



COMPANIES: PVH Corp  
COUNTRY: Turkey  
ASSESSMENT DATE: 04/07/16  
ASSESSOR: FLA EMEA  
PRODUCTS: Apparel  
NUMBER OF WORKERS: 425

# Understanding this Assessment Report

This is a report of a workplace assessment conducted by Fair Labor Association assessors following FLA's Sustainable Compliance methodology (SCI), which evaluates a facility's performance in upholding fair labor standards through effective management practices throughout the entire employment life cycle.

This report identifies violations and risks of noncompliance with the Fair Labor Association Workplace Code of Conduct in its assessment of the employment functions, and includes a description of the root causes of violations, recommendations for sustainable and immediate improvement, and the corrective action plan for each risk or violation as submitted by the company. This document is not a static report; rather, it reflects the most recent progress updates on remediation in the "Progress Update" section for each finding.

## Summary of Code Violations

Companies that join the FLA agree to uphold the FLA Workplace Code of Conduct throughout their entire supply chain. The Code of Conduct is based on International Labour Organization (ILO) standards, and defines labor standards that aim to achieve decent and humane working conditions.

While it is important to note when violations of the FLA Workplace Code of Conduct occur, the purpose of these assessments is not simply to test compliance against a particular benchmark, but rather to develop an understanding of where and how improvements can be made to achieve sustainable compliance. Code of Conduct violations can be found throughout the course of an assessment of the employment and management functions, and are addressed in companies' action plans.

FLA Code Element	Violations
------------------	------------

## Findings and Action Plans

### FINDING NO.1

#### SUSTAINABLE IMPROVEMENT REQUIRED

#### FINDING TYPE: Compensation

##### Finding Explanation

1. The factory does not have any childcare facilities, although local law requires factories to provide childcare facilities in workplaces with 150 female workers or more. At the time of the assessment, there were 199 female workers working at the factory.

##### Local Law or Code Requirement

Regulation About Working Conditions of Pregnant and Nursing Workers, Article 13/2; FLA Workplace Code (Non-Discrimination Benchmark ND.8.1)

#### COMPANY ACTION PLANS

1. Factory management is looking for childcare facility in the vicinity of the factory. Once identified and a partner agreement established, workers will be notified of the option.

Action plan status: Scheduled

### FINDING NO.2

## IMMEDIATE ACTION REQUIRED

### FINDING TYPE: Recruitment, Hiring & Personnel Development

#### Finding Explanation

1. Job application forms require information on the status of military service, which poses risk of discriminatory hiring practices. However, based on document review and worker interviews, male workers have been hired, although they had not completed their military service at the time of hire.

#### Local Law or Code Requirement

Turkish Labour Law (4857), Article 5; FLA Workplace Code (Employment Relationship Benchmark ER.3; Non-discrimination Benchmark ND.2.1)

#### Recommendations for Immediate Action

1. Revise the job application forms, removing personal questions that might lead to discrimination.

## COMPANY ACTION PLANS

1. The factory has deleted the request for status of military service from its job application form.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

## FINDING NO.3

## SUSTAINABLE IMPROVEMENT REQUIRED

### FINDING TYPE: Recruitment, Hiring & Personnel Development

#### Finding Explanation

1. There is a performance evaluation policy and procedures in place; however, the procedures do not include the following: raising or broadening skills in order to advance workers in their careers, steps and requirements in the promotion, demotion and reassignment scheme, written outcomes of promotion, demotion and reassignment for workers' reference.

#### Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.28 and ER.30)

## COMPANY ACTION PLANS

1. The factory's performance evaluation policy and procedure will be updated to include information on raising or broadening workers' skills, steps and requirements required for promotion or demotion and reassignment, and written outcomes for promotion, demotion and reassignment of workers. Related staff will be provided a training to understand the updated format; training will be conducted by an internal factory management staff member, PVH, or an external party to be identified.

