly accommodate the workers.		54
Jun-15	<b>Occupational Safety and Health</b>	Working Environment	Unsatisfactory workplace lighting.	Increase the lighting levels in the workplace.		36
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	The employer did not pay its contribution to OFATMA for the maternity and health insurance.	Subscribe all workers to OFATMA for the newly available maternity and health insurance.	OFATMA extended the deadline to register to this insurance to September 2016.	42
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	The factory is not registered to OFATMA for the maternity and health insurance. Which explains they could not forwarding of workers' contributions to OFATMA.	Forward workers contribution to OFATMA for maternity and health insurance.	OFATMA extended the deadline to register to this insurance to September 2016.	42
Jun-15	<b>Working Time</b>	Regular Hours	Time records do not reflect hours actually worked .	Ensure all recorded attendance are actual worked hours.	Management is revising all systems to ensure all worked hours are properly recorded.	
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Safety warning signs not posted.	Identify electrical installations requiring warning signs. Ensure areas where access is restricted are clearly marked and post smoking interdiction signs.		18

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jun-15	26%
Jun-16	7%

**Factory:** Fox River  
**Location:** Port-au-Prince  
**Number of workers:** 52  
**Date of registration:** Sep-09  
**Date of last two Better Work assessments:** Oct-14                      Oct-15  
**Advisory and Training Services**  
**21-Jan-16** Meeting with the General Manager with regards to the 2016 Better Work registration process.

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Oct-15	<b>Compensation</b>	Social Security and Other Benefits	Employer contributions to ONA	Ensure that ONA is paid in a timely manner		
Oct-15	<b>Compensation</b>	Social Security and Other Benefits	Collecting and forwarding workers contributions to ONA	Ensure that ONA is paid in a timely manner		
Oct-15	<b>Compensation</b>	Social Security and Other Benefits	Employer contributions to OFATMA	Ensure that OFATMA is paid in a timely manner	OFATMA extended the deadline to register to the maternity and health insurance until september 2016.	
Oct-15	<b>Compensation</b>	Social Security and Other Benefits	Collecting and forwarding workers contributions to OFATMA	Ensure that OFATMA is paid in a timely manner	OFATMA extended the deadline to register to the maternity and health insurance until september 2016.	
Oct-15	<b>Occupational Safety and Health</b>	Emergency preradness	Training for fire fighting equipment	Provide training to at least 10% of the workforce		12
Oct-15	<b>Occupational Safety and Health</b>	Emergency preradness	Marking and posting of emergency exits.	Ensure that emergency exits are posted and marked		12
Oct-15	<b>Occupational Safety and Health</b>	Emergency preradness	Periodic Emergency drills	Conduct periodic emergency drills		
Oct-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Onsite medical facilities and staff	Increase the number of onsite medical staff to ensure compliance		48
Oct-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	First aid training to workers	Provide training to at least 10% of workforce		48
Oct-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Annual medial checks for workers	Provide medical checks as required by the law.		48
Oct-15	<b>Occupational Safety and Health</b>	OSH Management systems	Written OSH policy	Have a written OSH policy		18
Oct-15	<b>Occupational Safety and Health</b>	Worker Protection	Installing guards on all dangerous moving parts	Ensure that missing guards are installed.		48
Oct-15	<b>Occupational Safety and Health</b>	Worker Protection	Posting safety warnings in the workplace	Post safety warnings in the workplace		48
Oct-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Sustances.	The factory does not have an adequate eye wash station in all areas were chemicals are used.	Provide eye washing stations near chemical storage places in the event of chemical exposure.	The factory installed adequate eye wash stations.	6
Oct-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Sustances.	Missing MSDS in chemical usage area.	Provide chemical safety data sheets for all chemicals and hazardous substances used in the workplace.	The factory has all the required MSDS.	6
Oct-14	<b>Occupational Safety and Health</b>	Emergency Preparedness	Marking and posting of emergency exits.	Ensure emergency exits are marked and posted		6



Oct-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	Onsite medical facilities and staff.	Increase number of onsite medical staff to ensure compliance		42
Oct-14	<b>Occupational Safety and Health</b>	OSH Management systems	OSH assessment to be performed.	Regularly conduct an OSH assessment in the factory.	The factory established a PICC that is also in charge of conducting internal OSH assessments.	12
Oct-14	<b>Occupational Safety and Health</b>	OSH Management systems	The factory does not have a OSH policy.	The factory needs to have a written OSH policy that describes the responsibility of the management and workers on OSH issues.		12
Oct-14	<b>Occupational Safety and Health</b>	Welfare Facilities	Washing facilities and soap.	The factory must ensure availability of soap at all time in the workplace during working hours.	The factory has enough soap for all workers.	6
Oct-14	<b>Occupational Safety and Health</b>	Worker Protection	Providing personal protective equipment as needed.	The factory must provide protective equipment to workers as needed	The factory provides protective equipment to workers as needed.	42
Oct-14	<b>Working time</b>	Working time records	Keeping adequate working time records.	The factory must ensure that records are accurate	The factory keeps adequate working time records.	

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Oct-14	54%
Oct-15	100%

**Factory:** H&H Textiles S.A.  
**Location:** Port-au-Prince  
**Number of workers:** 2805  
**Date of registration:** Jan-14  
**Date of last two Better Work assessments:** Sep-15 Nov-14

**Advisory and Training Services**

**26-Jan-16** Meeting with compliance and HR team. Discussion on contested points on the last assessment report and actions to be taken for remediation of non-compliance issues related to HR and compensation.  
Discussion on management - union relations and possible CBA.

**02-Mar-16** Meeting with HR and Compliance manager to discuss the revision of the internal work rules.introduction to new workers program implemented by Share Hope.

**20-Mar-16** Workers' Rights & Responsibilities Trainings

**23-Aug-16** Participation in Collective Bargaining industry seminar

**13-Sep-16** Industrial Relations Training

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Sep-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Almost all chemicals were properly labeled except thinner spray guns used in spot cleaning areas.	Properly label chemicals and hazardous substances . Assign clear responsibility for this task. Train workers on hazard pictograms.		6
Sep-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	2 fire extinguishers were missing and others were obstructed.	Add missing equipment. Ensure regular maintenance. Conduct regular checks to make sure that the equipment is functioning and easily accessible in its dedicated position.		6
Sep-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	The factory is not conducting regular fire drill.	Conduct at least two emergency drills per calendar year preferably at least once with a third-party such as the fire police. Document those drills and their results. Plan more drills than the minimum if necessary.		6
Sep-15	<b>Compensation</b>	Paid Leave	The payment for maternity leave was based on the minimum wage for production workers.	Use the average pay of production workers to calculate their maternity leave.		
Sep-15	<b>Compensation</b>	Social Security and Other Benefits	Factory failed collecting and forwarding workers' contributions for social insurance to ONA.	Pay the legally required contributions to ONA for the previous month by the 10th working day of the current month.		
Sep-15	<b>Compensation</b>	Social Security and Other Benefits	Employers must contribute 6% of workers' basic salaries to ONA on a monthly basis.	Pay the legally required contributions to ONA for the previous month by the 10th working day of the current month.		
Sep-15	<b>Compensation</b>	Social Security and Other Benefits	The employer is not affiliated with the OFATMA maternity and health insurance.	Subscribe all workers to OFATMA for the maternity and health insurance.		
Sep-15	<b>Compensation</b>	Social Security and Other Benefits	The employer failed forwarding workers' contributions to OFATMA.	Forward workers contribution to OFATMA for maternity and health insurance.		

Sep-15	<b>Contract and Human Resources</b>	Termination	The payment for the notice period was based on the minimum wage for production workers.	Use the average pay of production workers to calculate their termination benefits. Provide terminated or resigned workers other termination benefits required by law. Pay workers the notice for termination.		12
Sep-15	<b>Occupational Safety and Health</b>	OSH Management Systems	The factory does not have an active OSH Committee.	Establish a bipartite OSH committee. Inform workers about its existence and its activities.		12
Sep-15	<b>Occupational Safety and Health</b>	Worker Protection	Workers using chemicals in spot cleaning areas of building 1 were not properly trained using their personal protective equipment.	Define staff in charge of providing and renewing the PPEs. Provide employees with all necessary PPE according to regulation.		
Sep-15	<b>Occupational Safety and Health</b>	Working Environment	The boiler area in Building 1 is not clean and tidy. Also there was water on the floor.	Clean more regularly even spaces not in regular use. Review structure (draining in ground or roof).		
Sep-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Although the factory does have adequate hand washing facilities, it does not provide soap on a regular basis.	Provide sufficient soap.		12
Sep-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	The factory does not offer systematic annual medical checks for all workers.	Provide annual health checks at not cost for the workers.		12
Sep-15	<b>Contract and Human Resources</b>	Dialogue, Discipline and Disputes	Disciplinary measures.	Apply disciplinary measures in accordance with labor law and provision of the internal work rules.		
Sep-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Medical checks for workers upon hiring.	Provide free health checks for all workers within the first 3 months of assessment.		12
Sep-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Onsite medical facilities and staff.	Hire three additional nurse to meet law requirements with regards to the number of nurses in the workplace.		12
Sep-15	<b>Occupational Safety and Health</b>	Working Environment	Workplace temperature and/or ventilation.	Maintain acceptable temperatures at all times during working hours inside the workplace.		
Sep-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Lack of toilets.	Provide additional toilets in line with the legal requirements.		12
Sep-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Eating area.	Increase the capacity of the eating area to satisfy a greater number of workers.		12
Sep-15	<b>Working Time</b>	Regular Hours	The working time records do not reflect the regular hours worked on sundays as these hours were recorded separately.	Have an accurate attendance recording system. Have a single time record. Keep working time records for at least 12 months.		6
Sep-15	<b>Compensation</b>	Wage Information, Use and Deduction	The payments for regular hours worked on sundays were not properly recorded in the payroll.	Ensure that all overtime, sunday and holiday hours worked are reported in the factory's payroll records.		

Nov-14	<b>Compensation</b>	Paid Leave	Maternity leave payment is only based on the minimum wage for production workers and not the average salary as required by law.	Ensure the payment for maternity leave is accurate.		
Nov-14	<b>Compensation</b>	Social Security and Other Benefits	The ONA payment was past due.	Pay ONA regularly.		
Nov-14	<b>Compensation</b>	Social Security and Other Benefits	The ONA payment was past due.	Pay ONA regularly.		
Nov-14	<b>Contract and Human Resources</b>	Termination	The payment for the notice period was based on the minimum wage for production workers.	Ensure accurate compensation of workers as prescribed by the law.		6
Nov-14	<b>Occupational Safety and Health</b>	OSH Management Systems	The factory does not have an active OSH Committee.	Establish OSH committee.		6
Nov-14	<b>Contract and Human Resources</b>	Termination	No valid reasons for termination.	Ensure that workers are terminated for valid reasons only.		
Nov-14	<b>Contract and Human Resources</b>	Termination	No opportunity for workers to defend themselves before termination based on conduct or performance.	Offer workers the opportunity to defend themselves before termination based on conduct or performance.		
Nov-14	<b>Contract and Human Resources</b>	Termination	Reductions in workforce size due to changes in operations.	Provide an advance notice of terminations to MAST.		6
Nov-14	<b>Contract and Human Resources</b>	Termination	Payment for unused paid annual leave upon resignation or termination.	Ensure workers' compensation in accordance with the Labour Code.		6
Nov-14	<b>Contract and Human Resources</b>	Termination	Suspension of workers due to lack of materials, force majeure, or accident resulting in an immediate work stoppage.	Notify the Ministry of Social Affaires and Labour in advance of the suspension of its operations due to the maintenance of the generator.		6
Nov-14	<b>Contract and Human Resources</b>	Termination	Annual salary supplement or bonus upon termination.	Ensure workers' compensation in accordance with the Labour Code.		6
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Storage of chemicals and hazardous substances.	Ensure the factory has a dedicated storage area for chemicals.		
Nov-14	<b>Occupational Safety and Health</b>	Emergency Preparedness	Unsatisfactory storage of flammable materials.	Ensure flammable materials are safely stored.		
Nov-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	Lack of onsite medical facilities and staff.	Hire additional qualified medical staff as required by law.		6
Nov-14	<b>Occupational Safety and Health</b>	Welfare Facilities	Washing facilities and/or soap.	Provide soap on a regular basis.		6
Nov-14	<b>Working Time</b>	Leave	Time off for breastfeeding breaks.	Implement the factory's breastfeeding policy.		
Nov-14	<b>Working Time</b>	Regular Hours	Working time records.	Keep working time records that reflect the hours actually worked.		

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Apr-15	6%
Oct-15	0%

**Factory:** Horizon Manufacturing  
**Location:** Port-au-Prince  
**Number of workers:** 393  
**Date of registration:** Aug-10  
**Date of last two Better Work assessments:** Apr-16 Jun-15

**Advisory and Training Services**

**12-Apr-16** Meeting with management to discuss the PICC and recruitment of new members as the mandate of the current committee expires.  
**28-Apr-16** Discussion on OFATMA insurance and other social security non-compliance points to be addressed by the factory  
**28-Apr-16** Discussion on OFATMA insurance and other social security non-compliance points to be addressed by the factory  
**10-Jun-16** Meeting with management following assessment to discuss the issues identified. Discussion with management on the PICC to be revamped  
**30-Jun-16** Meeting to discuss the possible involvement of the union in the factory in the PICC to be established. Factory Tour.  
**30-Jun-16** Discussion on ownership of the company's compliance efforts and progress made on improvement plan.  
**01-Jul-16** Grievance Mechanisms Training  
**07-Jul-16** Meeting with factory management, union cell, confederation leader and the Labor Ombudsman to discuss the new union cell in the factory and future collaboration.  
**28-Jul-16** Discussion on how to re-elect new PICC members as the current mandate will soon expire  
**18-Aug-16** Participation in Collective Bargaining industry seminar  
**20-Aug-16** Participation in Collective Bargaining industry seminar  
**12-Sep-16** Meeting with management to discuss progress on the formation of the PICC.

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Apr-16	Compensation	Overtime Wages	Overtime hours worked at night are not paid correctly for security guards.	Ensure that security guard payments are compliant with the law.	The payments for all the security guards were adjusted according to legal requirements.	
Apr-16	Compensation	Premium Pay	Regular hours worked at night are not paid correctly for security guards.	Ensure that security guard payments are compliant with the law.	The payments for all the security guards were adjusted according to legal requirements.	
Apr-16	Compensation	Premium Pay	Regular hours worked on weekly rest days were not paid correctly for security guards.	Ensure that security guard payments are compliant with the law.	The payments for all the security guards were adjusted according to legal requirements.	
Apr-16	Compensation	Paid Leave	Calculations for annual leave do not include maternity leave pay.	Include maternity leave payment in calculations of total gains to be considered for annual leave payments	The maternity leave payment was included in the annual leave calculations.	
Apr-16	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus was not paid correctly for workers who went on maternity leave during the year.	Include maternity leave payment in calculations of total gains to be considered for annual leave payments	Maternity leave payment was included in the total gains calculation for boni payments.	10
Apr-16	Contract and Human Resources	Termination	The factory failed to notify the MAST of the suspension day and did not produce any other reason for that matter.	Inform MAST of all work stoppage before hand	A system was put in place to inform MAST of all work stoppage before hand.	
Apr-16	Working Time	Chemicals and Hazardous Substances	Eye wash solution bottle found in the chemicals storage area was expired.	Ensure that the eye wash liquid is adequate for use.	A 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 noise level do not surpass 90 db in the pressing area	The motor responsible for the noise was removed from the section.	34
Apr-16	Occupational Safety and Health	Working Environment	The lux level is under the recommended limit in the packing, sewing and pressing section.	Ensure that light levels are compliant in all sections.		34

Apr-16	<b>Working Time</b>	Overtime	The security staff of the factory and workers from the maintenance department had completed more than 80 hours of overtime for a period of three months.	Limit overtime hours to a maximum of 80 hours for a 3 months period	Management has limited the number of OT for the factory	
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	The factory is not registered with OFATMA for the maternity and health insurance.	Register to OFATMA new health and maternity insurance.	The factory is registered and regularly contributing to the health and maternity insurance.	
Jun-15	<b>Occupational Safety and Health</b>	Working Environment	The temperature is over the recommended limit in the packing and pressing section	Improve the temperature in the workplace	The factory is continuing with its system of dropping water on the roof in order to reduce the temperature. Also, additional fans were installed on the work floor.	
Jun-15	<b>Occupational Safety and Health</b>	Working Environment	The lux is under the recommended level in the packing and sewing section.	Improve lux level on the workplace	improvements were made by the factory in the form of increasing the bulbs and buying transparent metals sheets for the roof.	

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jun-15	45%
Apr-16	42%

**Factory:** Indigo Mountain Haiti S.A.  
**Location:** Port-au-Prince  
**Number of workers:** 242  
**Date of registration:** Mar-12  
**Date of last two Better Work assessments:** Aug-15 Nov-14

**Advisory and Training Services**

**21-Jan-16** Meeting with HR Manager and  
**1-Mar-16** Meeting with new General manager to introduce improvement plan and define priorities.  
**4-Apr-16** Meeting with General manager to assist on completing the progress report.  
**19-Aug-16** Advisory visit to present the improvement plan and discuss the Better Work service model requirements with the HR Manager. Factory tour.

