COMPANY: H&M Hennes & Mauritz AB
COUNTRY: Turkey
FACTORY CODE: 440076178H
MONITOR: Alpay Celikel
AUDIT DATE: August 6, 2009
PRODUCTS: Leather Belts, Wallets, Bracelets and Hair Ribbons
PROCESSES: Cutting, Knitting, Sewing, Finishing, Packing
NUMBER OF WORKERS: 69 registered workers, 21 apprentices

For an explanation on how to read this report, please visit the FLA website here.
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**Wages, Benefits and Overtime Compensation: Holidays, Leave, Legal Benefits and Bonuses**

WBOT.5 Employers shall provide all legally mandated holidays, leave, benefits and bonuses, such as official holidays, annual leave, sick leave, severance payments and 13th month payments, to all eligible workers within legally defined time periods. In addition, all leave and bonuses shall be calculated correctly. (S)

**Noncompliance**

**Explanation:** Apprentices are working as regular employees (45 hours/week). There is no schooling provided nor master trainers employed in the factory. Also they are not allowed to use their annual leaves as they are entitled (to only 14 days like regular workers). The legally required documentation about apprentices is missing (such as personnel files, working contracts, health records, etc.).

Ref: Vocational and Technical Training Law 05.06.1986 Official Gazette No: 19139 Article: 26 Vocational and Technical Training Law 05.06.1986 Official Gazette No: 19139 Article: 11-12 Vocational and Technical Training Regulation 03.07.2002 Official Gazette No: 24804 Article: 26

**Plan Of Action:** We require the factory to follow the local laws regarding protection of apprentices. We will encourage the factory to set up a policy and procedure on how to meet legal requirements regarding apprentices, including working hours, annual leave conditions, personnel files, working contracts, health records and suitable workstations as well as proper and timely physical examinations.

**Deadline Date:** 06/01/2010

**Supplier CAP:** The factory have 11 apprentices now, 2 of them are young. Apprentices work from 8am till 5:30pm by having 2 tea breaks (15 minutes each), 1 hour lunch, 5 days a week and 40 hours a week. The factory applied for teacher, but the apprentice school declined this application.

**Supplier CAP Date:** 06/01/2010
**Action Taken:** As of March 22, 2010: The supplier informed us that there are 84 registered workers and 7 apprentices in the facility (2 of them are young and will complete their ages on August 25, 2010). Facility has application to establish a theoretical class for 7 apprentices, however apprenticeship school declined this application since they can not open class for this number of apprentices. Management stated that apprenticeship school gives diplomas to apprentices without completing their theoretical education. Management stated that after young apprentices complete their ages on August 25, 2010, they will not hire any young apprentices. Also management stated that supplier had begun to provide 1 month paid annual leave to apprentices as required by apprenticeship law. On March 3, 2010 we have conducted audit to [factory name]. As per our controls there are 88 employees and 7 of them are apprentices (2 of them are young and will complete their ages on August 25, 2010). They did not hire any young apprentices since last audit. Young workers work 8 hours per day and 40 hours per week. They do not stay overtime. Also they provide 1 month paid annual leave to apprentices as required by apprenticeship law. Apprentices have personnel files, working contracts and health records.

**Plan Complete:** No

**Plan Complete Date:**
Child Labor: Legal Compliance (Apprenticeships and Vocational Training)

CL.10 Employers shall comply with all regulations and requirements of apprentice or vocational education programs, and shall be able to document to monitors that these are legally recognized programs. Informal arrangements of any kind are not acceptable. (P)

Noncompliance

Explanation: 1) Apprentices are working as regular employees (45 hours/week). There is no schooling provided for apprentices nor are there master trainers employed in the factory. Also, they are not allowed to use their annual leaves as they are entitled (to only 14 days like regular workers). The legally required documentation about apprentices is missing (such as personnel files, working contracts, health records, etc.)

Ref: Vocational and Technical Training Law 05.06.1986 Official Gazette No: 19139 Article: 26 Vocational and Technical Training Law 05.06.1986 Official Gazette No: 19139 Article: 11-12 Vocational and Technical Training Regulation 03.07.2002 Official Gazette No: 24804 Article: 26

2) Number of apprentices is too high and their ratio to regular employees is around 30%, which is way above the legal limit.

Ref: Vocational and Technical Training Law 05.06.1986 Official Gazette No: 19139 Article: 18

Plan Of Action: We require the factory to follow the local laws regarding protection of apprentices. We will encourage the factory to set up a policy and procedure on how to meet legal requirements regarding apprentices, including working hours, annual leave conditions, personnel files, working contracts, health records and suitable workstations as well as proper and timely physical examinations.

Deadline Date: 06/01/2010

Supplier CAP: The facility knows the legal requirement is 10% and applies this percentage. As of Monday, March 22, 2010, supplier informed us that there are 84 registered workers and 7 apprentices in the facility (current situation is 8.3%). They have also sent us related documents regarding apprentices and we confirmed it according to these documents.