Action plan status: Scheduled

## FINDING NO.4

## UNCORROBORATED RISK OF NON-COMPLIANCE

### FINDING TYPE: Compensation

#### Finding Explanation

1. Based on interviews with the workers and the management, the factory used double bookkeeping until July 2015 whereby a set of records was maintained for official use along with a different set with actual working hours and compensation. The payment for overtime was not recorded in the former set. As of July 2015, the factory has ceased the practice. However, the records prior to July 2015 were not available for review by the assessors.

#### Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.2; Compensation Benchmark C.16)

### COMPANY ACTION PLANS

1. As of July 1, 2015, the factory ceased the practice of double bookkeeping. Currently, the factory maintains one set of working hours and compensation records.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

## FINDING NO.5

### IMMEDIATE ACTION REQUIRED

#### FINDING TYPE: Compensation

#### Finding Explanation

The calculation of severance payments does not include meal and transportation allowances, as legally required.

#### Local Law or Code Requirement

Turkish Labour Law (1475), Article 14; Supreme Court 9th Civil Chamber Verdicts 2008/1635E 2009/14798K, 2007/38244E, 2009/3712K, 2007/24490E, 2008/20203K, 2007/24005E, and 2008/20203K; Supreme Court 9th Civil Chamber Verdicts E.1992/15138,K. and 1993/5687,T. 13.4.1993; Turkish Labour Law, 4857, Article 32; FLA Workplace Code (Employment Relationship Benchmark ER.19; Compensation Benchmarks C.1 and C.5)

#### Recommendations for Immediate Action

Ensure that the severance payment calculations include transportation and meal allowances, as legally required.

### COMPANY ACTION PLANS

1. The factory now includes meal and transportation allowances in the calculation of severance payments, in accordance with local law. The factory can provide examples if necessary.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

## FINDING NO.6

### SUSTAINABLE IMPROVEMENT REQUIRED

#### FINDING TYPE: Termination & Retrenchment

#### Finding Explanation

1. There is not a written policy governing all aspects of Termination & Retrenchment.
2. The factory does not have any procedures on Retrenchment to manage the process.
3. The Termination procedures do not include the methods for calculating final pay-outs in accordance with legal requirements.
4. The factory does not have a system to arrange consultation meetings with workers or worker representatives before management reaches any final decisions on layoffs.

#### Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.19, and ER.32)

### COMPANY ACTION PLANS

1. The factory currently has a written policy on Termination, and it will be updated to include Retrenchment.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

2. The factory will develop a procedure on Retrenchment to align with the new Retrenchment policy.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

3. The factory will expand upon the current termination procedures to include methods for calculating final pay-outs in accordance with legal requirements.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

4. The factory will establish a system for arranging consultation meetings with workers or worker representatives before management reaches any final decisions on layoffs.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

## FINDING NO.7

### IMMEDIATE ACTION REQUIRED

#### FINDING TYPE: Hours of Work

##### Finding Explanation

1. The factory's total daily working hours (regular + overtime hours) exceeded the legal limit of 11 hours in January and February 2016. From a sample of 15 workers, an average of 7 workers exceeded the daily legal limit, with maximum of 12 hours per day. They exceeded the daily legal limit only once for both months.

##### Local Law or Code Requirement

Turkish Labor Law 4857, Article 63; FLA Workplace Code (Hours of Work Benchmark HOW.1)

##### Recommendations for Immediate Action

1. Ensure that daily (regular + overtime) working hours do not exceed 11 hours a day.

### COMPANY ACTION PLANS

1. Exceeding the daily legal limit of working hours only occurred once in January and once in February 2016 due to an excessive workload. The factory will make every effort to comply with legal limits on daily working hours.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

## FINDING NO.8

### UNCORROBORATED RISK OF NON-COMPLIANCE

#### FINDING TYPE: Hours of Work

##### Finding Explanation

1. The factory had two pregnant workers working at the time of the assessment; one of them was not at the factory since she was on sick leave. According to the factory management's statement, those two pregnant employees work 7.5 hours a day, as legally required, as opposed to the regular daily working schedule of 9 hours. They start to work at 9 am, as opposed to 7.30am which is the regular start time, working 7.5 hours a day. According to the interview with the pregnant worker, management's statement was true. However, interviews with the other workers did not corroborate it:

a. The workers working on the same lines as the pregnant workers stated that the pregnant workers come and start to work at the same time as the others.

b. Based on the worker interviews, all workers arrive at the factory at the same time and nobody arrives 1.5 hrs late.