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Aug-15	Compensation	Minimum Wages/Piece Rate Wages	Inaccurate payroll.	Pay at least the legal minimum wage.		
Aug-15	Compensation	Overtime Wages	Payment for ordinary overtime is not accurate.	Pay production workers at least 150% of their normal wage for all ordinary overtime hours worked.	The factory is reviewing the payroll system to ensure all working time is properly compensated.	
Aug-15	Compensation	Premium Pay	Overtime pay for security guards is not compliant with the law.	Ensure that overtime payments are accurate.		
Aug-15	Compensation	Paid Leave	Payment for weekly rest days.	Pay the weekly rest day according to the law.	The factory is taking actions to properly compensate workers for the weekly rest day.	9
Aug-15	Compensation	Paid Leave	Payment for annual leave.	Pay annual leave based on average earnings.		9
Aug-15	Compensation	Paid Leave	Payment for sick leave.	Pay sick leave based on average earnings.		9
Aug-15	Compensation	Paid Leave	Payment for maternity leave.	Pay maternity leave based on average earnings.		9
Aug-15	Compensation	Social Security and Other Benefits	Employer contribution to ONA	Employer must forward their contributions to ONA.		9
Aug-15	Compensation	Social Security and Other Benefits	Collecting and forwarding workers' contribution to ONA.	Employer must collect and forward workers' contributions to ONA for social insurance funds.		9
Aug-15	Compensation	Social Security and Other Benefits	Employer contributions to OFATMA for work related accident insurance.	Register with OFATMA for maternity and Health insurance.		9
Aug-15	Compensation	Social Security and Other Benefits	Employer contributions to OFATMA for maternity and health insurance.	Register with OFATMA for maternity and Health insurance.		9
Aug-15	Compensation	Social Security and Other Benefits	Collecting and forwarding workers' contribution to OFATMA.	Employer must collect and forward workers' contributions to ONA for social insurance funds.		9
Aug-15	Compensation	Social Security and Other Benefits	Bonus not paid base on average earnings.	Calculate annual salary supplement or bonus based on average earnings.		9

Aug-15	<b>Contract and Human Resources</b>	Employment Contracts	The internal work rules do not comply with legal legal requirements as it is not approved by the ministry of labor.	Get approval from the Ministry of Social Affairs and Labour for internal regulations.	The factory has reviewed the internal work rules and is in the process of getting approval of the new procedures from MAST.	9
Aug-15	<b>Contract and Human Resources</b>	Termination	Notice pay not compliant with legal requirement.	Ensure that notice of termination are based on average earnings.		9
Aug-15	<b>Contract and Human Resources</b>	Termination	Annual leave payment not compliant upon termination.	Ensure that annual leave payments upon termination are based on average earnings.		9
Aug-15	<b>Contract and Human Resources</b>	Termination	Bonus payment not complaint upon termination.	Ensure that bonus payment upon termination are based on average earnings.		9
Aug-15	<b>Contract and Human Resources</b>	Termination	The employer does not request prior authorization from the Department of Labor before suspending or reducing the size of the workforce.	Request authorization from the Department of Labor before suspending or reducing the size of the workforce.		9
Aug-15	<b>Compensation</b>	Wage Information, Use and Deduction	Inaccurate payroll.	Ensure that payroll is accurate and includes all relevant information.		
Aug-15	<b>Occupational Safety and Health</b>	Worker Protection	Chairs without backrest noted.	Provide chairs with backrests to all workers.		39
Aug-15	<b>Contract and Human Resources</b>	Dialogue, Discipline and Disputes	Disciplinary measures not compliant with legal requirement.	Ensure that the work rules are approved by the Department of labor before enforcing them.	The factory has reviewed the internal work rules and is in the process of getting approval of the new procedures from MAST.	
Aug-15	<b>Contract and Human Resources</b>	Dialogue, Discipline and Disputes	Workers subject to humiliating treatments.	Meet with the production manager and provide training to the production manager as well as other supervisors on appropriate behaviour towards the workers.	The factory is implementing new procedures with the objective of preventing use of abusive language.	
Aug-15	<b>Occupational Safety and Health</b>	OSH Management Systems	The factory does not have a written OSH policy.	Develop an OSH policy.		39
Aug-15	<b>Occupational Safety and Health</b>	OSH Management Systems	No general assessment of general safety and health issues are performed in the factory.	Conduct OHS hazard inventories / risk assessments in the various sections of the factory.		39
Aug-15	<b>Occupational Safety and Health</b>	OSH Management Systems	Establish a functioning OSH committee.	Develop a work plan for the appointed OSH committee and let members attend OSH training as needed.		39
Aug-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No inventory of chemicals available.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		27
Aug-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Inadequate eye wash bottles noted.	Provide eye wash bottles and cleansing materials.		27
Aug-15	<b>Occupational Safety and Health</b>	Worker Protection	Lack of electrical maintenance .	Ensure that all electrical wires, switches and plugs are installed properly, are grounded and are maintained.		39



Aug-15	<b>Occupational Safety and Health</b>	Worker Protection	During the assessment, EAs did not see any safety warnings on the gas tank in the back of the building even though it was full of diesel fuel.	Post smoking interdiction signs around areas where fuel is stored and train workers about any new signs.		39
Aug-15	<b>Occupational Safety and Health</b>	Working Environment	Workplace temperature	Take actions to reduce temperature (e.g. opening in the roof, water curtain, fans).		
Aug-15	<b>Occupational Safety and Health</b>	Working Environment	Insufficient light levels	Provide more skylights throughout the factory or install more lights or ensure all lights are operational and light levels sufficient.		
Aug-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets. With its current workforce, the factory needs an additional 12 functioning toilets for women.		39
Aug-15	<b>Occupational Safety and Health</b>	Welfare Facilities	No water test conducted.	Provide sufficient clean and free water to workers. Assign responsibility of ensuring that water is tested on a monthly basis.		39
Aug-15	<b>Occupational Safety and Health</b>	Welfare Facilities	During the assessment, workers were seen seated on the floor or on a wall during break time. No specifically designated eating area was available.	The factory must have enough separate space for workers to eat.		39
Aug-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Workers said that they do not receive any medical checks within the first three months of being hired.	Provide free health checks for new workers at no cost for the workers.		39
Aug-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Assessor's observations and statements by management staff and workers confirmed that the factory does not have nurses and that no doctor's visits are taking place each week . To comply with the Haitian Labor Code, a factory of this size must have a permanent onsite medical service, with at least 2 nurses and 3 doctors' visits per week.	Ensure that the factory has at least 2 nurses and 3 doctor's visits per week according to the Haitian Labor Code.		39
Aug-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	During the assessment no proof of first aid training was available.	Provide a basic first aid training for 10% of the workforce.		39
Aug-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Workers said that they do not receive annual medical checks.	Provide annual health checks at not cost for all workers		39
Aug-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	The factory has several fire extinguishers. However the extinguisher near the generator had low pressure at the time of the assessment.	Ensure regular maintenance of fire fighting equipment		21
Aug-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	No proof of fire fighting training was available at the time of the assessment.	Train 10% of the workforce and document training.		21

Aug-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	During the assessment, several aisles were found to be obstructed with boxes and chairs on the side and in the back of the building.	Conduct a root cause analysis for this issue and specify action needed accordingly. Set up a system to prevent that emergency exits, emergency buttons and fire fighting equipment are inaccessible or obstructed during working hours, including overtime.		21
Aug-15	<b>Working Time</b>	Regular Hours	The time records kept by the factory do not reflect the hours actually worked because no exit time was noted for several workers. Furthermore, several workers from the security department do not clock in or out.	Have an accurate attendance recording system.	The factory is monitoring the attendance system to ensure that all working time is properly recorded and compensated for.	
Aug-15	<b>Working Time</b>	Overtime	Request authorization to work overtime.	Follow-up with the Department of Labor to obtain the authorization (the notice of reception of the request by the Ministry is not an authorization)		
Aug-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Washing facilities and soap	Ensure that soap is readily available in the bathrooms.		39
Nov-14	<b>Compensation</b>	Wage Information, Use and Deduction	Inaccurate payroll.	Ensure that payroll records are accurate.		
Nov-14	<b>Compensation</b>	Paid Leave	Annual leave payment not compliant upon termination.	Pay workers correctly during annual leave.		
Nov-14	<b>Compensation</b>	Paid Leave	Maternity leave not paid base on average earnings.	Pay workers correctly during maternity leave.		
Nov-14	<b>Compensation</b>	Social Security and Other Benefits	Employer contribution to ONA	Employer must forward their contributions to ONA.		
Nov-14	<b>Compensation</b>	Social Security and Other Benefits	Not all dues had been included in calculations for workers' annual supplements or bonuses	Pay annual salary supplement or bonus correctly.		
Nov-14	<b>Compensation</b>	Social Security and Other Benefits	Forwarding of workers' contributions for social insurance funds to ONA.	Employer must collect and forward workers' contributions to ONA for social insurance funds.		
Nov-14	<b>Contract and Human Resources</b>	Employment Contracts	Internal work rule not compliant with legal requirements.	Update internal work rule to comply with legal requirement.		
Nov-14	<b>Occupational Safety and Health</b>	OSH Management Systems	The factory does not have a written OSH policy.	Develop an OSH policy.		30
Nov-14	<b>Occupational Safety and Health</b>	OSH Management Systems	No general assessment of general safety and health issues are performed in the factory.	Conduct OHS assessments in the various sections of the factory.		30
Nov-14	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets. With its current workforce, the factory needs an additional 12 functioning toilets for women.		30
Nov-14	<b>Occupational Safety and Health</b>	Welfare Facilities	No water test conducted.	Provide sufficient clean and free water to workers. Assign responsibility of ensuring that water is tested on a monthly basis.		30

Nov-14	<b>Occupational Safety and Health</b>	Welfare Facilities	During the assessment, workers were seen seated on the floor or on a wall during break time. No eating area was seen by the EAs.	#REF!		30
Nov-14	<b>Occupational Safety and Health</b>	Welfare Facilities	Washing facilities and soap.	Ensure that soap is readily available in the bathrooms.		30
Nov-14	<b>Occupational Safety and Health</b>	Working Environment	Workplace temperature is too high.	#REF!		
Nov-14	<b>Occupational Safety and Health</b>	Working Environment	Insufficient light levels in some sections.	#REF!		
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Material	The management did not have any chemical inventory available at the time of the assessment.	Take actions to ensure chemical inventory is available.		18
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Material	7 containers of solvents and other chemicals were found without identification labels in the stamping area.	Take actions to ensure all chemicals and hazardous substances are labeled.	The factory has taken appropriate measures to properly label containers of chemicals and hazardous substances.	18
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Material	The management did not provide evidence of any actions taken at the factory to monitor and limit workers' exposure to chemicals.	Provide evidence of actions taken to monitor and limit workers' exposure to chemicals.		18
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Material	Interviewed workers and the factory's management revealed that no training had been provided to workers who work with chemicals and/or those who do hazardous work.	Provide training to workers.	The factory has trained workers who work with chemicals and hazardous substances.	18
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Material	The eye wash liquid solution provided was unusable at the time of the assessment due to air exposure and needed to be replaced.	Replace unusable eye wash liquid solution.	The factory has made eye wash stations available in the workplace.	18
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Material	No MSDS was found for solvents and inks used for the stamping process and no MSDS was found in the area where chemicals are stored.	Post MSDS for all chemicals used in the workplace.	The factory has MSDS for all chemicals used in the workplace.	18
Nov-14	<b>Occupational Safety and Health</b>	Emergency Preparedness	Three fire extinguishers were unusable due to low pressure levels.	Ensure that all extinguishers are usable.		12
Nov-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	The factory has only one first aid trainee who is available for emergency situations.	The factory must have a permanent onsite medical service, with at least 2 nurses and 3 doctors' visits per week.		30
Nov-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	Workers had not been given medical checks within the first three months of employment and subsequent annual medical checks had also not been provided.	Provide medical check to all workers.		30
Nov-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	Workers exposed to work related hazards, had not been given any free medical checks.	Provide free medical check to all workers exposed to work related hazards.	The factory has provided medical checks at least twice a year for workers using chemicals and hazardous substances.	30
Nov-14	<b>Occupational Safety and Health</b>	Worker Protection	Management had not provided proper masks to workers in the spot cleaning and stamping section.	Provide workers appropriate personal protective equipment.		30

Nov-14	<b>Occupational Safety and Health</b>	Worker Protection	Management did not conduct any training for workers in how to use personal protective equipment.	Provide training on how to use personal protective equipment.		30
Nov-14	<b>Occupational Safety and Health</b>	Worker Protection	Standing workers in the spot cleaning workstation are not provided with fatigue mats, foot rests or chairs to sit on at regular intervals.	Provide fatigue mats, foot rests or chairs to sit on at regular intervals.	The factory has provided fatigue mats to all standing workers.	30
Nov-14	<b>Occupational Safety and Health</b>	Worker Protection	No safety identifications or warning signs had been posted near to a fuel tank.	Post safety and warning signs.		30
Nov-14	<b>Occupational Safety and Health</b>	Worker Protection	No records of training in the safe use of machines and equipment were found in the factory's documentation.	Provide training and keep records in the factory documentation.		30
Nov-14	<b>Contract and Human Resources</b>	Termination	15 reviewed terminated workers' files did not include any reasons for their termination.	Ensure that reasons of termination are included in workers' files.		
Nov-14	<b>Contract and Human Resources</b>	Termination	The management did not provide any proof of payment of annual salary supplements or bonuses.	Provide evidence of payment of annual salary supplements or bonuses.		

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Nov-14	39%
Aug-15	0%

**Factory:** Interamerican Woven S.A.  
**Location:** Port-Au-Prince  
**Number of workers:** 662  
**Date of registration:** Oct-09  
**Date of last two Better Work assessments:** Jun-15 Nov-14

**Advisory and Training Services**

**26-Jan-16** Meeting with management about state of their compliance performance including the PICC as well actions that need to be taken regarding improvement plan and progress report. Factory tour

**24-Feb-16** Meeting with management on establishing a PICC at the factory.Meeting with Union members regarding their participation in the PICC

**29-Mar-16** Meeting with management regarding the self-diagnosis report. Discussion on revamping the PICC. Factory tour.

**05-Apr-16** Factory tour. Meeting with management regarding the issues occurred during the self diagnosis process and possible solutions. In addition management was urged to lay the foundation to establish an overdue PICC committee.

**01-Jul-16** Grievance Mechanism training

**02-Sep-16** Discussion on lack of PICC setup and social dialogue in the factory.

**13-Sep-16** Meeting with management in regards to compliance progress made during cycle. Factory tour. Meeting with management with regards to the PICC to be formed. Meeting with union with regards to the PICC to be formed.

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	Employer contribution to ONA.	Employer must forward their contributions to ONA.		18
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	Collecting and forwarding workers' contributions to ONA.	Employer must collect and forward workers' contributions to ONA.		18
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	Factory has not yet subscribed to OFATMA for maternity and health insurance.	Register with OFATMA for health and maternity insurance.	The factory has registered with the new OFATMA insurance.	18
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	Employer did not forward workers' contributions to OFATMA.	Employer must collect and forward workers' contributions to OFATMA.	The factory has registered with the new OFATMA insurance.	18
Jun-15	<b>Occupational Safety and Health</b>	OSH Management Systems	The factory has not performed an assessment of general occupational safety and health issues in the factory.	Perform an assessment of general occupational safety and health issues in the factory on a regular basis.	Regular assessments of OSH principles are performed on a monthly basis.	
Jun-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Multiple unidentified chemical containers were found in the sample washing room in building 30 and in the pad print mixing area and spot cleaning area of Building 29.	Ensure that all secondary chemical containers are systematically labeled.	All secondary chemical containers are systematically labeled.	
Jun-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Two large chemical containers were found improperly stored inside a washing preparation room. 3 buckets of solvent were also found inside a stock area near an electrical installation.	Ensure safe storage of chemical substances.	Chemical substances are properly stored.	
Jun-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Two chemical substances were found inside the chemical storage room without MSDS.	Post MSDS for all chemicals used in the workplace.		
Jun-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No eye wash bottles noted.	Provide eye washing stations near areas where chemicals are used.		
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	No gloves available for workers in the mechanic shop and one mask was missing for one worker in the spot cleaning area.	Provide PPE to all workers where applicable.	New installation has been made for the PPE in the mechanic shop area.	30

Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Lack of training for PPE use.	Perform training to ensure that workers safely use their machines and equipment.	Several training have been organized. Management is planning additional trainings.	30
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Several sewing machines were seen without eye guards, pulley guards and belt guards.	Liaise with head mechanic to ensure that the guards are in place as needed.	Meetings have been organized with the mechanics. Additional trainings will be conducted for the workers.	30
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Several electrical boxes in compressor room and in building 10 were found with no warning signs posted on or near them.	Post warnings on all electrical boxes as needed.	Warning signs were posted on all electrical boxes.	30
Jun-15	<b>Occupational Safety and Health</b>	Working Environment	Workplace temperature not compliant.	Reduce the workplace temperature.	New fans have been installed and non functioning exhaust fans have been repaired.	
Jun-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Ensure number of available toilets is compliant with the legal requirement.	Several toilets were added.	54
Jun-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory does not have an eating area.	Provide eating area for the workforce.	The factory is currently renovating an eating area to create more space for the workers.	54
Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Interviewed workers and management confirmed that no medical checks are conducted within the first three months of hiring.	Provide medical checks to newly hired workers.		
Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Interview with workers and management revealed that workers who are exposed to work-related hazards have not received periodic free health checks.	Provide periodic and free health checks to workers exposed to chemicals.	Management has begun to provide the relevant medical checks.	
Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient number of onsite medical staff.	Increase number of nurses and include at least 3 doctor visits per week as required by the law.		
Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	First aid boxes.	Install missing first aid box.	First aid box was installed in building 10.	
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Obstructed fire extinguishers noted.	Ensure that fire extinguishers are never obstructed and install additional ones where needed.	Fire extinguishers were installed where needed and a system was put in place to prevent obstruction.	
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Obstructed exit noted.	Ensure that there are at least two emergency exits in all the buildings.	There are 2 emergency exits in all buildings.	
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Periodic fire drill to be conducted.	Conduct periodic emergency drill.	An emergency drill was conducted in June 2016	
Jun-15	<b>Working Time</b>	Overtime	No valid authorization from the Department of Labor before working overtime.	Systematically request authorization from MAST in advance to work overtime.	The authorization to work overtime was requested.	
Jun-15	<b>Working Time</b>	Overtime	No valid authorization from the Department of Labor before working on sundays.	Systematically request authorization from MAST in advance to work on sundays.	The authorization to work on sundays was requested.	
Jun-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	The management did not provide any evidence of action taken to assess, monitor, prevent and limit workers' exposure to chemicals and hazardous substances.	Set policy on maximum daily time of exposure. Limit access of other workers to the chemicals used in the workplace.	Procedures were developed by management to better assess, monitor, prevent and limit workers exposure to chemical substances.	

Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Medical checks to be performed.	Provide annual health checks at not cost for all workers .		
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Alarm system in building 10 not functional.	Replace dysfunctional alarms. Test and inspect alarm systems at least twice a year.		
Nov-14	<b>Occupational Safety and Health</b>	OSH Management Systems	OSH assessment to be performed.	Perform OSH assessment in the factory.	OSH assessment was performed.	
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	The management did not provide adequate training to workers using chemicals and hazardous substances.	Provide adequate training to workers using chemicals and hazardous substances.		
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No adequate and functioning washing facilities and cleansing materials found in chemical room.	Add washing stations where needed.	Eye wash bottles were added where needed	
Nov-14	<b>Occupational Safety and Health</b>	Emergency Preparedness	Accurate evacuation plan not available.	Ensure that the floor is marked and that an accurate evacuation plan is available.		
Jun-15	<b>Occupational Safety and Health</b>	Working Environment	The temperature is over the recommended limit.	Ensure workplace temperature is compliant.		24
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Electrical wires are not properly installed.	Improve electrical maintenance.		30
Nov-14	<b>Compensation</b>	Social Security and Other Benefits	Employer contribution to ONA.	Employer must forward their contributions to ONA on time.		
Nov-14	<b>Compensation</b>	Social Security and Other Benefits	Collecting workers' contribution to ONA.	Employer must collect workers' contributions to ONA for social insurance funds on time.		
Nov-14	<b>Compensation</b>	Social Security and Other Benefits	Employer did not forward workers' contributions to OFATMA.	Employer must forward workers' contributions for social insurance funds to OFATMA on time.		
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Unlabeled chemicals and hazardous substances.	Ensure all containers of chemicals and hazardous substances are properly labeled.		
Nov-14	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No MSDS found for all chemicals and hazardous substances.	Provide MSDS for all chemicals and hazardous substances in use in the workplace.		
Nov-14	<b>Occupational Safety and Health</b>	Emergency Preparedness	Alarm system not functional.	Replace dysfunctional alarms, test and inspect alarm systems at least twice a year.		
Nov-14	<b>Occupational Safety and Health</b>	Emergency Preparedness	Missing fire extinguishers.	Add missing fire extinguishers.		
Nov-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	Pre-assignment and/or annual medical checks not provided for all workers.	Provide medical checks to workers.		
Nov-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	Interview with workers and management revealed that workers who are exposed to work-related hazards have not received periodic free health checks.	Provide periodic and free health checks to workers exposed to chemicals.		
Nov-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient number of onsite medical staff.	Increase number of nurses and include at least 3 doctor visits per week.		

Nov-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	First aid boxes not available.	Install a first aid box.		
Nov-14	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Ensure number of available toilets is compliant with the legal requirement.		
Nov-14	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory does not have an eating area.	Provide eating area for the workforce.		
Nov-14	<b>Occupational Safety and Health</b>	Worker Protection	Lack of standing mats and no seating is provided to enable workers to sit down and rest at regular intervals.	Comply with ergonomic requirements.		
Nov-14	<b>Occupational Safety and Health</b>	Worker Protection	There are no safety warnings posted in the warehouse.	Post safety warnings in the workplace where needed.		
Nov-14	<b>Occupational Safety and Health</b>	Working Environment	The temperature is over the recommended level.	Ensure workplace temperature is compliant in all sections.		
Nov-14	<b>Occupational Safety and Health</b>	Working Environment	The light level is too low.	Ensure that light level is compliant in all sections.		
Nov-14	<b>Working Time</b>	Regular Hours	The working hours mentioned in the attendance records do not reflect the hours actually worked.	Keep accurate working time records.		

Percentage of piece rate workers earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Nov-14	12%
Jun-15	14%



**Factory:** MGA Haiti S.A  
**Location:** Port-au-Prince  
**Number of workers:** 959  
**Date of registration:** Oct-09  
**Date of last two Better Work assessments:** Jun-16 Jul-15

**Advisory and Training Services**

**05-Feb-16** PICC meeting

**11-Mar-16** Discussion with management regarding efforts to be made to encourage dialogue through the PICC. Also discussions on pending point from the BW assessment report and pending reports to be produced by the factory. Factory tour

**11-Mar-16** Discussion on supervisors roles and do's and dont's in terms of dealing with workers

**19-Apr-16** Meeting with management regarding the need to conduct an overdue PICC meeting. Discussions on pending OSH non compliances. Factory Tour.

**30-Jun-16** Meeting with management on PICC process and the lack of meetings of the bipartite committee. Review of pending non-compliance points. Factory tour

**22-Jul-16** Meeting with management regarding the PICC's challenges at the factory. Discussion were held regarding the composition of the PICC, notably the Management side.

**05-Aug-16** Discussion on the IR state in the factory and areas that need improvement

**10-Aug-16** Discussion on working relationship between Union members and management

**23, 24, 29 Aug 2016** Participation in Collective Bargaining industry seminar

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Jun-16	Compensation	Minimum Wages/Piece Rate Wages	For several workers from the security department their fixed salary does not comply with the minimum wage given the number of working hours.	Pay at least the legal minimum wage to all security guards.	The management is reviewing the security guard payments.	11
Jun-16	Compensation	Overtime Wages	Several workers from the security department have fixed salaries which do not reflect the payment of 50% above the minimum wage for ordinary overtime hours.	Pay security guards at least 150% of their normal wage for all ordinary overtime hours worked.	The management is reviewing the security guard payments.	11
Jun-16	Compensation	Wage Information, Use and Deduction	The time records on the payroll do not reflect the actual working hours.	Have an accurate and detailed payroll system.	Management is reviewing their payroll and attendance system in order to ensure that information is accurate.	11
Jun-16	Compensation	Paid Leave	The factory pays sick leave. However, the payment of the sick leave is based only on the minimum wage and not the average earnings of the workers.	Pay sick leave based on the workers' average earnings.	The payroll system has been updated following meeting with the HR and accountant staff.	17
Jun-16	Compensation	Paid Leave	The payment of the maternity leave is based only on the minimum wage and not the average earnings of the workers.	Pay maternity leave based on the worker's average earnings.	The payroll system has been updated following meeting with the HR and accountant staff.	17
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. Adjustments will follow.	11
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 accounting staff. Adjustments will follow.	11
Jun-16	Occupational Safety and Health	Worker Protection	EAs observed open electrical boxes with several exposed wires near the HR office in building 17 and in other sections of the factory.	Improve electrical maintenance.	Electrical maintenance was improved and boxes are compliant.	71

Jun-16	<b>Occupational Safety and Health</b>	Working Environment	The temperature is over the recommended limit.	Ensure workplace temperature is compliant.	Protective sheet has been added under the metal sheets and non functioning exhaust fans have been fixed.	59
Jun-16	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory has 13 toilets for men and 19 toilets for women. The factory should have 7 functioning toilets for men and 50 functioning toilets for women.	Fix not functioning toilets and add more toilets in order to be compliant with this point.	All non-functioning toilets have been fixed. However, the management maintains that it's the park management's responsibility to add more toilets.	71
Jun-16	<b>Occupational Safety and Health</b>	Welfare Facilities	Workers complained of lack of availability of soap in the restrooms. EAs observed that no soap was available in the restrooms at the time of the assessment visit.	Monitor availability of soap in restrooms and provide soap when needed.		71
Jun-16	<b>Occupational Safety and Health</b>	Welfare Facilities	EAs observed, that the capacity of the eating area was insufficient for the number of workers in the factory.	Increase the capacity of the eating area.	0	71
Jun-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	The factory has 2 nurses. However, there are no weekly doctor's visits.	Have at least 4 nurses and at least 3 doctor's visits per week.	0	71
Jun-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	Several missing fire extinguishers were observed in the plant. No proof of professional maintenance system was provided to the assessors during the visit.	Add fire extinguishers where needed. Maintain all extinguishers on a regular basis.	Fire extinguishers were added where needed.	71
Jun-16	<b>Occupational Safety and Health</b>	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, in March 21, 2015 .	Conduct at least 2 fire drills per year.	A fire drill was conducted in August 2016.	71
Jun-16	<b>Working Time</b>	Overtime	At the time of the assessment visit, management was unable to provide a proof of authorization received from the MAST to work overtime. However, a request was sent to MAST in January 2016.	Obtain authorization to work overtime from MAST.	Another request to work overtime was sent to MAST in September 2016. The factory will follow up.	11
Jun-16	<b>Working Time</b>	Regular Hours	The working hours mentioned in the attendance records do not reflect the hours actually worked.	Keep accurate working time records.		11
Jul-15	<b>Compensation</b>	Overtime Wages	Several workers from the security department have fixed salaries which do not reflect the payment of 100% above the minimum wage for overtime hours worked at night.	Ensure that overtime hours worked at night are paid 100% above the minimum wage for overtime hours worked at night.		
Jul-15	<b>Compensation</b>	Method of Payment	Several workers complained that they do not always receive the total amount of their payroll money from the supervisors on pay day.	Process money received from the bank on time to have workers' wages available on time. Ensure that their full payroll at each pay period.		
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	Employer did not forward workers' contributions to OFATMA.	Employer must collect and forward workers' contributions to OFATMA.	0	

Jul-15	<b>Compensation</b>	Social Security and Other Benefits	The factory is not affiliated with the maternity and health insurance of OFATMA.	Register to OFATMA health and maternity insurance.	OFATMA extended the deadline to register for maternity and health insurance until september 2016.	
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	Employer contribution to ONA.	Employer must forward their contributions to ONA on time. The amount should be accurate.	0	
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	Collecting and forwarding workers' contribution to ONA.	Employer must collect and forward workers' contributions to ONA on time. The amount should be accurate.	0	
Jul-15	<b>Contract and Human Resources</b>	Termination	The employer failed to consult with the unions in all the cases when a permanent or temporary suspension occurred. Furthermore, the employer did not inform the Ministry of Labor in all cases when a temporary suspension occurred.	Consult with union executive committee in such situations and include this rule in the collective bargaining agreement.		
Jul-15	<b>Occupational Safety and Health</b>	Welfare Facilities	When asked about water tests, the management presented a water test which was conducted in February 2015.	Provide a sufficient supply of potable drinking water for all workers. Identify a person in charge of ensuring that monthly checks are done.		60
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	EAs observed several first aid boxes in the workplace. However, the boxes were not adequately equipped according to the inventory list posted on them.	Keep all the first aid boxes well equipped.	Monitoring of the first aid boxes have been improved. They are also adequately equipped.	60
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	No annual medical checks have been provided to the workers this year.	Provide annual health checks at not cost for all workers.		60
Jul-15	<b>Working Time</b>	Overtime	According to the attendance records, several workers in the pressing, cleaning and inspection sections worked more than 80 hours of overtime per trimester.	Limit the amount of overtime hours worked to the legal limits.	Overtime hours were reduced in the workplace.	
Jul-15	<b>Compensation</b>	Minimum Wages/Piece Rate Wages	All workers are paid at least the minimum wage of reference for ordinary hours worked with the exception of several workers from the security department whose fixed salary does not comply with the minimum wage given the number of working hours.	Pay at least the legal minimum wage.		
Jul-15	<b>Compensation</b>	Wage Information, Use and Deduction	The time records mentioned in the payroll do not reflect hours actually worked since workers punch out and stay to complete their targets. These overtime hours are not recorded.	Ensure accuracy of payroll records.		
Jul-15	<b>Compensation</b>	Paid Leave	The factory pays sick leave. However, the payment of the sick leave is based only based on the minimum wage and not on the average earnings of the workers.	Pay sick leave based on the worker's average earnings.		6
Jul-15	<b>Compensation</b>	Paid Leave	The payment of the maternity leave is only based on the minimum wage and not on the average earnings of the workers.	Pay maternity leave based on the worker's average earnings.		6

Jul-15	<b>Occupational Safety and Health</b>	Worker Protection	EAs observed open electrical boxes with several exposed wires near the HR office in building 17 and in other sections of the factory.	Improve electrical maintenance.		60
Jul-15	<b>Occupational Safety and Health</b>	Working Environment	The temperature in the factory was found above the recommended limit.	Adjust temperature below recommended maximum of 30C.		60
Jul-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory has 13 toilets for men and 19 toilets for women. The factory should have 7 functioning toilets for men and 50 functioning toilets for women. EAs did not see any waiting lines in the toilets.	Ensure that the factory has 7 functioning toilets for men and 50 functioning toilets for women.		60
Jul-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Workers complained of lack of availability of soap in the restrooms. EAs observed that no soap was available in the restrooms at the time of the assessment visit.	Monitor availability of soap in restrooms and provide soap when needed.		60
Jul-15	<b>Occupational Safety and Health</b>	Welfare Facilities	EAs observed, that the capacity of the eating area was insufficient for the number of workers in the factory.	Increase capacity of the eating area.		60
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	The factory has 2 nurses. However, there are no weekly doctor's visits.	Have least 4 nurses and 3 doctors' visit per week.		60
Jul-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Several missing fire extinguishers were observed in the plant. No proof of professional maintenance system was provided to the assessors during the visit.	Add fire extinguishers where needed and ensure regular maintenance.		60
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Unlabeled chemicals and hazardous substances.	Ensure all containers of chemicals and hazardous substances are properly labeled.		12
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No MSDS found for all chemicals and hazardous substances.	Provide MSDS for all chemicals and hazardous substances in use in the workplace.	0	12
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	The chemical storage area did not have washing facilities or cleansing materials in the event of exposure to hazardous chemicals.	Provide washing facilities for workers using chemicals in the event of contamination.	0	12
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Medical checks for workers within the first three months of hiring.	Provide medical check to all new workers.	0	60
Jul-15	<b>Occupational Safety and Health</b>	Worker Protection	No personal protective equipment available.	Provide workers appropriate personal protective equipment.	0	60
Jul-15	<b>Occupational Safety and Health</b>	Working Environment	Workplace lighting is too low.	Ensure workplace lighting is compliant in all sections.	0	48

Percentage of piece rate workers earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jun-16 95%  
Jul-15 95%

**Factory:** Modas Bu II S.A.  
**Location:** Port-au-Prince  
**Number of workers:** 900  
**Date of registration:** Aug-13  
**Date of last two Better Work assessments:** May-16 Jun-15

**Advisory and Training Services**

**19-Apr-16** Meeting with Management to follow up on the need to revamp their overdue PICC. Discussions were held regarding the FOA case of the terminated union member.  
**01-Jul-16** Grievance Mechanisms  
**23-24 Aug 2016** Participation in Collective Bargaining industry seminar  
**02-Sep-16** Meeting with management regarding issues identified in the BW assessment report. Discussion on resolution time frames Discussion on new self reporting function

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
May-16	<b>Freedom of Association and Collective Bargaining</b>	Freedom to Associate	Termination of union representatives.	Reinstate the worker. Awareness on freedom of association to be done for foreign supervisors and managers. Inform workers about the freedom of association policy.	The worker has been reinstated by the factory.	
May-16	<b>Freedom of Association and Collective Bargaining</b>	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.		17
May-16	<b>Compensation</b>	Wage Information, Use and Deduction	Time records were inconsistent with the payroll.	Keep accurate payroll records.		
May-16	<b>Compensation</b>	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 which considers the last 3 payrolls in order to get the average earning.	
May-16	<b>Compensation</b>	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 which considers the last 3 payrolls in order to get the average earning.	
May-16	<b>Contract and Human Resources</b>	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.	Update internal work rules with the actual working hours.	Talks have been initiated with the company lawyer in order to make the changes.	
May-16	<b>Contract and Human Resources</b>	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 supervisors on this topic	
May-16	<b>Occupational Safety and Health</b>	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.		29
May-16	<b>Occupational Safety and Health</b>	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 where needed.	29

May-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No washing materials were installed inside or near mechanic shop where chemicals were also found.	Add eye wash bottles where needed.	Eye wash bottles were added where needed	29
May-16	<b>Occupational Safety and Health</b>	Worker Protection	No earplugs were found in the generator room.	Provide new earplugs in generator area.	New earplugs have been provided and placed in generator area	
May-16	<b>Occupational Safety and Health</b>	Worker Protection	No evidence of training provided.	Train workers on the effective use of PPE.	0	
May-16	<b>Occupational Safety and Health</b>	Worker Protection	Electrical wires are not properly installed.	Electrical maintenance needs to be improved.	Electrical maintenance was improved in all factories	
May-16	<b>Occupational Safety and Health</b>	Working Environment	The temperature is over the recommended level in building 53.	Ensure workplace temperature is compliant in all sections.		
May-16	<b>Occupational Safety and Health</b>	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.		
May-16	<b>Occupational Safety and Health</b>	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 was implemented in order to prevent this issue from happening. Water tanks are cleaned every 2 weeks including more frequent maintenance in the filter system.	
May-16	<b>Occupational Safety and Health</b>	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		
May-16	<b>Occupational Safety and Health</b>	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.		
May-16	<b>Occupational Safety and Health</b>	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.		
May-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	During factory tour EAs found one exit locked in building 53.	Ensure that all exits remain unlocked during working hours.	All exits remain unlocked during the working time.	29
May-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	No regular fire drills were conducted in building 52.	Conduct at least 2 fire drills per year.		29
May-16	<b>Working Time</b>	Regular Hours	Working time records do not reflect the actual hours worked.	Keep accurate and detailed working time records.		
May-16	<b>Working Time</b>	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 OT hours performed to the legal limits.		
Jun-15	<b>Discrimination</b>	Gender	Termination of pregnant worker.	Reinstate worker terminated based on pregnancy. Develop and implement policies to address and prevent this issue.	The employer paid all relevant payment to the worker in question gave the worker the opportunity to return to her position developed and implemented policies to address and prevent this issue trained middle management on the new policies.	

Jun-15	<b>Freedom of Association and Collective Bargaining</b>	Freedom to Associate	Termination of union representative.	Reinstate worker terminated based on union activities. Develop and implement policies to address and prevent this issue.	Initially the management had fulfilled the requirements in the form of rehiring the worker in question and developing policies to address FOA and discrimination issues. However after being rehired as mentioned above, the worker in question was fired again in January 2016.	6
Jun-15	<b>Freedom of Association and Collective Bargaining</b>	Interference and Discrimination	Termination of union representative.	Reinstate worker terminated based on pregnancy. Develop and implement policies to address and prevent this issue.	Initially the management had fulfilled the requirements in the form of rehiring the worker in question and developing policies to address FOA and discrimination issues. However after being rehired as mentioned above, the worker in question was fired in January 2016. The management is expected to participate in a mediation regarding this case soon.	
Jun-15	<b>Compensation</b>	Minimum Wages/Piece Rate Wages	Payment of minimum wage is not accurate.	Pay minimum wage to all workers.	Management has paid all workers the difference resulting from the minimum salary increase.	
Jun-15	<b>Compensation</b>	Overtime Wages	Workers in the packing and final inspection section when working overtime do not receive payment for the extra time worked.	Install a punching system to allow for better monitoring of all hours worked including overtime hours.	This issue has been resolved as both the punching system and payroll system were installed and adjusted to ensure that all hours are recorded and paid accordingly.	
Jun-15	<b>Compensation</b>	Wage Information, Use and Deduction	Some workers in the packing and final inspection section work overtime. However, these overtime hours are not recorded nor paid.	Install a punching system to allow for better monitoring of all hours worked including overtime hours.	This issue has been resolved as both the punching system and payroll system were installed and adjusted to ensure that all hours are recorded and paid accordingly.	
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	The factory is not registered with OFATMA for the maternity and health insurance.	Register to the newly available OFATMA health and maternity insurance.	OFATMA extended the deadline to register to maternity and health insurance until September 2016.	
Jun-15	<b>Occupational Safety and Health</b>	OSH Management Systems	The factory has not performed an assessment of general occupational safety and health issues at the workplace.	Regularly conduct an assessment of general occupational safety and health issues in the workplace.	Monthly assessments are now done by the compliance officer.	
Jun-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No eye wash station was available in building 52 and the eyewash solution provided was unusable as it was open and not sterile anymore.	Install eye wash station near areas where chemicals are being used.	Eye wash stations were installed as needed	
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Workers in the spot cleaning area are wearing inadequate masks.	Ensure that PPE are provided where needed including providing the appropriate masks to workers using chemicals and hazardous substances.	The use of chemicals was reduced throughout the workplace and the workers were given the appropriate masks as needed.	

Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	The employer did not effectively train workers to use the personal protective equipment and machines properly.	Train workers on how to use PPE properly and document this training.	Regularly conduct trainings for workers on the use of PPE.	
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Electrical boxes were found without safety warnings.	Post the appropriate safety warnings.	Safety warnings were posted on the electrical boxes as needed.	
Jun-15	<b>Occupational Safety and Health</b>	Working Environment	The light level in the cutting section in building 54 is too low.	Ensure that the workplace is adequately lit in all sections.	The factory installed new lights to ensure compliance.	
Jun-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory has 10 toilets for men and 21 toilets for women. With its current workforce, the factory should have 7 functioning toilets for men and 41 functioning toilets for women.	Increase the number of toilets.		
Jun-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The last water test was done 2 months prior to the assessment. 70% of the interviewed workers were complaining of the quality of the water provided in the factory.	Test water quality on a monthly basis and post results in the workplace.	Monthly tests are conducted by the factory.	
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	During the assessment, EAs did not find any alarm system in building 54.	Install an alarm system in building 54.	The alarm system was installed in building 54.	
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	The last fire drill was conducted in September, 2014 and the one before that, in October 2013. Better Work recommends two emergency drills per year.	Conduct at least 2 fire drills per year.	Fire drills were conducted in June and November 2015.	
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	During the assessment, some phones were found being charged in the boiler room very close to the boiler.	Ensure that emergency preparedness principles are respected.	This practice has been abolished in the factory. Management now prohibits people from charging their phones near the boiler.	
Jun-15	<b>Working Time</b>	Regular Hours	Several workers from the packing and final inspection sections stated that they regularly work one hour overtime per day. However, those overtime hours are not recorded.	Record and monitor all working hours.	A punching system was installed to ensure compliance with this point.	
Jun-15	<b>Working Time</b>	Overtime	No authorization from the Ministry of Social Affairs and Labour to work overtime was provided.	Provide advance notice to MAST when planning to work overtime hours.	Advance notice is systematically provided to MAST to ensure compliance on this point.	
Jun-15	<b>Working Time</b>	Leave	The factory is not providing breastfeeding breaks to nursing women working in the factory.	Implement the breastfeeding policy and provide the required breastfeeding break to eligible workers.	The breastfeeding policy has been implemented and the workers are provided with the required break.	
Jun-15	<b>Working Time</b>	Overtime	No authorization has been obtained from the Ministry of Social Affairs and Labour to work on Sunday.	Follow-up with the Department of Labor to obtain the authorization (the notice of reception is not an authorization).	The factory requested authorization for OT work.	
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	Employer did not forward workers' contributions to OFATMA.	Employer must collect and forward workers' contributions to OFATMA.	0	
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	The factory did not pay its contribution for the work related accident insurance to OFATMA.	Pay OFATMA for the work related accident insurance.	The factory paid its contribution for the work related accident insurance to OFATMA.	



Jun-15	<b>Occupational Safety and Health</b>	Working Environment	The temperature is over the recommended level.	Ensure workplace temperature is compliant in all sections.		
Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Onsite facilities and medical staff is insufficient.	Hire additional nurses and ensure that a doctor's visit at the factory 3 times a week.	The factory hired a doctor.	

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jun-15	59%
May-16	61%

**Factory:** PACIFIC SPORTS HAITI S.A.  
**Location:** Port-au-Prince  
**Number of workers:** 1619  
**Date of registration:** Nov-09  
**Date of last two Better Work assessments:** Jun-16 Jul-15

**Advisory and Training Services**

**29-Jan-16** Meeting with Compliance manager regarding latest compliance progress made and need to better structure the PICC2. Factory tour  
**18-Feb-16** Meeting with the chair of the PICC to plan for the next meeting. Review of all pending non compliances and progress made. Factory tour  
**19-Feb-16** PICC meeting on management/ workers' rights and responsibilities  
**02-Mar-16** PICC meeting with the compliance manager to discuss several points of non compliance.  
**26-Apr-16** PICC Meeting on the following points: Payroll system updates; Ventilation to be improved; Cleaning.  
**26-May-16** PICC meeting on the payroll and OSH issues  
**21-Jun-16** PICC meeting on 5 reinstated union members  
**24-Jun-16** Participation in Grievance Mechanism training  
**01-Jul-16** Meeting with compliance officer to discuss pending points, the improvement process and the link with the PICC process  
 Participation in Grievance Mechanism training  
**19-Jul-16** Management Intro meeting Review of all non compliance points and agreement on next PICC dateFactory tour  
**29-Jul-16** PICC meeting on point in latest BW report  
**03-Aug-16** Discussion on the last BW report. Group discussion on remediation of non-compliance issues.  
**18-Aug-16** Participation in Collective Bargaining seminar  
**23-Aug-16** Participation in Collective Bargaining seminar  
**30-Aug-16** Discussion on Human resources management systems including improvement on current disciplinary practices.

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Jun-16	Compensation	Wage Information, Use and Deduction	Inaccurate payroll .	Use a consistent system for all buildings and ensure that information is the same on all records.	Adjustments were made during the last payroll in order to ensure that records match. Verification will be made following the latest payroll.	
Jun-16	Compensation	Social Security and Other Benefits	Employer payment for ONA is not accurate.	Ensure on time and accurate payment of ONA.	Changes will be made in the payrolls to be paid in October 2016. Several meetings were held to inform the workforce of this change.	
Jun-16	Compensation	Social Security and Other Benefits	Calculation of workers' contribution for ONA is not accurate.	Ensure on time and accurate payment of ONA. Collect and forward workers' contributions to ONA	Changes will be made in the payrolls to be paid in October 2016. Several meetings were held to inform the workforce of this change.	
Jun-16	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled chemical container.	Identify all secondary chemicals containers in the workplace	All secondary chemicals containers in the workplace are now labeled.	17
Jun-16	Occupational Safety and Health	Working Environment	Insufficient light levels.	Ensure that light levels are compliant in all sections	New installation was made in buildings 7 and 27.	59
Jun-16	Compensation	Paid Leave	The payment for sick leave is based on the minimum wage and not on the workers' average daily earnings.	Ensure compliance with article 148	Several meetings were held with the HR and accounting staff in regards to this issue. Updates are currently being made to the payroll system.	

Jun-16	<b>Compensation</b>	Paid Leave	The payment for maternity leave is based on the minimum wage and not on the workers' average daily earnings.	Ensure compliance with article 148	Several meetings were held with the HR and accounting staff in regards to this issue. Updates are currently being made to the payroll system.	
Jun-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	The factory did not provide an inventory of chemical and hazardous substances used in the workplace to the EAs.	Keep 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.	17
Jun-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Eye wash station in the spot cleaning area in building 15 is not working.	Ensure that all eye wash stations are functioning.	The relevant eye wash station was fixed and is working correctly.	17
Jun-16	<b>Occupational Safety and Health</b>	Worker Protection	One main electrical box was found open on the floor of building 8.	Ensure that all electrical boxes are properly safe guarded.	Electrical maintenance was improved and the necessary correction was made.	
Jun-16	<b>Occupational Safety and Health</b>	Worker Protection	Several electrical boxes found without safety warnings, in the generator room in building 15.	Ensure that safety warnings are posted where needed.	Safety warnings are posted where needed.	
Jun-16	<b>Occupational Safety and Health</b>	Working Environment	Inadequate temperature in several buildings.	Ensure that temperature does not exceed 30 degrees in the workplace.	Management is currently testing a sprinkler system on top of metal sheets.	59
Jun-16	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Ensure that number of toilet is compliant with the legal requirements.	An additional 11 toilets were added for females workers.	71
Jun-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient number of onsite medical staff.	Ensure that the number of nurses is compliant with the legal requirement.	The management is currently recruiting 2 additional nurses.	23
Jun-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	Obstructed fire extinguishers noted.	Ensure that all fire extinguishers are not obstructed and with the proper tags.	All fire extinguishers have the necessary tags and are freely accessible.	29
Jun-16	<b>Working Time</b>	Overtime	No proof of authorization from MAST for overtime hours.	Request authorization from MAST prior to working OT hours.	Authorization was requested from MAST for overtime hours.	23
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No MSDS posted.	Post all MSDS of chemicals used as needed.	All MSDS of chemicals have been posted.	6
Jul-15	<b>Working Time</b>	Overtime	The number of overtime hours worked exceeds the legal limits.	Monitor and limit overtime hours to 80 hours per trimester.	Overtime hours are monitored and do not exceed 80 hours per trimester.	12
Jul-15	<b>Compensation</b>	Overtime Wages	Payment for ordinary overtime.	Pay workers at least 150% of their normal wage for all ordinary overtime hours worked. Discuss this issue with the GM and explain the overtime calculations to workers.	The payroll systems were updated in order to ensure compliance with this point.	6
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	Employer contribution to ONA is based on the minimum wage	Ensure that the employer contribution represent 6 percent of the workers average salary to ONA, as requested by the labor code.		
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	Workers' contributions for social insurance funds to ONA is based on minimum wage.	Ensure to collect and forward the accurate amount of the workers' contribution to ONA.		
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	Employer contribution to OFATMA for maternity and health insurance	Ensure the factory is registered with OFATMA for the maternity and health insurance.		
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	Forwarding of workers' contributions to OFATMA.	Collect and forward workers' contributions to OFATMA.		
Jul-15	<b>Compensation</b>	Wage Information, Use and Deduction	Inaccurate payroll.	Ensure that information in payroll is accurate.		

Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Unlabeled chemical container.	Ensure chemical containers are labeled.	All chemical containers are labeled.	6
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient onsite medical staff .	Have a permanent onsite medical service, with at least 8 nurses.		12
Jul-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient numbers of toilets.	Ensure the number of toilets is in line with the requirements of the law.	The number of toilets is in line with the requirements of the law.	60
Jul-15	<b>Occupational Safety and Health</b>	Working Environment	In several buildings the temperature is higher than 30 degree celcius.	Ensure the temperature does not exceed the recommended limits.		48
Jul-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Obstructed fire extinguishers.	Ensure that firefighting equipment is accessible.		18
Jul-15	<b>Occupational Safety and Health</b>	Working Environment	Lighting levels	Ensure that lighting levels are in line with Better Work recommendations		48

Percentage of piece rate workers earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jun-16	61%
Jul-15	84%

**Factory:** Palm Apparel S.A.  
**Location:** Port-au-Prince  
**Number of workers:** 1578  
**Date of registration:** Nov-09  
**Date of last two Better Work assessments:** Jul-16 Aug-15

**Advisory and Training Services**

**12-Feb-16** Meeting with management to

**18-Feb-16** Negotiation skills Training

**26-Feb-16** Meeting on progress made by the factory during the advisory cycle. Update of improvement plan.

**02-Mar-16** PICC meeting on self diagnosis/pending progress report and pending non-compliance issues in the factory.

**08-Apr-16** Factory Tour. Meeting with

**19-Aug-16** Management Meeting. Discussion on PICC and self reporting process. Discussion of MAST visit.

**01-Sep-16** Discussions on progress made on discussions between management and worker representatives. Discussion on the IR issues and remediation plan. Discussion on training plan.