Supplier CAP Date: 06/01/2010
Action Taken: On March 5, 2010 we have conducted audit to [factory name]. As per our controls there are 88 employees and 7 of them are apprentices (2 of them are young and will complete their ages on August 25, 2010). They did not hire any young apprentices since last audit. Young workers work 8 hours per day and 40 hours per week. They do not stay overtime. Also they provide 1 month paid annual leave to apprentices as required by apprenticeship law. However, there still is no schooling provided nor master trainers employed in the factory.

Plan Complete: No

Plan Complete Date:

Code Awareness:
GEN.3 Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable Company employees and employees of contractors and suppliers to report to the Company on noncompliance with the workplace standards, with security that they shall not be punished or prejudiced for doing so.

Noncompliance

Explanation: There is no established complaint channel between workers and FLA member company.

Ref: FLA Code

Plan Of Action: During our audits and follow-up visits in factories, H&M compliance staff conducts interviews with workers. During these interviews we hand out our business card with our contact information. The number we provide on the card is a mobile number which workers can call or SMS and put forward their grievances directly to us. We also encourage the workers interviewed to spread our contact information to other workers. Further we support the factory in building a dialogue system in order to have a system for the workers to put forward their grievances to the management. During our audits and follow-up visits we check the function of these systems.

Deadline Date:
Health and Safety: Document Maintenance/Worker Accessibility and Awareness

H&S.2 All documents required to be available to workers and management by applicable laws (such as health and safety policies, MSDS, etc.) shall be made available in the prescribed manner and in the local language or language(s) spoken by the workers if different from the local language. (P)

Noncompliance

Explanation: MSDS forms for some chemicals were missing. (Dyeing and finishing chemicals).


Plan Of Action:

H&M requires the factory to ensure that their chemical supplier provides the chemicals correctly labeled along with correct MSDS. The MSDS need to be accessible both in the workplace and where chemicals are stored. The factory needs to develop a system to ensure correctness of chemical labeling, hazardous symbol(s), storage (should be stored in accordance with their flammability and reactivity requirements as mentioned in MSDS) and handling. Further, and of utmost importance, information on MSDS must be implemented through training/education of workers handling chemicals (on precautions, correct handling, storing and use of protective equipment).

Deadline Date: 11/30/2009

Supplier CAP:

Separate chemical warehouse will be constructed and chemical warehouse will be used only by authorized people. Stickers will be put on the chemicals that show they are dangerous. MSDS form will be provided.
Supplier CAP: 11/30/2009

Action Taken: On May 3, 2010 we conducted audit to [factory name]. As per our controls, necessary MSDS for chemicals have been provided as per Chemical Abstracts Numbers (CAS) and were available in unit. There were no banned chemicals as per H&M requirements.

Plan Complete: No

Plan Complete Date:

Health and Safety: Health and Safety Management System

H&S.5 The health and safety policy shall contain the framework for a comprehensive health and safety management system within which employers’ responsibilities and workers’ rights and duties, various responsibilities of designated personnel, procedures that enable workers to raise health and safety concerns and procedures for reporting death, injury, illness and other health and safety issues (for instance, near-miss accidents) are clear and regularly tested and reviewed. (P)

Noncompliance

Explanation: H&S Committee did not have an engineer or a technician as a member. H&S committee was not active and members were not doing regular checks in facility to check working conditions, PPE selection & usage. Topics covered on H&S Committee meetings were too broad and they didn't cover most of the H&S topics as per relevant regulations.

Ref: Labour Law 4857 Article: 82, Labour Law 4857 Article: 77-80, Regulation About H&S Committees Article: 7-8 07.04.2004 Official Gazette No: 25426

Plan Of Action: H&M encouraged the factory to set up and maintain an efficient Health and Safety Committee and develop an effective control system regarding all health and safety conditions in the factory. This committee should be established and work according to law (members of the committee should be selected according to law, committee should do regular checks of the health and safety condition in the factories, necessary improvements must be done and monitored by this committee, according to the mentioned health and safety topics at related regulation, etc.). Also an engineer or technician should be employed in this committee according to law.
Deadline Date: 11/30/2009

Supplier CAP: Related regulation will be investigated.

Supplier CAP Date: 11/30/2009

Action Taken: On May 3, 2010 we have conducted audit to [factory name]. As per our controls, there was neither progress nor action taken on this violation.

Plan Complete: No

Plan Complete Date:

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Health and Safety: Permits and Certificates

H&S.8 The employer shall at all times be in possession of all legally required and valid permits and certificates related to health and safety issues, such as those related to the purchase and storage of chemicals, fire safety inspections, inspection of machinery, and (chemical) waste disposal. (P)

Noncompliance

Explanation: The factory neither had a working license nor a work permit (The management was not aware of the legal requirement about the license.).