2. Against this backdrop, the assessors were unable to definitively establish a noncompliance. Nonetheless, FLA strongly urges the factory to abide by the legal regulations with respect to the hours of work limitations for pregnant workers.

#### Local Law or Code Requirement

Regulation About Working Conditions of Pregnant and Nursing Workers, Article: 9; FLA Workplace Code (Employment Relationship Benchmark ER.14; Hours of Work Benchmarks HOW.1 and HOW.4)

### COMPANY ACTION PLANS

1. The factory has instituted a system whereby pregnant workers will instead benefit from an 1.5 hour early departure rather than a delayed 1.5 hr. start in the morning. This will allow the factory to clearly document the pregnant workers' hours of work in the time records.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

## FINDING NO.9

### IMMEDIATE ACTION REQUIRED

#### FINDING TYPE: Workplace Conduct & Discipline

#### Finding Explanation

1. The factory uses card system for the use of restrooms. Every line or section has 2-3 cards (approximately 1 card for 10 workers), and the workers in each group use the restrooms one at a time. Based on management interviews, the factory implemented this system to prevent more than one worker in the same line using the restroom at the same time which disrupts the production. Disciplinary actions are not witnessed by a third party during imposition.

#### Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.27, Health, Safety & Environment Benchmarks HSE.21)

#### Recommendations for Immediate Action

1. Cease the practice of using a card system for using toilets. Ensure that workers can use bathrooms freely at all times.

### COMPANY ACTION PLANS

1. The factory has ceased use of the card system for restrooms.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

2. Factory will develop a policy stating that issuances of disciplinary actions will be witnessed.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH Verification.

## FINDING NO.10

### SUSTAINABLE IMPROVEMENT REQUIRED

#### FINDING TYPE: Grievance System

#### Finding Explanation

1. One of the suggestion boxes on the first floor was not locked. (Note: Management locked it during the assessment.)

#### Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.25)

### COMPANY ACTION PLANS

1. Factory management locked the suggestion box on the first floor during the assessment.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

## FINDING NO.11

### IMMEDIATE ACTION REQUIRED

#### FINDING TYPE: Health & Safety

##### Finding Explanation

1. 40% of the standing workers, such as workers in the quality control section, are not provided anti-fatigue mats used to reduce fatigue caused by standing for long periods on a hard surface.
2. 20% of the sewing workers removed/ displaced eye guards of the sewing machines in the sewing department.

##### Local Law or Code Requirement

Health and Safety Law, 6331, Article 4; Regulation about Requirements of Using Workplace Equipment, 25.04.2013, Article 9, 10 and 11; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1, HSE.14, and HSE.17)

##### FLA's Recommendations for Sustainable Improvements

1. Ensure that eye protection guards of the sewing machines are not removed or displaced. Regularly train and communicate to workers regarding the requirement to use the eye protection guards.

### COMPANY ACTION PLANS

1. The factory always provides anti-fatigue mats to standing workers. Oftentimes, the workers themselves opt not to use the mats. In order to encourage use of the anti-fatigue mats, the factory will educate workers on the benefits of using the mats.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

2. The factory will ensure that machine guards are replaced, and the factory will educate workers on the benefits of maintaining machine guards.

Action plan status: In progress

Progress update: 07/05/16 : Pending PVH Verification

## FINDING NO.12

### SUSTAINABLE IMPROVEMENT REQUIRED

#### FINDING TYPE: Health & Safety

##### Finding Explanation

1. Grounding measurements were only performed on electrical panels; there were no measurements performed for production machines and equipment.
2. The factory does not conduct regular checks for the pallet trucks.