**07-Sep-16** Industrial Relations Training

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Jul-16	<b>Working Time</b>	Overtime	Excessive overtime hours.	Limit overtime hours to a maximum of 80 for a 3 month period.	Management is looking at ways to limit overtime hours.	10
Jul-16	<b>Working Time</b>	Overtime	No proof of authorization to work on Sunday received from the MAST.	Request authorization from MAST when necessary.	Authorization has been requested from MAST.	10
Jul-16	<b>Working Time</b>	Overtime	No proof of authorization to work overtime received from the MAST.	Request authorization from MAST when necessary.	Authorization has been requested from MAST.	10
Jul-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient onsite medical staff.	Increase number of onsite medical staff.		70
Jul-16	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Increase number of toilets.		70
Jul-16	<b>Occupational Safety and Health</b>	Working Environment	Workplace temperature.	Ensure workplace temperature is under the recommended limit.		34
Jul-16	<b>Occupational Safety and Health</b>	Working Environment	Workplace lighting.	Increase lux levels in the workplace.		34
Jul-16	<b>Compensation</b>	Social Security and Other Benefits	ONA deductions do not systematically meet the legal requirement.	Regularly pay ONA and comply with legal requirements.	The management has initiated talks with local ONA office for better understanding of legal requirements.	16
Jul-16	<b>Contract and Human Resources</b>	Dialogue, Discipline and Disputes	Procedures for termination are not properly followed.	Follow MAST recommendation and discuss next steps with union leader.	The employer reinstated the workers who have been terminated according to MAST recommendation.	10
Jul-16	<b>Occupational Safety and Health</b>	Worker Protection	Workers in one the spot cleaning area were not provided with the appropriate masks.	Provide adequate mask to workers in the spot cleaning area.	Management provided adequate masks to workers in the spot cleaning section.	10
Jul-16	<b>Occupational Safety and Health</b>	Welfare Facilities	No soap was available in the toilets at the time of the visit.	Increase supply of soap.	The management increased the supply of soap with better control on use.	70
Jul-16	<b>Occupational Safety and Health</b>	Welfare Facilities	The quantity of the water is not sufficient at the factory.	Increase the supply of water.	The management has increased the supply of water.	70
Jul-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	Locked exit noted.	Add security near the gate but ensure that gate remains open at all times.	A security guard was added in order to keep the gate open.	10

Jul-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	Safeguarding sources of ignition.	Limit electrical hazards.	Actions were taken to limit the electrical hazards.	10
Aug-15	<b>Compensation</b>	Overtime Wages	EAs found that overtime hours worked on legally mandated holidays were not paid 100% above normal wage.	Adjust current payroll system in order to ensure compliance with this point.	The adjustment was made.	
Aug-15	<b>Compensation</b>	Paid Leave	EAs found that payment for sick leave was made on the basis of minimum wage as opposed to average salary as instructed by law.	Payment for sick leave should be based on the average earnings of the worker. Make the necessary adjustment in the payroll system for compliance.	The adjustment was made.	
Aug-15	<b>Compensation</b>	Paid Leave	EAs found that payment for maternity leave was made on the basis of minimum wage as opposed to average salary as instructed by law.	Payment for maternity leave should be based on the average earnings of the worker. Make the necessary adjustment in the payroll system for compliance.	The adjustment was made. The factory is in compliance for this point	
Aug-15	<b>Compensation</b>	Social Security and Other Benefits	EAs found that the factory had not registered to OFATMA for maternity and health insurance.	The factory needs to register to OFATMA health and maternity insurance.	OFATMA extended the deadline to register to the maternity and health insurance until september 2016.	6
Aug-15	<b>Compensation</b>	Social Security and Other Benefits	EAs found that the factory had not registered to OFATMA for maternity and health insurance.	Register to OFATMA health and maternity insurance.	OFATMA extended the deadline to register to the maternity and health insurance until september 2016.	6
Aug-15	<b>Occupational Safety and Health</b>	Worker Protection	Workers in the spot cleaning area were not provided with the appropriate masks to protect against vapors of chemicals in use.	Appropriate masks need to be provided to workers in the spot cleaning area.		
Aug-15	<b>Occupational Safety and Health</b>	Working Environment	Insufficient light levels.	Floor 1&2 are in need of an upgrade in their lighting systems in order to comply with the recommended limit.		24
Aug-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Workers said that they do not receive any medical checks within the first three months of being hired.	Ensure that newly hired workers are check in a systemic way.	The factory implemented a system that requires newly hired workers to receive medical check at the factory's medical facility.	60
Aug-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient onsite medical staff.	Increase number of nurses from 4 to 7. Also, at least 3 doctor visits are needed per week.	3 weekly doctor visits are provided by the factory	60
Aug-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Increase number of toilets.		60
Aug-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient eating area	Increase eating area capacity.		60
Aug-15	<b>Occupational Safety and Health</b>	Working Environment	Workplace temperature is too high.	Ensure that the temperature level is below the recommended limits.		24

Percentage of piece rate workers earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Sep-16	91%
Jul-15	91%

**Factory:** Premium Apparel S.A.  
**Location:** Port-au-Prince  
**Number of workers:** 1998  
**Date of registration:** Oct-09  
**Date of last two Better Work assessments:** Oct-15 Oct-14

**Advisory and Training Services**

**18-Feb-16** PICC Meeting to discuss  
**01-Jul-16** Grievance Mechanisms Training  
**20-Aug-16** Participation in Collective Bargaining industry seminar  
**23-Aug-16** PICC Meeting to discuss the last OSH self assessment results.

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Oct-15	<b>Working Time</b>	Overtime	The employer did not request authorization from MAST before working overtime.	Request authorization from MAST before working overtime.		
Oct-15	<b>Working Time</b>	Overtime	Workers from sewing, packing, inspection and stock sections worked more than 80 hours of overtime during that trimester.	Ensure that overtime hours do not exceed 80 hours per trimester.		
Oct-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Several aisles, escape routes in both buildings were obstructed with boxes and other materials.	Keep all the aisles and escape routes cleared.		
Oct-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Annual medical checks are not systematically arranged for all workers.	Provide annual medical checks for workers.		54
Oct-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient onsite medical staff.	Hire additional medical staff in accordance with the legal requirements.		54
Oct-15	<b>Occupational Safety and Health</b>	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.		54
Oct-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	No medical checks are provided for the workers within the first three months of hiring.	Provide medical checks for workers within the first three months of hiring.		54
Oct-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The eating area for the second building is insufficient to accommodate all the workers.	Add more seats in the eating area for the second building.		6
Oct-15	<b>Occupational Safety and Health</b>	Welfare Facilities	At the time of the assessment, there was no soap available in the toilets on the second floor.	Ensure that soap is available in the toilets.		
Oct-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets.		
Oct-15	<b>Occupational Safety and Health</b>	Working Environment	Light level is below the recommended limit in quality section (uilding 1).	Ensure that the light level is compliant with the recommended limits.		6
Oct-15	<b>Occupational Safety and Health</b>	Working Environment	Temperature level is over the recommended limits in several sections.	Ensure that the temperature level is under the recommended limits.		
Oct-15	<b>Compensation</b>	Social Security and Other Benefits	he 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	<b>Compensation</b>	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	<b>Compensation</b>	Paid Leave	The factory pays maternity leave based on the minimum wage and not on the average salary of the workers.	Ensure that the payment for maternity leave is based on the average salary for production rate workers.		
Oct-15	<b>Compensation</b>	Paid Leave	The factory pays sick leave based on the minimum wage and not on the average salary of the workers.	Ensure that the payment for sick leave is based on the average salary for production rate workers.		
Oct-15	<b>Compensation</b>	Wage Information, Use and Deduction	Cash payments made for sunday work did not appear on the payroll logs.	Keep one accurate payroll records with all cash payments made including sunday work.		
Oct-14	<b>Working Time</b>	Regular Hours	Working hours are not properly recorded.	Ensure that all hours worked, including hours worked on sundays, are reported in the attendance records.		60
Oct-14	<b>Working Time</b>	Overtime	The factory exceed the legal limits for overtime hours worked.	Ensure that all workers do not work over 80 hours of overtime in a trimester as required by the law.	Overtime hours have been reduced for workers.	60
Oct-14	<b>Working Time</b>	Leave	Breastfeeding breaks are not allowed to all eligible women.	Ensure that all nursing women benefit from the breastfeeding break as required by the law.	The factory encouraged nursing women to take advantage of the breastfeeding breaks provided by the factory. The policy is now fully implemented.	60
Oct-14	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets based on the requirements of the labor code.		60
Oct-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient number of workers trained in first aid.	Ensure that at least 10% of total workers are trained in first aid.	Additional first aid training was provided to workers.	60
Oct-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	Pre-assignment and/or annual medical checks not provided for all workers.	Ensure that all workers receive a medical check within the first 3 months of hiring and/or an annual medical check.	Workers have started to receive medical check up from OFATMA. The factory has provided free medical check to part of the workers through Bernard Mevs Hospital.	60
Oct-14	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient onsite medical staff.	Increase the number of nurses and doctor's visits in the factory based on the number of workers.		60
Oct-14	<b>Contract and Human Resources</b>	Dialogue, Discipline and Disputes	Disciplinary measures are not compliant with the law.	Ensure that all disciplinary measures are aligned with the law and the internal work rules of the factory.		
Oct-14	<b>Compensation</b>	Wage Information, Use and Deduction	Payroll records do not include cash payments made for sunday work.	All payments made to workers, including for sundays work, should be include in the payroll to ensure that the factory has one accurate payroll record.	Decrease of Sundays work period. Working on the payroll system to find a way to add Sunday payments.	6
Oct-14	<b>Compensation</b>	Overtime Wages	Payment for overtime worked at night is not accurate.	Payroll system should be set up to account for hours worked after 6 PM as required by the law.	Payroll system has been reset and payment for overtime hours after 6 PM is now being paid at 100% above normal wage as required by the law.	6

Percentage of workers on an incentive scheme earning 320 (350 as of May 2016) Gourdes per 8 hours of work:

Oct-15	37%
Oct-14	24%



Factory: Sewing International S.A  
 Location: Port-au-Prince  
 Number of workers: 2090  
 Date of registration: Sep-09  
 Date of last two Better Work assessments: Apr-16 Jun-15  
 Advisory and Training Services  
**22-Mar-16** Industry seminar on risk management  
**30-Mar-16** Workers awareness training for PICC.  
**17-Aug-16** Workers awareness training for PICC.  
**19-Aug-16** Participation in Collective Bargaining industry seminar

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Apr-16	Compensation	Overtime Wages	Overtime hours worked on weekly rest days are paid at 50 percent above the normal wage instead of 100 percent.	Pay correctly for overtime worked on weekly rest days.		
Apr-16	Compensation	Paid Leave	Payment for sick leave is based on the minimum wage instead of the worker's average daily earnings.	Pay correctly for sick leave.		
Apr-16	Compensation	Paid Leave	Payment for maternity leave is based on the minimum wage instead of the worker's average daily earnings.	Pay correctly for maternity leave.		
Apr-16	Compensation	Social Security and Other Benefits	The factory is late for ONA payments. The month of January 2016 was paid in March 2016.	Ensure that ONA payment are made on time.		6
Apr-16	Compensation	Social Security and Other Benefits	The factory is late for ONA payments. The month of January 2016 was paid in March 2016.	Ensure that ONA payment are made on time.		6
Apr-16	Compensation	Social Security and Other Benefits	For the fiscal year of 2015-2016, no proof of payments to OFATMA for the work related accidents insurance was found.	Ensure OFATMA payments are made on time.		6
Apr-16	Occupational Safety and Health	Worker Protection	Several workers in the spot cleaning sections were using inappropriate masks.	Provide workers appropriate protective equipment.	The factory provided additional protective equipment.	70
Apr-16	Occupational Safety and Health	Worker Protection	Several overlock and coverstich machines in the sewing section did not have the appropriate guards (eye and/or belt guards).	Install appropriate guards on the machines.	The factory is replacing the missing guards.	70
Apr-16	Occupational Safety and Health	Working Environment	The temperature is over the recommended limits in quality, packing and sewing sections.	Ensure the temperature level is below the recommended limit in all sections.		34
Apr-16	Occupational Safety and Health	Working Environment	The light level is under the recommended limit in quality and packing sections.	Ensure that light level is over the recommended limit in quality and packing sections.		34
Apr-16	Occupational Safety and Health	Welfare Facilities	With its current workforce, the factory should have 31 functioning toilets for men and 70 functioning toilets for women.	Ensure that the factory has the required number of toilets in order to be in compliance with legal requirements.		70
Apr-16	Occupational Safety and Health	Welfare Facilities	The current eating area in the workplace can only accommodate about one fourth of the workforce.	Increase capacity of the current eating area.		70
Apr-16	Occupational Safety and Health	Health Services and First Aid	To comply with the Haitian Labor Code, the factory should have a permanent onsite medical service with at least 9 nurses and a full-time operational clinic.	Ensure that the factory has a permanent onsite medical service, with at least 9 nurses and a full-time operational clinic.	The factory provide doctors visits 3 time per week.	70

Apr-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	Only 400 workers received their annual medical check.	Provide annual health checks for all workers.		70
Apr-16	<b>Working Time</b>	Overtime	Workers in the janitor, audit and spot cleaning departments worked up to 90 hours of overtime during the 3 months period reviewed.	Reduce overtime to the limit set by law for a trimester.		
Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Medical checks for workers upon hiring.	Provide medical checks for workers upon hiring for all new workers. Define an internal procedure in relation to pre-assignment of medical checks. Provide free pre-assignment health checks for workers at no cost for the workers and assign jobs to workers after probation period based on the results of the health checks.		60
Jun-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Toilets.	Provide enough toilets for the number of workers in the factory as required by the law. Keep existing toilets clean and properly		60
Jun-15	<b>Occupational Safety and Health</b>	Working Environment	Workplace temperature.	Ensure that workplace temperature is acceptable.		24
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	Employer contribution to ONA.	Pay monthly employer contribution to ONA on time.		
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Accessible, unobstructed, and/or unlocked emergency exits during working hours, including overtime.	Conduct a root cause analysis and specify action needed on this basis. Set up a system to prevent that emergency exits, emergency buttons and fire fighting equipment are inaccessible, obstructed during working hours, including overtime. Remind supervisors about their responsibility for their area and remind workers about their responsibility to not obstruct aisle with goods or material. Raise awareness of security staff not to close		60
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	Employer contribution to OFATMA for maternity and health insurance.	Register with OFATMA maternity and health insurance. Pay employer contribution to OFATMA for maternity and health insurance.	OFATMA extended the deadline to register to the maternity and health insurance until september 2016. The factory is currently in the process to complete registration.	
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	Forwarding of workers' contributions to OFATMA.	Forward workers' contributions to OFATMA on a monthly basis.	0	
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	Collecting and forwarding workers' contributions for social insurance funds to ONA.	Collect and forward workers' contributions for social insurance funds to ONA on time.		
Jun-15	<b>Occupational Safety and Health</b>	Working Environment	The light level is under the recommended limit in some sections.	If applicable, provide more skylights in the sewing section and ensure all lights are operational. Regularly maintain lights by dusting off light sources, replacing lights at regular intervals and cleaning dirt on walls, ceilings, windows and skylights.		24

Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient onsite medical facilities and staff.	Hire additional medical staff as required by law.	The factory provide doctors visits 3 time per week.	60
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Not all workers are provided with the required personal protective clothing and equipment.	Provide workers with personal protective clothing and equipment.		60
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	The factory does not provide chairs with backrest for all workers.	Provide chairs with backrest for all workers.	The employer purchased additional chairs with backrest to replace the old ones.	60
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Installing guards on all dangerous moving parts of machines and equipment.	Install guards on all dangerous moving parts of machines and equipment.		60

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jun-15	60%
Apr-16	84%

Jun-15	<b>Occupational Safety and Health</b>	Working Environment	The light level is under the recommended limit in some sections.	If applicable, provide more skylights in the sewing section and ensure all lights are operational. Regularly maintain lights by dusting off light sources, replacing lights at regular intervals and cleaning dirt on walls, ceilings, windows and skylights.		24
Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient onsite medical facilities and staff.	Hire additional medical staff as required by law.	The factory provide doctors visits 3 time per week.	60
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Not all workers are provided with the required personal protective clothing and equipment.	Provide workers with personal protective clothing and equipment.		60
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	The factory does not provide chairs with backrest for all workers.	Provide chairs with backrest for all workers.	The employer purchased additional chairs with backrest to replace the old ones.	60
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Installing guards on all dangerous moving parts of machines and equipment.	Install guards on all dangerous moving parts of machines and equipment.		60

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jun-15	60%
Apr-16	84%

**Factory:** Quality Sewing Manufacturing S.A  
**Location:** Port-au-Prince  
**Number of workers:** 418  
**Date of registration:** Oct-09  
**Date of last two Better Work assessments:** Apr-16 Jun-15  
**Advisory and Training Services**  
**23-Mar-16** Participation in industry  
**17-Jun-16** Advisory visit to discuss the training needs and prepare the first PICC meeting.  
**25-Jun-16** PICC Meeting to discuss the goal of the committee and the way the committee members will work together.  
**18 + 29 Aug 2016** Participation in Collective Bargaining industry seminar

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Apr-16	<b>Compensation</b>	Wage Information, Use and Deduction	EAs found some discrepancy in the payrolls reviewed for the last 3 months.	Keep accurate payroll records.		52
Apr-16	<b>Compensation</b>	Paid Leave	Workers are not always paid correctly for weekly rest days.	Pay correctly for weekly rest day.		10
Apr-16	<b>Compensation</b>	Paid Leave	Payment for sick leave is based on the minimum wage instead of the worker's average daily earnings.	Pay correctly for sick leave.		10
Apr-16	<b>Compensation</b>	Paid Leave	Payment for maternity leave is based on the minimum wage instead of the worker's average daily earnings.	Pay correctly for maternity leave.		10
Apr-16	<b>Contract and Human Resources</b>	Termination	EAs observed several terminated workers' files without any notice of termination and no prior warnings.	Ensure that each terminated file has a notice of termination.		10
Apr-16	<b>Occupational Safety and Health</b>	OSH Management Systems	Management does record work-related accidents. However, they do not submit them to OFATMA on a monthly basis.	Ensure that record of work-related accident are sent to OFATMA on a monthly basis.		40
Apr-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	The management provided a chemical inventory that dates back to April 2015. They were unable to produce any up to date information regarding their inventory of chemicals.	Ensure that chemical inventory is up to date.		64
Apr-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	During the factory tour, EAs observed several containers of substances (hexane, machine oil) that were missing labels.	Ensure all containers of chemicals and hazardous substances are properly labeled.		64
Apr-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	There was no MSDS available in all the other spot cleaning areas where hexane is also used.	Provide MSDS in all the other spot cleaning areas where hexane is also used.		64
Apr-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	EAs did not observe any eye wash station and cleansing materials near the spot cleaning areas with the exception of one sink near the office door.	Install eye wash station and cleansing materials near the spot cleaning and the chemical storage area.		64
Apr-16	<b>Occupational Safety and Health</b>	Worker Protection	No PPE were observed in the different spot cleaning sections where chemicals are used.	Provide personal protective clothing and equipment to workers.		70
Apr-16	<b>Occupational Safety and Health</b>	Worker Protection	One worker in the washing department was sitting on the floor to perform her duties.	Ensure that the factory is compliant with ergonomic requirements.		70

Apr-16	<b>Occupational Safety and Health</b>	Worker Protection	Machines of all types were missing belt and pulley guards. Also bartack machines were missing eye guards.	Install appropriate guards on the machines.		
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Apr-16	<b>Occupational Safety and Health</b>	Working Environment	Light levels were under the recommended limits in several sections.	Ensure that light level is compliant in all sections.		34
Apr-16	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory does not have the required number of toilets.	Increase the number of toilets according to the legal requirements.		70
Apr-16	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory has an eating area that only accommodates 20 percent of its workforce at once.	Increase capacity of the current eating area.		70
Apr-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	The factory had only 1 nurse and no weekly doctor's visits had been arranged for its workforce of 418 workers.	Ensure that the factory has at least 2 nurses and 3 doctor's visits per week.		70
Apr-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	EAs noticed one empty first aid box and another one poorly equipped.	Provide sufficient, readily accessible first aid boxes.		70
Apr-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	Interviews with both management and workers confirmed that no medical checks have been provided so far in 2016 by OFATMA and not all workers were checked in 2015.	Provide medical checked to all workers.		70
Apr-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	During the factory tour, EAs observed one non-functioning fire extinguisher near the chemical storage area. Also all the fire extinguishers in the cutting building did not have any identification.	Ensure that all the fire extinguishers are identified and functioning.		70
Apr-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	During the factory tour, EAs did not observe any evacuation plan in both the main building and the cutting building.	Install an evacuation plan in the main building and the cutting building.		70
Apr-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	During the factory tour, EAs observed that one exit and some aisles were obstructed due to loading activities.	Ensure that all aisles and exits remain unobstructed.		70
Apr-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	The last fire drill was conducted in July 2015 and the one before that in May 2014.	Ensure that two emergency drills are conducted per year.		70
Apr-16	<b>Working Time</b>	Regular Hours	Several workers explained that they often continue to work beyond the time posted in their time cards.	Ensure that the attendance records is accurate.		16
Apr-16	<b>Working Time</b>	Overtime	EAs observed that workers in the packing, dry and cleaning sections worked over 80 hours of overtime in a 3 months period.	Reduce overtime to the limit set by law for a trimester.		70
Apr-16	<b>Working Time</b>	Overtime	Review of documents revealed that the last request for authorization in regards to overtime work was sent to MAST in June 2015. The factory could not provide any up to date document.	Request authorization from the Department of Labour for overtime.		70
Apr-16	<b>Working Time</b>	Leave	Several interviewed women explained that they were not given the opportunity to take advantage of the breastfeeding break because they were never informed by management.	Inform workers of the breastfeeding break policy.		10
Jun-15	<b>Compensation</b>	Minimum Wages/Piece Rate Wages	Security guards fixed salary is not compliant with the minimum wage law.	Adjust the salary of the security guards to ensure that they are paid at least the legal minimum wage.		6
Jun-15	<b>Compensation</b>	Premium pay	Payment for ordinary overtime is not accurate for security guards.	Ensure that payment for ordinary overtime is accurate for security guards.	0	

Jun-15	<b>Compensation</b>	Paid Leave	The payroll review showed that the security guards are not paid correctly for the weekly rest day.	Adjust the payroll system to ensure that the security guards are correctly paid for the weekly rest day.		
Jun-15	<b>Compensation</b>	Social Security and Other Benefits	The factory is not affiliated with OFATMA's maternity and Health insurance.	Register with OFATMA for maternity and Health insurance and pay the legally required contributions to OFATMA on a monthly basis.	OFATMA extended the deadline to register to the maternity and health insurance until September 2016.	
Jun-15	<b>Compensation</b>	Wage Information, Use and Deduction	The employer made unauthorized deductions from workers wages.	Adjust the payroll system to ensure that employment contracts are compliant with the labor code and/or internal work rules.		42
Jun-15	<b>Compensation</b>	Wage Information, Use and Deduction	Payroll records are not accurate.	Keep accurate payroll records.		42
Jun-15	<b>Contract and Human Resources</b>	Employment Contracts	Employment contracts are not compliant with the labor code and/or internal work rules.	Ensure that employment contracts are compliant with the labor code and/or internal work rules.	Employment contracts are compliant with the labor code and/or internal work rules.	6
Jun-15	<b>Occupational Safety and Health</b>	OSH Management Systems	At the time of the assessment, the factory did not have a functioning OSH committee.	Set up an OSH committee and develop a work plan for the OSH committee. Let members attend OSH training as needed and keep minutes of any committee meetings.	The factory established a PICC that will also oversee OSH issues.	30
Jun-15	<b>Occupational Safety and Health</b>	OSH Management Systems	The factory does not perform regular assessments of general occupational safety and health issues in the factory.	Perform regular assessments of general occupational safety and health issues in the factory.	The factory established a PICC that will be responsible to perform regular assessments of general occupational safety and health issues in the factory.	30
Jun-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	During the factory tour, EAs did not observe any cleansing materials near the spot cleaning areas.	Provide eye wash bottles and cleansing materials. Assign responsibility to regularly monitor availability of cleansing materials and eye wash station.		54
Jun-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	During the factory tour, EAs observed several containers of unlabelled substances.	Ensure all containers of chemicals and hazardous substances are properly labeled.		54
Jun-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	There were no MSDS available in all areas where chemicals are used.	Provide MSDS for all chemicals and hazardous substances used in the workplace.		54
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	EAs observed that workers using the heat machine do not have gloves in order to prevent them from getting burned.	Define staff in charge of providing and renewing the PPEs. Provide employees with all necessary personal protective clothing and equipment according to PPE regulation. Train workers on the proper use of PPE and post signs to remind workers about the PPE obligations.		60
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Machines of all types were missing belt and pulley guards. Also bartack machines were missing eye guards.	Install appropriate guards on the machines.		60
Jun-15	<b>Occupational Safety and Health</b>	Worker Protection	Not all electrical wires, switches and/or plugs are properly maintained.	Ensure that all electrical wires, switches and/or plugs are properly maintained.		60



Jun-15	<b>Occupational Safety and Health</b>	Working Environment	The light level is under the recommended limit in the quality and cutting section.	Install more skylights throughout the factory and ensure all lights are operational. Regularly maintain lights by dusting off light sources, replacing lights at regular intervals and cleaning dirt on walls, ceilings, windows and skylights.		24
Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	The factory did not provide first aid training to workers.	Provide a basic first aid training for 10% of workers and perform regular check to ensure that 10% of the workforce is always trained in administrating first aid when needed.		60
Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	The factory has only 1 nurse and no weekly doctor's visits had been arranged for its workforce of 418 workers.	Ensure that the factory have at least 2 nurses and 3 doctor's visits per week.		60
Jun-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Interviews with both management and workers confirmed that not all workers were checked by OFTAMA in 2015.	Provide medical checked to all workers.		60
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	During the factory tour, EAs observed two empty fire extinguishers near the chemical storage area.	Ensure regular maintenance of fire fighting equipment		60
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	The factory did not provide fire-fighting training to workers.	Train fire-fighting team and conduct regular checks to make sure that at least 10% of the workforce is properly trained in fire-fighting.		60
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	The last fire drill was conducted in May 2014 and the one before that in December 2013. Better Work recommends two emergency drills per year.	Conduct at least two emergency drills per calendar year preferably at least once with a third-party such as the fire police. Document those drills and their results.		60
Jun-15	<b>Working Time</b>	Regular Hours	The time records do not reflect the hours actually worked .	Have an accurate attendance recording system and one single time record. The system should indicate the accumulated overtime over course of the week, month and year.		6
Jun-15	<b>Working Time</b>	Overtime	EAs observed that workers in the packing, dry and jobbers sections worked over 90 hours of overtime in a 3 months period.	Have a time recording system, which indicates the accumulated overtime per week and per year. Conduct an analysis of the internal causes to excessive overtime, identify 1-2 main causes and develop action on this basis. Reduce overtime to the trimester limit set by law (not more than 80 hours per trimester). Informworkers in advance about the production schedule.		60

Jun-15	<b>Working Time</b>	Overtime	The factory requested authorization to work overtime Monday through Friday. However, overtime is regularly performed on Saturdays according to both management and workers.	Request authorization for overtime from the Department of Labour (which includes the number of hours required). Follow-up with the Department of Labour to obtain the authorization.		60
Jun-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory does not have the required number of toilets.	Increase the number of toilets according to the legal requirements.		60
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	During the factory tour, EAs did not observe any evacuation plan in both the main building and the cutting building.	Install an evacuation plan in the main building and the cutting building.		60
Jun-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	The factory does not have adequate fire detection and alarm system.	Install adequate fire detection and alarm system.		60

Percentage of piece rate workers earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Apr-16 43%

Jun-15 n/a

**Factory:** S&H Global S.A  
**Location:** Caracol  
**Number of workers:** 8045  
**Date of registration:** Jun-12  
**Date of last two Better Work assessments:** Jul-16 Jun-15

**Advisory and Training Services**

**03-Apr-16** Workers' Rights & Responsibilities  
**07-Apr-16** Financial Literacy Workers' Training  
**08-Apr-16** Workplace communication training  
**01-Jul-16** Grievance Mechanisms  
 Communication in the  
**16-Jul-16** Workplace Training  
**26-Jul-16** Meeting with management to clarify questions on latest Better Work assessment. Introduction session for new management members on compliance and the Better Work process. Factory tour of new building.  
**27-Jul-16** Communication in the Workplace Training  
**28-Jul-16** Meeting with OSH committee in order to discuss the OSH non-compliance points in the latest assessment including group work on possible solutions. Factory tour of a new building.  
**28-Jul-16** PICC meeting on points in the latest BW assessment and group work on solutions. Closing meeting with top management  
**31-Jul-16** Communication in the Workplace Training  
 Communication in the  
**03-Aug** Workplace Training  
 Financial Literacy Workers'  
**04-Aug** Training  
**07-Sep** Factory tour. Discussion with HR team on compliance points yet to be improved. Planning with the Compliance team for next PICC meetings.

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Jul-16	<b>Compensation</b>	Paid Leave	The payments for legally mandated holidays for workers entitled to incentive payments is based on the minimum wage of reference and not on the average earnings as required by the law.	Payments for legally mandated holidays for workers should be based on average earnings as required by the law.		12
Jul-16	<b>Compensation</b>	Paid Leave	The payments of weekly rest days for workers entitled to incentives payment is based on the minimum wage of reference and not on the average earnings as required by the law.	Payments for weekly rest days for workers should be based on average earnings as required by the law.		12
Jul-16	<b>Compensation</b>	Social Security and Other Benefits	The payment of ONA for workers entitled to incentives payments is based on minimum wage of reference and not on the average earnings as required by the law.	Base ONA payments on average earnings.	Talks have been initiated with company legal advisor.	12
Jul-16	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Several containers with unidentified products were found with no labels.	Implement new measure in order to make production supervisor aware of compliance needs. Monitor use of chemicals in the workplace. Assign responsibility to a person for management of chemicals and hazardous substances.		24

Jul-16	<b>Occupational Safety and Health</b>	Worker Protection	EA observed an electrical box not identified and with exposed wire.	Ensure the electrical wires, switches and plugs are properly installed, grounded, and maintained.	Electrical maintenance have been improved and all electrical boxes have the necessary warning signs	12
Jul-16	<b>Occupational Safety and Health</b>	Welfare Facilities	In the new modules 3 and 4. 53 percent of the toilets are not functioning. Waiting lines in the toilets	Ensure the workplace have adequate accessible toilets.	The park management has started to address this issue in modules 3 and 4. More restrooms have been added following the opening of the new building.	12
Jul-16	<b>Occupational Safety and Health</b>	Welfare Facilities	Unavailability of soap in the restrooms.	Ensure the workplace has adequate hand washing facilities and adequate soap.	Soap has been made available in all restrooms	12
Jul-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	Obstructed aisles in the stock room in module 2.	Ensure the emergency exits are accessible, unobstructed and unlocked during working hours, including overtime.	All aisles are clear.	12
Jul-16	<b>Working Time</b>	Overtime	The office drivers and maids working at the employer accommodation worked up to 426 overtime hours per trimester.	Comply with limits on overtime hours worked.	A new system is being implemented for drivers and maids.	12
Jul-16	<b>Compensation</b>	Paid Leave	Sick leave payments for workers entitled to incentives payments is based on the minimum wage of reference and not on the average earnings as required by the law.	Pay workers correctly during sick leave, in accordance with legal requirements.		12
Jul-16	<b>Compensation</b>	Paid Leave	Maternity leave payments for workers entitled to incentives payments is based on the minimum wage of reference and not on the average earnings as required by the law.	Pay workers correctly for maternity leave, in accordance with legal requirements.		12
Jul-16	<b>Occupational Safety and Health</b>	Worker Protection	The majority of workers in the pressing section were not using the protective earring devices provided by the factory.	Give more effective trainings to all the supervisors and employees to encourage workers to use theprotective earring devices at all times.		12
Jul-16	<b>Occupational Safety and Health</b>	Working Environment	Noise levels in quality and pressing areas were particularly high.	Ensure noise levels are acceptable. Provide plugs to all workers in those areas and ensure that they are really used.		30

Jul-15	<b>Discrimination</b>	Gender	2 cases of sexual harassment were found in Plant 4.	Develop a policy on sexual harassment and communicate it to workers and management staff. Train both workers and management staff in order to prevent sexual harassment.	Trainings are organized to spread awareness among both worker and management level. In addition, posters were posted in all buildings to highlight how to report this type of abuse. The factory also installed more cameras in the office areas inside the factory in order to get clear evidence of any related issues and to prevent such incidents.	
Jul-15	<b>Compensation</b>	Paid Leave	Sick leave payment for production workers is based on minimum wage of reference and not on the average earnings as required by the law.	Payments for sick leave for workers should be based on average earnings as required by the law.		
Jul-15	<b>Compensation</b>	Paid Leave	Maternity leave payment for production workers is based on minimum wage of reference and not on the average earnings as required by the law.	Payments for maternity leave for workers should be based on average earnings as required by the law.		
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	The factory has not yet subscribed its workers to the maternity and health insurance of OFATMA.	Register with OFATMA for maternity and health insurance. Pay the legally required contributions to OFATMA on a monthly basis.	OFATMA extended the deadline to register to the maternity and health insurance until September 2016.	
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	The factory has not yet subscribed its workers to the maternity and health insurance to OFATMA	Register with OFATMA for maternity and health insurance. Pay the legally required contributions to OFATMA on a monthly basis.	OFATMA extended the deadline to register to the maternity and health insurance until September 2016.	
Jul-15	<b>Contract and Human Resources</b>	Termination	Notice period payments for production workers are done based on the minimum wage of reference and not on average daily earnings as required by the law.	Ensure calculations for the notice period payments are based on average earnings.	The relevant systems have been updated to reflect this change.	
Jul-15	<b>Contract and Human Resources</b>	Termination	Incentive payment was not included in the total earnings for the calculation of annual leave compensation. Furthermore, workers who had worked 1 month or less in Plant 4, had not received compensation for annual leave earned during their employment.	Ensure calculations for annual leave in compliance with legal requirements.	A system was put in place to ensure compliance for this point. All earnings are considered in the calculation of annual leave for all buildings.	
Jul-15	<b>Contract and Human Resources</b>	Termination	For at least 3 workers, the incentive payment was not included in the total earnings for the calculation of bonus pay. Furthermore, workers who had worked 1 month or less in Plant 4 had not received payment for bonus earned during their employment.	Ensure calculations for bonus pay in compliance with legal requirements.	A system was put in place to ensure compliance for this point. All earnings are considered in the calculation of bonus for all buildings.	
Jul-15	<b>Contract and Human Resources</b>	Dialogue, Discipline and Disputes	Unacceptable behavior of some supervisors towards the workers in plant 1 and plant 4. Abusive language of manager towards the supervisors.	Train supervisors and managers on communication in the workplace.	Several trainings were organized internally to spread awareness at both worker and management level. In addition posters were posted in all buildings to highlight how to report this type of abuse.	

Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	At least two workers were seen using thinner without protection or cleansing materials nearby to rinse off if needed.	Provide adequate washing facilities to workers exposed to chemical hazards.	The use of chemical products is limited in the workplace and controlled by management through thorough and frequent internal audits.	12
Jul-15	<b>Occupational Safety and Health</b>	Worker Protection	The workers in the incinerator chambers were not provided with appropriate anti heat and fire clothing.	Provide PPE to all workers.	Weekly trainings for supervisors with regards to the use of PPE have been organized. New procedures have been implemented regarding the PPE use.	
Jul-15	<b>Occupational Safety and Health</b>	Working Environment	The temperature levels is unsatisfactory.	Limit temperature to a maximum of 30 degrees.	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 and non-functioning equipment in the cooling system are being repaired.	18
Jul-15	<b>Occupational Safety and Health</b>	Working Environment	Noise levels in quality and pressing areas were too high.	Limit noise levels to a maximum of 90db.		18
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	No annual medical checks are arranged for workers annually.	Provide annual medical checks to workers.	All factories are participating in the medical check-up of all the employees who have been working over 1 year. An agreement was reached with a local hospital in order to systematically provide medical checks to workers.	30
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	No periodic and systematic medical checks were arranged for workers who are exposed to work related hazards due to chemical use.	Provide periodic medical checks to workers who are exposed to work related hazards due to chemical use.	All factories are participating in the medical check-up of all the employees who have been working over 1 year. An agreement was reached with a local hospital in order to systematically provide medical checks to workers.	30
Jul-15	<b>Working Time</b>	Overtime	In two sections, workers had completed more than 80 hours of overtime during that trimester.	Monitor and limit OT hours to a maximum of 80 hours per trimester.	OT hours are limited to a maximum of 80 hours per trimester. Compliance team strictly monitors the factories every month not to exceed overtime working hours.	
Jul-15	<b>Working Time</b>	Overtime	No valid prior authorization from the Ministry of Labor for performing overtime hours.	Request authorization from MAST in advance prior to working OT hours.	Advance authorization is requested from MAST periodically. The factory reports to MAST its overtime working hours and receives an approval periodically. The factory will keep reporting overtime schedule to MAST regularly every 3 month.	

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jul-16	41%
Jul-15	13%

**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 assessments:** Jun-16 Jul-15

**Advisory and Training Services**

**23-Jun-16** Meeting with the compliance team and the HR managers to review compensation issues, HR issues and training needs for supervisors.

**01-Jul-16** Grievance Mechanism Training

**19-Aug-16** Meeting with the compliance team to review the improvement made since the last assessment. Introduction to the new portal features. Factory tour.

**23-Aug-16** Participation in Collective Bargaining industry seminar

**03-Sep-16** PICC Training

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Jun-16	<b>Compensation</b>	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.	The factory is reviewing its payroll system in order to comply with this requirement.	11
Jun-16	<b>Compensation</b>	Paid Leave	The piece rate workers who go on breastfeeding break are paid the minimum wage instead of the module's average earnings.	Ensure payments for maternity leave are based on module's average earning.	The factory is reviewing its payroll system in order to comply with this requirement.	11
Jun-16	<b>Compensation</b>	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.	The factory is reviewing its payroll system in order to comply with this requirement.	17
Jun-16	<b>Occupational Safety and Health</b>	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.		23
Jun-16	<b>Occupational Safety and Health</b>	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.		23
Jun-16	<b>Occupational Safety and Health</b>	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.		23
Jun-16	<b>Occupational Safety and Health</b>	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.		65
Jun-16	<b>Occupational Safety and Health</b>	Worker Protection	During the factory tour, several machines were observed missing eye guards and finger guards.	Install appropriate guards on all machines.		65
Jun-16	<b>Occupational Safety and Health</b>	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.		65

Jun-16	<b>Occupational Safety and Health</b>	Working Environment	Temperatures in the workplace exceed the recommended level of 30 C.	Ensure that temperature level is compliant in all sections.		23
Jun-16	<b>Occupational Safety and Health</b>	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.		65
Jun-16	<b>Occupational Safety and Health</b>	Welfare Facilities	Although the factory has a designated eating area onsite, it cannot accommodate all workers.	Increase the capacity of the current eating area.		65
Jun-16	<b>Occupational Safety and Health</b>	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.		65
Jun-16	<b>Occupational Safety and Health</b>	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.		65
Jun-16	<b>Occupational Safety and Health</b>	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.		65
Jun-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	The factory has 2 nurses and a doctor who visits 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.		65
Jun-16	<b>Occupational Safety and Health</b>	Emergency Preparedness	Obstructed fire extinguisher.	Ensure all fire extinguishers remain unobstructed at all time during working hours.		65
Jul-15	<b>Compensation</b>	Paid Leave	Annual leave payments do not include all earnings received by the workers as stipulated by the law.	Ensure all earnings are included in the calculation of annual leave payments.	The management is reviewing the system to make necessary adjustments.	
Jul-15	<b>Compensation</b>	Paid Leave	Sick leave payment is based on the minimum wage and not on the basic salary as required by law.	Sick leave payments must be adjusted to reflect the average of daily earnings for at least the last three months.	The management is reviewing the system to make necessary adjustments.	
Jul-15	<b>Compensation</b>	Paid Leave	Maternity leave payment is only based on the minimum wage and not on the average salary as required by law.	Payment for maternity leave must be adjusted to match daily average earnings from the last three months.	The management is reviewing the system to make necessary adjustments.	
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	Employer did not forward workers' contributions to OFATMA.	Employer must collect and forward workers' contributions to OFATMA.	Discussions are held with OFATMA towards implementation of the service.	6
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	The employer is not affiliated with the OFATMA maternity and health insurance.	Employer must forward their contributions to OFATMA.	Discussions are held with OFATMA towards implementation of the service.	6
Jul-15	<b>Contract and Human Resources</b>	Employment Contracts	The internal work rules of the factory do not comply with legal requirements reagarding compensation for holiday work.	The factory must ensure that all work days are paid in accordance with the law. The internal work rules must be revised so that all policies are in line with the law.	The management is reviewing the system to make necessary adjustments.	



Jul-15	<b>Contract and Human Resources</b>	Termination	Maternity leave payments as well as cash payments for sunday work are not included in the total earnings of workers for the calculation of the amount to be paid for termination notice.	Adjustment to the calculation of compensation system to be made to ensure full compliance with laws.	The management is reviewing the system to make necessary adjustments.	
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Unlabeled container of hazardous substance found.	Ensure all containers of chemicals and hazardous substances are properly labeled and maintained.	The factory is building a new facility to store chemicals and putting new procedures in place to handle these substances.	12
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Missing MSDS in chemical storage	The factory must have MSDS for all existing chemicals in use in the workplace.	The factory is building a new facility to store chemicals and putting new procedures in place to handle these substances with proper documentation and protection.	12
Jul-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Obstructed aisles, exit doors and escape routes.	The factory management needs to ensure that all escape routes remain unobstructed during working hours.	The factory is revising the layout of the different floors to facilitate movement and prevent congestion.	54
Jul-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Unprotected electrical boxes and stacking of flammable material (carton boxes) near electrical cables.	Ensure all electrical boxes are properly protected and isolated. Prevent stacking of carton boxes near any possible sources of ignition.		54
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	No pre-assignment medical check within first 3 months of employment.	All newly hired workers must be submitted to a medical check within the first 3 months of employment.		54
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Additional nurses required for the existing workforce with regards to national law requirements.	The factory must ensure adequate medical staff is available to attend to workers needs in compliance with the labour law.		54
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	First aid box inaccessible. Keys unavailable to open the boxes.	The factory needs to ensure that all first aid boxes remain accessible at all times during working hours.	The factory is taking action to ensure that the boxes are open at all times.	54
Jul-15	<b>Occupational Safety and Health</b>	Working Environment	Lighting levels below recommendations in packing section.	Ensure that light levels match at least the minimum for all sections.		12
Jul-15	<b>Occupational Safety and Health</b>	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.		54
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Eye wash stations were available in all buildings in the factory. However, 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.		12

Jul-15	<b>Occupational Safety and Health</b>	Worker Protection	Management provides proper masks to workers in the spot cleaning section, metal gloves for workers in the cutting department, gloves and goggles for workers in the mechanics' shop. However, 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.		54
Jul-15	<b>Occupational Safety and Health</b>	Working Environment	Temperatures in the workplace exceed the recommended level of 30 C.	Ensure temperature level is compliant in all sections.		12
Jul-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory is compliant with the law with regards to men's toilets but needs 33 additional toilets for women.	Increase number of toilets for women.		54
Jul-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Although the factory has a designated eating area onsite, it cannot accommodate all workers. The majority of workers eat outside and a large number have to sit on the ground or elsewhere during lunch time. However, EAs observed that the factory has two new facilities under construction for eating area.	Increase capacity of current eating area.		54
Jul-15	<b>Occupational Safety and Health</b>	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.		54
Jul-15	<b>Compensation</b>	Premium Pay	Payments for regular working hours worked on weekly rest days are not accurate.	Ensure payments for regular working hours worked on weekly rest days are accurate.		6
Jul-15	<b>Compensation</b>	Wage Information, Use and Deduction	Payroll records are not accurate	Ensure that all deductions taken from workers' wages are reported in the payroll.		6
Jul-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Missing and obstructed fire extinguishers.	Ensure that emergency preparedness principles are respected.		54
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	Payment of annual salary supplement or bonus are not accurate.	Ensure that payment of annual salary or bonus are accurate.		6
Jul-15	<b>Working Time</b>	Leave	Time off for breastfeeding breaks.	Provide breastfeeding breaks in accordance with the Haitian labour law.		6
Jul-15	<b>Working Time</b>	Regular Hours	Inaccurate working time records.	Keep accurate working time records and attendance system.		6

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jul-15	59%
Jun-16	35%

**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-16 Jul-15

**Advisory and Training Services**

**26-Jun-16** Meeting with the compliance team and the HR managers to review compensation issues, HR issues and training needs for supervisors.  
**07-Jul-16** Grievance Mechanism Training  
**19-Aug-16** Meeting with the compliance team to review the improvement made since the last assessment. Introduction to the new portal features. Factory tour.  
**29-Aug-16** Participation in Collective Bargaining industry seminar  
**03-Sep-16** PICC Training

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
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.		
Jun-16	Compensation	Overtime Wages	The adjustment to the minimum wage effective 01 May 2016 was not applied to overtime hours worked in May 2016.	Apply the adjustment of the minimum wage to overtime hours.	The management is reviewing the system to make necessary adjustments.	
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 management is reviewing the system to make necessary adjustments.	11
Jun-16	Compensation	Social Security and Other Benefits	Employer contribution to ONA is based on the minimum wage and not on the average wages.	Employer must adjust the amount of their contributions to ONA based on the average wages.		11
Jun-16	Compensation	Social Security and Other Benefits	The employer collects and forwards workers' contributions for social insurance funds to ONA. However, the amount is based on the minimum wage and not on the average wages.	Employer must collect and forward workers' contributions to ONA based on the average wages.		11
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.		11
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.		11
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.		11
Jun-16	Occupational Safety and Health	Worker Protection	During the factory tour, several machines were seen without the appropriate eye, finger or pulley guards.	Install appropriate guards on the machines.		11
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.		11

Jun-16	<b>Occupational Safety and Health</b>	Working Environment	Noise level is too high.	Ensure that noise level is compliant in all sections.		11
Jun-16	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory has 7 toilets for men and 24 toilets for women. With its current workforce, the factory should have 43 functioning toilets for women.	Increase number of toilets.		65
Jun-16	<b>Occupational Safety and Health</b>	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.		65
Jun-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	According to documentation submitted to the assessors, only 27 of all new hires in the past 12 months received a medical check within the first three months of hiring.	Provide medical check to all new workers.		65
Jun-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	Documentation provided to the assessors indicated that only 50 workers had received their annual medical check in the last 12 months.	Provide annual medical checks to all workers.		65
Jun-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	The factory has a clinic on site staffed with 2 nurses and a doctor. However, to comply with the Haitian Labor Code, a factory of this size must have at least 3 nurses.	Ensure that the factory has at least 3 nurses.		65
Jun-16	<b>Occupational Safety and Health</b>	Health Services and First Aid	In building 34, 2 out of the 3 available first aid boxes were empty.	Provide sufficient adequate first aid boxes.		65
Jul-15	<b>Compensation</b>	Paid Leave	Annual leave payments do not include all earnings received by the workers as stipulated by the law.	Ensure all earnings are included in the calculation for annual leave payments.	The management is reviewing the system to make necessary adjustments.	
Jul-15	<b>Compensation</b>	Paid Leave	Sick leave payment is based on the minimum wage and not the average salary as required by law.	Sick leave payment must be adjusted to reflect the average of daily earnings for at least the last three months.	The management is reviewing the system to make necessary adjustments.	
Jul-15	<b>Compensation</b>	Paid Leave	Maternity leave payment is only based on the minimum wage and not the average salary as required by law.	Payment for maternity leave must be adjusted to match daily average earnings from the last three months.	The management is reviewing the system to make necessary adjustments.	
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	Employer did not forward workers' contributions to OFATMA.	Employer must collect and forward workers' contributions to OFATMA.	Discussions are held with OFATMA towards implementation of the service.	
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	The employer is not affiliated with the OFATMA maternity and health insurance.	Employer must pay their contributions to OFATMA.	Discussions are held with OFATMA towards implementation of the service.	
Jul-15	<b>Compensation</b>	Social Security and Other Benefits	The annual salary supplement payment is calculated based on the basic salary and not on the average pay as required by law.	The management must adjust the payment system so that annual salary supplement payment is based on the average of all earnings.	The management is reviewing the system to make necessary adjustments.	
Jul-15	<b>Contract and Human Resources</b>	Employment Contracts	The internal work rules of the factory do not comply with legal requirements regarding compensation for holiday work.	The factory must ensure that all work days are paid in accordance to the law. The internal work rules must be revised so that all policies are in line with the law.	The management is reviewing the system to make necessary adjustments.	

Jul-15	<b>Contract and Human Resources</b>	Termination	Maternity leave payments as well as cash payments for sundays work are not included in the total earnings of workers for the calculation of the amount to be paid for termination notice.	Adjustment to calculation of compensation system to be made to ensure full compliance with the law.	The management is reviewing the system to make necessary adjustments.	18
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Several unlabelled chemical containers of chemicals found in Building 34.	Ensure all containers of chemicals and hazardous substances are properly labeled.		
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Inadequate chemical storage.	Arrange proper storage for chemicals and hazardous substances.	The factory is building a new storage facility for chemicals.	
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No MSDS found in chemical storage.	Provide MSDS for all chemicals and hazardous substances in use in the workplace	The factory is building a new facility with all necessary documentation and warning measures for such substances.	
Jul-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	The chemical storage area did not have washing facilities or cleansing materials in the event of exposure to hazardous chemicals.	Provide washing facilities for workers using chemicals in the event of contamination.	The factory is building a new facility with all necessary documentation and warning measures and protection for such substances.	
Jul-15	<b>Occupational Safety and Health</b>	Working Environment	Temperatures in the workplace exceed the recommended level of 30 C.	Take appropriate measures to lower the temperatures inside the workplace.		
Jul-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Several aisles in building 35 were found obstructed especially in the packing area.	Ensure all aisles remain unblocked at all times during working hours.	The management is putting a system in place to monitor this issues and prevent recurrences.	24
Jul-15	<b>Working Time</b>	Regular Hours	Workers are under pressure to return to their workstations before completing a full hour of daily break.	Ensure all doors remain open and no workers are requested to return to work during the allocated daily break.	Management is taking measures along with HR personnel to ensure the break period is fully respected.	
Jul-15	<b>Working Time</b>	Leave	Not all women are informed of their right to breastfeeding breaks where applicable.	Inform all nursing women and ensure the break period is implemented.		
Jul-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory does not have enough toilets.	Increase the number of toilet. With its current workforce, the factory should have 43 functioning toilets for women.		54
Jul-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The factory has an eating area. However, it can only accommodate about 20 per cent of the workforce.	Increase the eating area in order to accommodate more workers.		54
Jul-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Documentation provided to the assessors indicated that only 50 workers had received their annual medical check in the last 12 months.	Provide annual medical checks to all workers.		54
Jul-15	<b>Contract and Human Resources</b>	Dialogue, Discipline and Disputes	Disciplinary measures.	Ensure that disciplinary measures comply with the law.		

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

Jun-16	54%
Jul-15	25%

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

**Advisory and Training Services**

**29-Jan-16** PICC Meeting. Meeting with management to discuss management systems requirements, improvement and training plans.  
**26-Feb-16** Management introduction meeting with the new general manager. Introduction meeting with the newly formed staff union.  
**26-Feb-16** PICC meeting to discuss non-compliance points related to compensation.  
**01-Mar-16** Meeting with management, union representative, labor ombudsperson, MAST representatives to discuss about the relationship between management and the newly formed union.  
**22-Mar-16** PICC Meeting to work on risk management. Factory tour and hazards hunt.  
**15-May-16** Supervisory skills training  
**27-Jul-16** PICC meeting to discuss eating area, water, compensation, overtime and disciplinary issues status.  
**29-Aug-16** Participation in Collective Bargaining industry seminar  
**21-Sep-16** Meeting with management, union representative, buyers representatives to discuss about the relationship between management and the union.

Assessment	Compliance cluster	Compliance Point	Details of Non Compliance	Improvement Priorities	Remediation Efforts	Months
Nov-15	Compensation	Overtime Wages	The review of the payroll revealed that workers are paid 50% above the normal wage for overtime hours worked after 6 PM.	Review payroll system to ensure that workers are paid 100% above the normal wage for overtime hours worked after 6 PM. Communicate the new procedure to workers.	The factory revised the internal procedure for the payment of overtime worked at night.	0
Nov-15	Compensation	Paid Leave	The review of the payroll records revealed that workers are paid the weekly rest day only after 6 consecutive work days. Workers who complete 48 hours of work are not granted payment for weekly rest day if they do not complete 6 consecutive days of work.	Review payroll system to ensure that workers who complete 48 hours of work are granted payment for weekly rest day even if they do not complete 6 consecutive days of work, as required by law. Communicate the new procedure to workers.		6
Nov-15	Compensation	Paid Leave	The factory has a policy that stipulates that they pay sick leave only if the certificate comes from a public hospital.	Ensure that sick leave is paid to workers according to national law. Communicate a list of accepted hospital/clinic to workers. Hire a doctor to certify sick leave certificates from non public hospital/clinic.	The employer agreed to pay sick leave from non public institutions. A list of accepted hospital/clinic was communicated to workers.	6
Nov-15	Compensation	Paid Leave	The factory has a policy that stipulates that they pay maternity leave only if the certificate comes from a public hospital.	Provide copy of receipt of payment to workers with signature and dates. Ensure that maternity leave is paid to workers according to national law. Communicate a list of accepted hospital/clinic to workers. Hire a doctor to certify maternity leave certificates from private hospital/clinic from non public institution.	The employer agreed to pay maternity leave from non public institutions. The new policy was communicated to workers.	6

Nov-15	<b>Compensation</b>	Social Security and Other Benefits	The documents reviewed showed that the factory paid OFATMA for work related accident insurance for the last fiscal year. However, they have not done so for this fiscal year.	Pay the employer contribution for the work related accident insurance.	The employer paid its contribution to OFATMA for work related accident insurance.	6
Nov-15	<b>Compensation</b>	Social Security and Other Benefits	The factory is not affiliated with the health and maternity insurance from OFATMA.	Inform workers of the implementation of the maternity and health insurance. Submit maternity and health insurance registration documents to OFATMA. Ensure that payment and updated list of workers are submitted to OFATMA on a monthly basis.	OFATMA extended the deadline to register to the maternity and health insurance until September 2016.	6
Nov-15	<b>Compensation</b>	Social Security and Other Benefits	The employer did not collect and forward workers' contributions to OFATMA as they are not affiliated with the health and maternity insurance.	Inform workers of the implementation of the maternity and health insurance. Ensure that payment and updated list of workers are submitted to OFATMA on a monthly basis.	OFATMA extended the deadline to register to the maternity and health insurance until September 2016.	6
Nov-15	<b>Contract and Human Resources</b>	Employment Contracts	Although the internal work rule is approved by MAST, it stipulates that the company only accepts medical certificates from public hospitals only. However, the law adds that accredited private hospitals are also acceptable.	Update the internal work rules to ensure that the new procedure related to the payment of maternity and sick leave is properly documented and send it to MAST for approval. Communicate the new policy regarding the payment of maternity and sick leave to workers.	The internal work rules have been updated.	0
Nov-15	<b>Contract and Human Resources</b>	Dialogue, Discipline and Disputes	The factory has the following practice; if a worker has an unexcused absence, the following day even if the worker comes to work s/he will not be paid, as a form of punishment for being absent.	Update the internal work rules to ensure that the procedure related to non authorized/ motivated absences is compliant with the law and send it to MAST for approval. Communicate the new policy regarding to non authorized/ motivated absences to workers.	The updated version of the internal work rules is approved by MAST and the new policy regarding disciplinary measures for late workers is posted on the floor.	0
Nov-15	<b>Occupational Safety and Health</b>	OSH Management Systems	The factory does not submit the record of accidents to OFATMA on a monthly basis.	Ensure that work related accidents and diseases reports are available and submitted to OFATMA on a monthly basis.	Work related accidents and diseases reports are available and submitted to OFATMA on a monthly basis.	0
Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Several containers of detergent substances as well as thinner were seen without the relevant label.	Ensure that all hazardous and chemicals substances used in the workplace are properly labelled. Clearly specify responsibilities for this task to a specific staff Train workers on the importance of labelling and hazard pictograms.	All hazardous and chemicals substances used in the workplace were properly labelled. Workers' training was provided.	0
Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	Inappropriate storage of chemicals. Several non compatible chemicals were stored together.	Ensure that all chemicals and hazardous substances used in the factory are stored properly. Issue instruction on proper storage to the staff members working with chemicals.	Storage area for chemicals and hazardous substances was reorganized.	0

Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No MSDS were found for the thinner in the storage room nor the pull out being used on the inspection tables.	Ensure that MSDS in local language are available for all chemicals and hazardous substances used in the factory.	All chemical and hazardous substances in use at the facility were be provided with their respective material safety data sheet (MSDS).	0
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Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	The mixture of the chemicals for the stamping machines was made on the floor in front of several workers. This mixture should be made in an isolated area where the workers have the appropriate PPE.	Identify the improvements needed in chemical training. Review existing training. Provide adequate chemical training to all relevant workers and supervisors.	Special room has been designated for the mixture of chemical and proper PPE's have been provided to workers. Chemical training was provided.	0
Nov-15	<b>Occupational Safety and Health</b>	Chemicals and Hazardous Substances	No eye wash stations were observed in the workplace with the exception of one non functioning eye wash station observed in the mechanic shop.	Provide eye washing station in the workplace. Ensure that eye washing station is properly maintained.	Eye wash stations were installed. Compliance manager is in charge of monitoring maintenance.	0
Nov-15	<b>Occupational Safety and Health</b>	Worker Protection	Inappropriate masks for workers using chemicals.	Define staff in charge of providing and renewing the PPEs. Provide employees with all necessary personal protective clothing and equipment according to PPE regulation. Train workers on the proper use of PPE. Post signs to remind workers about the PPE obligations.	Factory has provided proper mask for worker using chemical mixture. Workers training was also organized.	0
Nov-15	<b>Occupational Safety and Health</b>	Worker Protection	Several workers were seen seating on a stool like equipment in the restrooms washing clothes.	Ensure that garments washing is done in a dedicated area and that workers are properly accommodated to perform this work.	A new area for washing clothes has been designated by the factory administration	0
Nov-15	<b>Occupational Safety and Health</b>	Welfare Facilities	Insufficient number of toilets regarding the factory workforce.	Increase the number of toilets.		0
Nov-15	<b>Occupational Safety and Health</b>	Welfare Facilities	The eating area can only accommodate 400-500 workers , the factory has more than 1000 workers.	Ensure that an adequate eating area is available for all workers.	Cafeteria has been extended in order to accommodate about 750-800 workers during the eating time. However access to the cafeteria is only granted to workers who purchase food form the cafeteria.	0
Nov-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	No health checks have been provided to workers who are exposed to chemicals and hazardous substances	Provide health checks to all workers at least twice a year to workers exposed to chemicals and hazardous substances and once a year to all others.	Letter already send to OFATMA requesting the appointment for an annual medical check of the employees.	6
Nov-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	No annual medical checks for workers.	Ensure that all workers receive an annual medical check.		6
Nov-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Insufficient number of medical staff onsite.	Provide the required number of required onsite medical staff.		6
Nov-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	One emergency light that indicates an emergency exit does not work.	Install emergency light in all exits.	Emergency lights were installed.	6
Nov-15	<b>Working Time</b>	Overtime	The attendance records revealed that workers in several sections including production and packing sections have worked beyond 80 hours of overtime during a 3-months period.	Conduct an analysis of the internal causes to excessive overtime, identify 1-2 main causes and develop action plan on this basis. Reduce overtime to the limit set by law (overtime hours do not exceed 80 hours per trimester) . Inform workers in advance about the production schedule.	Valdor has set the policy since then that any overtime after normal legal working hours will be strictly prohibited except for urgent needs that must be approved by the General Manager. This policy was communicated to workers.	0

Nov-15	<b>Working Time</b>	Overtime	The overtime was not voluntary at the factory.	Conduct an analysis of the internal causes to excessive overtime, identify 1-2 main causes and develop action plan on this basis. Implement action plan to ensure adequate working hours planning. Inform workers in advance of OT and use a form to request overtime from workers (which includes the number of hours required & a space for worker signature) Inform supervisors and workers that workers have the choice to refuse to work overtime.	Factory has set up its policy and its schedule from 7 AM to 4 PM and from 4 PM to 5 PM is one hour of overtime. The policy is posted on the floor. Supervisors and workers are informed that workers have the choice to refuse to work overtime. Any operator working overtime must sign the overtime sheet.	0
Nov-15	<b>Working Time</b>	Overtime	No request of authorization from MAST to work overtime was provided to the assessors during the time of the assessment.	Request authorization to work overtime from MAST.	The overtime authorization request was sent to MAST.	0
Nov-15	<b>Working Time</b>	Leave	No breastfeeding break at the factory.	Ensure that all eligible workers are provided with breastfeeding break.	Factory has established and implemented the breastfeeding break policy.	0
Jan-15	<b>Compensation</b>	Paid Leave	Payment of annual leave.	All payments to workers, including incentive paid in cash, should be included in the payroll.	All payments made to workers is now included in the payroll records. Payment of annual leave is accurate as it is paid based on all employees' revenues for the period.	0
Jan-15	<b>Compensation</b>	Social Security and Other Benefits	Payment of annual salary supplement or bonus.	All payment made to workers, including incentives paid in cash, should be included in the payroll records.	All incentives paid in cash to workers are now included in the payroll records. The payment of the bonus is now accurate as it is paid based on all employees' revenues for the period.	0
Jan-15	<b>Compensation</b>	Wage Information, Use and Deduction	The factory should have one accurate payroll record.	Include automatically, in the payroll records, the production incentive paid to workers.	All production incentives are now automatically recorded in employees' payroll.	0
Jan-15	<b>Contract and Human Resources</b>	Termination	Valid reason for termination not included in all terminated workers' files.	Create and implement a systematic and consistent process of documenting reasons behind dismissal of workers.	Adequate reasons for termination are available in all terminated workers files.	0
Jan-15	<b>Contract and Human Resources</b>	Termination	Payment for unused paid annual leave upon resignation or termination.	Create and implemented a procedure on the calculation and documentation of salary severances for all terminated or resigned workers. Include payment for unused annual in severance pay.	Unused paid annual leave upon resignation or termination is correctly paid.	0
Jan-15	<b>Contract and Human Resources</b>	Termination	Payment of annual salary supplement or bonus upon termination.	Create and implemented a procedure on the calculation and documentation of salary severances for all terminated or resigned workers. Include payment for accumulated salary supplement or bonus in severance pay.	Annual salary supplement or bonus upon termination is correctly paid.	0

Jan-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Training of workers to use the firefighting equipment's.	Train at least 10% of current workforce in fire fighting. Periodically verify that number of workers trained on fire fighting correspond to the required 10% taking new hirings done into account.	The factory organized training for workers on fire fighting to reach the 10% required.	0
Jan-15	<b>Occupational Safety and Health</b>	Emergency Preparedness	Adequate fire-fighting equipment.	Periodic verification of fire extinguishers to ensure that they are properly maintained.	The factory ensures that adequate fire fighting equipment is available.	0
Jan-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Training of workers on first aid.	Train at least 10% of current workforce on first aid. Periodically verify that number of workers trained on first aid correspond to the required 10%, taking new hirings done into account.	The factory organized training for workers on first aid to reach the 10% required.	0
Jan-15	<b>Occupational Safety and Health</b>	Working Environment	Workplace lighting.	Improve the lighting of the workplace by increasing the lux level.	The factory Improved the lighting of the workplace by increasing the lux level.	0
Jan-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	On site medical staff insufficient.	Hire additional qualified medical staff as required by law.		0
Jan-15	<b>Occupational Safety and Health</b>	Health Services and First Aid	Pre- assignment and/or annual medical checks for workers.	Ensure that all workers receive a pre-assignment and subsequent annual medical checks.		0

Percentage of workers on an incentive scheme earning 320 (350 as of 01 May 2016) Gourdes per 8 hours of work:

0%

0%



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## Annex 1. HOPE II Legislation

### Reporting Requirements

#### 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. Compliance Clusters, Points and Issues verified during Better Work Assessments

Compliance Cluster	Compliance Point	Compliance Issue
Child Labor	<b>Child Laborers</b>	Workers under age 15
	<b>Documentation and Protection of Young Workers</b>	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.
	<b>Hazardous Work and other Worst Forms</b>	Workers under age 18 working at night.
		Workers under age 18 working overtime.
		Workers under age 18 doing work that is hazardous by nature.
Discrimination	<b>Gender</b>	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).	
	<b>Race and Origin</b>	Conditions of work (race, colour, origin)
		Harassment (race, colour, origin)
		Hiring (race, colour, origin)
		Pay (race, colour, origin)
		Promotion or access to training (race, colour, origin)
		Recruitment materials (race, colour, origin)
		Termination or retirement (race, colour, origin)
	<b>Religion and Political Opinion</b>	Conditions of work (religion or political opinion)
		Harassment (religion or political opinion)
		Hiring (religion or political opinion)
		Pay (religion or political opinion)
		Promotion or access to training (religion or political opinion)



		Recruitment materials (religion or political opinion)
		Termination or retirement (religion or political opinion)
Forced Labor	<b>Bonded Labor</b>	Debts for recruitment fees owed to the employer and/or a third party
	<b>Coercion</b>	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)
	<b>Forced Labor and Overtime</b>	Forced overtime under threat of penalty
	<b>Prison Labor</b>	Prison laborers
Freedom of Association and Collective Bargaining	<b>Collective Bargaining</b>	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.
	<b>Freedom to Associate</b>	Freedom to form and/or join a union
		Requiring workers to join a union.
	<b>Interference and Discrimination</b>	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
	<b>Strikes</b>	Hiring of replacement workers during a strike.
		Preventing workers from participating in a strike.
		Punishing workers for participating in a strike.
		Security guards, the police or armed forces called on to break up a peaceful strike or arrest striking workers.
	<b>Union Operations</b>	Deduction of union dues upon workers' request.
		Union representatives' access to workers in the workplace.
Compensation	<b>Method of Payment</b>	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.
	<b>Minimum Wages</b>	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.
	<b>Overtime Wages</b>	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.
	<b>Paid Leave</b>	Payment for annual leave. Payment for breastfeeding breaks. Payment for legally mandated holidays. Payment for maternity leave. Payment for sick leave. Payment for weekly rest days.
	<b>Premium Pay</b>	Payment for regular hours worked at night. Payment for regular hours worked on holidays Payment for regular working hours worked on weekly rest days
	<b>Social Security and Other Benefits</b>	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. Payment of annual salary supplement or bonus.
	<b>Wage Information, Use and Deduction</b>	Deductions from workers' wages. Informing workers about wage payments and deductions. Payroll records.
Contracts and Human Resources	<b>Contracting Procedures</b>	Limits on the trial period for apprentices.
	<b>Dialogue, Discipline and Disputes</b>	Bullying, harassment or humiliating treatment of workers.
		disciplinary measures
		Resolution of grievances or disputes.
	<b>Employment Contracts</b>	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.
	<b>Termination</b>	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.



Occupational Safety and Health		Reasons for termination.
		Reductions in workforce size or suspensions due to changes in operations
	<b>Chemicals and Hazardous Substances</b>	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.
		<b>Emergency Preparedness</b>
	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	
	<b>Health Services and First Aid</b>	
		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
	<b>OSH Management Systems</b>	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.		
<b>Welfare Facilities</b>	Certain required facilities.	
	Eating area.	
	Providing drinking water.	
	Toilets.	
	Washing facilities and/or soap.	
<b>Worker Accommodation</b>	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.
	<b>Worker Protection</b>	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
	<b>Working Environment</b>	Workplace cleanliness
		Workplace lighting.
		Workplace noise levels.
Workplace temperature and/or ventilation.		
Working Time	<b>Leave</b>	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.
	<b>Overtime</b>	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.
	<b>Regular Hours</b>	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.		



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## Annex 3. Better Work's Revised 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 – assessment, advisory and training – remain the same but the sequence of the services changed.

Overall, the revised approach 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 adjustments in the services that Better Work delivers to factories provide opportunities for the program to work with factories on root causes that are underlying repeated non-compliance issues.

With the introduction of Better Work's revised service delivery model in 2015, a factory cycle will no longer start with an assessment on which advisory services afterwards were built in the initial approach. Under the adjusted model, the cycle will now start 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.

Under the revised service delivery model, 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. Factory reporting starts with the use of the self-diagnosis tool introduced in the initial advisory period. The tool was introduced as a means to increase factory ownership. In fact, factories that have access to the online platform of Better Work can now directly add self-identified issues on the Better Work online portal. This portal is the platform that is also used by Better Work to share factory data with authorised 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 is written on a Better Work template 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.

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.



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