Plan Of Action: H&M requires the factory to ensure they at all times obtain relevant legal permits and licenses such as waste water permit, working license, work permit and other applicable legal documents.

Deadline Date: 09/30/2009
Supplier CAP: We’ll apply to local municipality in September 2009.

Supplier CAP Date: 09/30/2009

Action Taken: On May 3, 2010, we have conducted audit to [factory name]. As per our controls, facility has work permit and working license.

Plan Complete: No

Plan Complete Date:

Health and Safety: Evacuation Requirements and Procedure

H&S.9 All applicable legally required or recommended elements of safe evacuation (such as posting of evacuation plans, the installation and maintenance of an employee alarm and emergency lighting systems, ensuring aisles/exits are not blocked and that workers are not blocked within their workstations, employee education, evacuation procedures, etc.) shall be complied with. Workers shall be trained in evacuation procedures. Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually. (S)

Noncompliance

Explanation: The emergency and fire preparedness of the factory are insufficient: 1) emergency lighting system is not checked periodically; 2) some illumination equipment is not operational or is missing; 3) the power supply of the fire alarm system is not systematically and centrally connected and is not provided from an independent power source; 4) number of fire extinguishers is insufficient and easily accessible in some areas. During the factory walkthrough it was observed that 1 fire extinguisher in the canteen section was empty.

Plan Of Action: H&M believes that only long term commitments to root cause remediation can bring about sustainable solutions to the issues found in the factories producing our garments. During this audit cycle we are therefore working with our suppliers and factories producing for us on how to establish or strengthen management systems in the factories. H&M requires that safety in the factory is maintained according to local law and our Code of Conduct. We suggest the factory should set up a complete health and safety system, by checking that all fire prevention equipment is maintained in good condition, emergency lighting system is checked periodically, sufficient and functional illumination equipment is available and operational and that fire alarms are installed on all floors, activated by 1 touch of any panic button and functional even in case of electrical power cut.

Deadline Date: 11/30/2009

Supplier CAP: We noted that all non-compliances will be completed.

Supplier CAP Date: 11/30/2009

Action Taken: On May 3, 2010, we have conducted audit to [factory name]. As per our controls, there was no sufficient action taken on this violation.

Plan Complete: No

Plan Complete Date: 
Health and Safety: Safety Equipment and First Aid Training

H&S.10 All safety and medical equipment (such as fire fighting equipment, first aid kits, etc.) shall be available in sufficient numbers throughout the factory, maintained and stocked as prescribed and easily accessible to workers. A sufficient number of workers shall be trained in first aid and fire fighting techniques. (S)

Noncompliance

Explanation: There is no certified personnel/worker on first aid.

Ref: First Aid Regulation Article 16 (22.05.2002/ Official Gazette: 24762)

Plan Of Action:
H&M requires that safety in the factory is maintained according to local law and our Code of Conduct. First aid equipment must be available in each factory, and at least 1 person in each department should have training in basic first aid.

Deadline Date: 11/30/2009

Supplier CAP: We will solve this problem ASAP. 4 workers will be sent to first aid education.

Supplier CAP Date: 11/30/2009

Action Taken: On May 3, 2010, we have conducted audit to [factory name]. As per our controls, there are 6 certified employees at the facility.

Plan Complete: No

Plan Complete Date:
Health and Safety: Chemical Management and Training

H&S.13 All chemicals and hazardous substances shall be properly labeled and stored in accordance with applicable laws. Labels shall be placed in the local language and the language(s) spoken by workers, if different from the local language. Workers shall receive training, appropriate to their job responsibilities, concerning the hazards, risks and the safe use of chemicals and other hazardous substances. (S)

Noncompliance

Explanation: The chemical warehouse was located in the production area and chemicals were not stored in accordance with their flammability and reactivity requirements.


Plan Of Action: H&M requires the factory to ensure that their chemical supplier provides the chemicals correctly labeled along with correct MSDS. The MSDS needs to be accessible both in the workplace and where chemicals are stored. The factory needs to develop a system to ensure correctness of chemical labeling, hazardous symbol(s), storage (should be stored in accordance with their flammability and reactivity requirements as mentioned in MSDS) and handling. Further, and of utmost importance, information on MSDS must be implemented through training/education of workers handling chemicals (on precautions, correct handling, storing and use of protective equipment).

Deadline Date: 11/30/2009

Supplier CAP: A separate chemical warehouse will be constructed and the chemical warehouse will be used only by authorized people. Stickers will be put on the chemicals that show they are dangerous. MSDS form will be provided.

Supplier CAP Date: 11/30/2009

Action Taken: On May 3, 2010, we have conducted audit to [factory name]. As per our controls, there was neither progress nor action taken on this violation.