##### Local Law or Code Requirement

Electrical Installation Regulation; Regulation about Requirements of Using Workplace Equipment, 25.04.2013, (Addition 3) Article 2.2; Protection of Buildings from Fire Regulation, Article 68; Regulation for Health and Safety Requirements in Workplaces and its Extension Buildings, (Addition 1) Article 5; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1 and HSE.13)

### COMPANY ACTION PLANS

1. Factory is still investigating the issue, and the grounding measurements will be completed by 12/30/16.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

2. Regular checks of the pallet trucks will be conducted.

## FINDING NO.13

### IMMEDIATE ACTION REQUIRED

#### FINDING TYPE: Health & Safety

##### Finding Explanation

1. Two emergency exit doors between the emergency escape stairs and ironing-packing section, which are located on the same floor as management offices, open outwards; however, the doors automatically close and do not stay open, which might hinder evacuation in case of emergency.
2. The emergency exit in the cutting section is also the door used for shipment. Additionally, there is a huge step/doorsill at this emergency exit, carrying the risk of tripping and falling in case of emergency. (Note: During the assessment, a platform was placed at the doorsill to level the surface).
3. The canteen is placed in a building next door, which belongs to the same company group as the factory. Both emergency exits in canteen have doorsills, which carry risk of trip and fall, especially in case of emergency. One of the doors opening to outside escape stairs does not have anti-slip tapes on the steps. Also, a container was blocking the stairs (Note: It was removed during the assessment.)
4. Emergency evacuation plans do not reflect the actual layout of the factory: Location of the departments and exit ways were not accurately represented. (Note: Evacuation plans have been revised during the assessment.)
5. Two fire extinguishers in the canteen were mounted at a higher level than legally allowed (maximum 90cm), which might make access to them difficult in case of a fire.
6. The fluorescent lights do not have protective covers to prevent dust accumulation except for those in the warehouses.

##### Local Law or Code Requirement

Workplace Health and Safety Law, 6331, Article 11; Protection of Buildings from Fire Regulation, Articles 30, 35, 47, 73 and 99; Regulation for Health and Safety Requirements in Workplaces and its Extension Buildings, (Addition 1) Articles 10 and 14; FLA Workplace Code (Health, Safety & Environment Benchmarks HSE.1 and HSE.5)

##### Recommendations for Immediate Action

1. Ensure that exit doors do not automatically close. Ensure that all exit doors are designed for a safe and fast evacuation without any automatic features that possibly pose a risk in case of an emergency.
2. Ensure that emergency exits do not have doorsills.
3. Ensure that all emergency evacuation plans reflect actual layout of the factory, accurately directing workers to the closest emergency exits.
4. Mount the fire extinguishers no higher than 90 cm above the ground.

### COMPANY ACTION PLANS

1. Exit doors have been fixed so that they no longer automatically close.

Action plan status: Scheduled

2. The factory has installed a platform at the emergency exit in the cutting station to level out the ground and minimize the risk of tripping and falling in the case of an emergency.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

3. Doorsills have been removed from emergency exits.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

4. The evacuation plans were revised and now correctly reflect the actual layout of the factory, location of department and access to exits.

Action plan status: In progress



Progress update: 07/05/16 : In-Progress, pending PVH verification.

5. Factory has mounted the fire extinguishers at 90 cm above the ground.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

6. Factory has installed protective covers for fluorescent lights to prevent dust accumulation.

Action plan status: Scheduled

## FINDING NO.14

### IMMEDIATE ACTION REQUIRED

#### FINDING TYPE: Health & Safety

##### Finding Explanation

1. One of the Material Safety Data Sheets (MSDS) for the spot remover was missing in the stain removing section. (Note: the missing MSDS was replaced during the assessment.) Other MSDS forms were available in stain removing section; however, they were kept in a plastic file, which might hinder easy access in case of an emergency. These observations indicate that there is need for improvement regarding the maintenance of MSDS and a lack of a system to track the usage of MSDS to ensure that they are available at all times for easy access.

2. Chemicals are properly equipped with secondary containers; however, they are stored in a unventilated cabinet. According to types and MSDS of the chemicals, they should be stored in places that have air circulation as per legal regulations.

##### Local Law or Code Requirement

Regulation About Health & Safety on working with Chemicals, 12.08.2013, Articles 6 and 7; FLA Workplace Code (Health, Safety & Environmental Benchmarks HSE.1, HSE.9, and HSE.10)

##### Recommendations for Immediate Action

1. Ensure that all MSDS of the chemicals used in stain removing section are available and easily accessible all the time.
2. Ensure that the chemicals are stored in places that are properly ventilated.

### COMPANY ACTION PLANS

1. The factory will create an easily accessible file for MSDS forms.

Action plan status: Scheduled

2. The chemical storing cabinet will be ventilated in accordance with legal regulations.

Action plan status: Scheduled

## FINDING NO.15

### IMMEDIATE ACTION REQUIRED

#### FINDING TYPE: Health & Safety

##### Finding Explanation

1. There is no sink in the factory's medical room.

##### Local Law or Code Requirement

Health and Safety Services Regulation (Addition 1), Regulation for Health and Safety Requirements in Workplaces and its Extension Buildings, (Addition 1) Articles 59; FLA Workplace Code (Health, Safety, & Environment Benchmark HSE.19)

##### Recommendations for Immediate Action

1. Provide a sink in the medical room.

### COMPANY ACTION PLANS

1. The factory is in the process of installing a sink in the factory's medical room.

## FINDING NO.16

### SUSTAINABLE IMPROVEMENT REQUIRED

#### FINDING TYPE: Health & Safety

##### Finding Explanation

1. The factory procedures on Health & Safety do not include information on measures to protect the reproductive health of employees through minimizing exposure to workplace hazards and protection against retaliation for workers who raise Health & Safety concerns.

##### Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.31; Non-Discrimination Benchmark ND.8; Health, Safety & Environment Benchmark HSE.12)

### COMPANY ACTION PLANS

1. The factory's Health and Safety Procedure will be updated to include information regarding measures to protect the reproductive health of employees and protection against retaliation for workers raising such concerns.

Action plan status: Scheduled

## FINDING NO.17

### SUSTAINABLE IMPROVEMENT REQUIRED

#### FINDING TYPE: Environmental Protection

##### Finding Explanation

1. The factory does not have procedures on Environmental Protection; however, there are some documents and systems to manage practices. Those documents do not cover any information on enabling workers to raise environmental concerns and protections for workers who report environmental violations.

##### Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmark ER.31; Health, Safety & Environment Benchmark HSE.1)

### COMPANY ACTION PLANS

1. The factory currently has in place an Environmental Protection Policy. In order to increase awareness regarding this policy, the factory will provide more training on environmental protection to it's workers.

Action plan status: Scheduled

## FINDING NO.18

### SUSTAINABLE IMPROVEMENT REQUIRED

#### FINDING TYPE: Review Process (Macro)

##### Finding Explanation

1. The factory does have a review system for the existing policies and procedures for any of the Employment Functions; however, it is not systematic. It was not possible for the assessors to verify the frequency and scope of review.

##### Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1.3, ER.30, and ER.31)

### COMPANY ACTION PLANS

1. The factory currently has a system for reviewing existing policies and procedures across all employment functions.

Action plan status: In progress

Progress update: 07/05/16 : In-Progress, pending PVH verification.

## FINDING NO.19

### SUSTAINABLE IMPROVEMENT REQUIRED

#### FINDING TYPE: Communication & Worker Involvement (Macro)

##### Finding Explanation

1. The worker integration component is missing for all Employment Functions. The factory has not established procedures for receiving worker input/feedback on the creation, implementation, and revision of its policies and procedures. Workers are neither systematically integrated nor consulted in the decision-making processes.

##### Local Law or Code Requirement

FLA Workplace Code (Employment Relationship Benchmarks ER.1, ER.29, and ER.30)

### COMPANY ACTION PLANS

1. A procedure for receiving and incorporating worker's input and feedback in revising policies and into the decision-making process will be established.

Action plan status: Scheduled