Plan Complete: No

Plan Complete Date:
Health and Safety: Machinery Maintenance and Worker Training

H&S.18 All production machinery, equipment and tools shall be regularly maintained and properly guarded. Workers shall receive training in the proper use and safe operation of machinery, equipment and tools they use. Employers shall ensure safety instructions are either displayed/posted near all machinery or are readily accessible to the workers. (S)

Noncompliance

Explanation: Most of the sewing machines had missing personal protectors such as lower pulley guards and needle protectors (finger and eye). The pressing machines had missing protective covers.

Ref: Labour Law 4857 Article: 77, Personal Protective Equipments Regulation 09.02.2004, Regulation About Usage of Personal Protective Equipments Within the Workplaces 11.02.2004 Official Gazette No: 25370

Plan Of Action: A safe and healthy working environment should be a priority at all times. H&M requires the factory to develop policies and systems to ensure health and safety conditions in the factory always are in line with local law and our Code of Conduct. We will support the supplier to ensure that relevant production machinery is equipped with proper protective devices and to educate the workers in when, how and why to use personal protective equipment and related equipment.

Deadline Date: 11/30/2009

Supplier CAP: Protective glasses will be investigated. Only manual snipping machines will be used. Machine protectors will be investigated.

Supplier CAP Date: 11/30/2009

Action Taken: On May 3, 2010, we have conducted audit to [factory name]. As per our controls, there was neither progress nor action taken on this violation.

Plan Complete: No

Plan Complete Date:
Health and Safety: Medical Facilities

H&.S.21 Medical facilities shall be established and maintained in factories as required by applicable laws. Medical staff shall be fully licensed and recognized under applicable local rules and regulations. An appropriate number of medical staff shall be on duty during all working hours, including any type of overtime, as required under local law. An appropriate stock of medical supplies shall be maintained at all times. Medicines of which the expiration date has passed must be replaced immediately and disposed of in a safe manner. (P)

Noncompliance

Explanation: The workplace health unit is not properly separated and is missing various pieces of equipment such as oxygen tubes and a mobile stretcher. The factory does not employ a nurse or health officer. Workers and apprentices do not have valid periodical health check reports.

Ref: Regulation About Workplace Health Units and Workplace Doctors Article: 7, Appendix 1, 6 16.12.2003/ Official Gazette: 25318

Plan Of Action: H&M encourages the factory to set up and maintain an efficient Health and Safety Committee and develop an effective control system regarding the health and safety conditions in the factory. This committee should be established and work according to law (member of the committee, should in accordance with law requirement, do regular checks of the health and safety condition in the factories, necessary improvements must be done and monitored by this committee, etc.). The factory should establish a health unit and all necessary equipment should be available in this health unit. Also a nurse or health officer should be employed in this health unit according to law. By this committee, health checks must be conducted on a regular basis according to law. We will encourage the factory to set up an effective control system on health and safety checks for all workers and apprentices in order to gain sustainability.

Deadline Date: 11/30/2009

Supplier CAP: We have a doctor who comes 1 day a week. Periodic health controls of apprentices will be done by company doctor regularly. The missing equipment in health unit will be completed. Full time health officer will be investigated. The nearest health clinic is 2 km away from the factory.

Supplier CAP Date: 11/30/2009
<table>
<thead>
<tr>
<th>Action Taken:</th>
<th>As of Monday, May 3, 2010, supplier informed us that they have still only have a part-time doctor who comes once a week. They have not employed any full-time nurse or health officer yet. On May 3, 2010, we have conducted audit to [factory name]. As per our controls, facility has taken some actions regarding the violation. But still they are in progress. Mobile stretcher is available and they hired a doctor who came to the facility once a week.</th>
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<tbody>
<tr>
<td>Plan Complete:</td>
<td>No</td>
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<td>Plan Complete Date:</td>
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</tbody>
</table>

**Health and Safety**

**Other**

**Noncompliance**

**Explanation:** The health and safety trainings are not in line with the related regulation (with regard to General H&S Rules, PPE Usage, Legal Rights and Obligations, Warning Signs, Fire Safety, Ergonomics, etc.).

Ref: Regulation about Health & Safety Trainings of the Employees (Official Gazette No: 25426, 07.04.2004)

**Plan Of Action:** H&M encourages the factory to set up and maintain an efficient Health and Safety Committee and develop an effective control system regarding all health and safety conditions in the factory. This committee should plan regular health and safety training for employees and the content of these trainings should be compliance with related laws and regulations.

**Deadline Date:** 11/30/2009

**Supplier CAP:** Related regulation will be investigated.
Supplier CAP: 11/30/2009

Action Taken: On May 3, 2010, we have conducted audit to [factory name]. As per our controls, there was neither progress nor action taken on this violation.

Plan Complete: No

Plan Complete Date: