

RT Knits investigation CAP

Background and outcome

Gymshark, ASOS and Adidas commissioned an investigation into allegations flagged by a worker at RT Knits. The allegations were as follows:

- Requiring migrant workers at the factory to cover the cost of return flight tickets, rather than having the factory do so, as required by the employment contract;
- Verbal abuse and other harassment of workers by factory supervisors/managers;
- Mandatory and involuntary overtime work;
- Corruption and bribery practices, including by requiring workers to pay management personnel for better work assignments/tasks in the factory;
- Lack of effective access to remedy through the factory’s grievance system;
- General health and safety issues, including inadequate living conditions in the dormitories; and
- Information pertaining to alleged payments made by migrant workers of recruitment fees in both their countries of origin and in Mauritius.

The Investigator concluded that for the most part, there was not adequate evidence to prove the specific allegations reported to FLA. However, the investigator found other non-compliances as detailed in the below CAP report which the brands and RT Knits worked together to close.

The “evidence received by brands” column details how the closure of each finding was verified by the brands. As part of this, the brands worked to review all evidence as stated below, including photos, policies, procedures and training documentation and will continue to monitor the situation to ensure the factory has implemented the necessary management systems to prevent reopening of the issues.

Area	Finding	Recommendations by investigator	RT Knits action plan	Evidence received by brands	Status
Repatriation	<p>Potential risk of harassment linked to the existing termination practice. Per factory’s current practice, when a worker leaves employment, factory arranges for their return air ticket.</p> <p>Factory tries to get cheaper fares and occasionally workers</p>	<p>Factory should define a reasonable timeline for arranging return tickets to workers upon leaving employment. The timelines should be included in terms of employment and communicated to workers effectively.</p>	<p>A reasonable timeframe for air ticket arrangement will be defined under normal conditions. Any unforeseen circumstances will be specified, and documented accordingly for reference.</p>	<p>Brands reviewed revised policies and procedures, including air ticket form and training document to verify the closure of this issue.</p>	Closed

	<p>must wait for few days to return home. This could build up mental stress for workers eagerly waiting to return home. Workers are allowed to stay in the dormitory free of cost and are provided food during this period.</p>		<p>The workers can be divided into 2 categories:</p> <ol style="list-style-type: none">1. Workers eligible to receive the National Pension Scheme (NPS) fund will also receive free food and accommodation during the waiting period (between 2-4 weeks)2. Workers not eligible for the NPS fund. Factory endeavours to make this timeline much shorter than mentioned above, again with the provision of free food and accommodation during the waiting period.		
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			<p>All new employees will be made aware of this clause through an addendum to contract.</p> <p>For existing employees, an awareness session will be conducted.</p>		
Working hours	<p>Production schedule in the Dyeing section is planned for 10 hours (including 1 hour of Overtime) for shift A and 13 hours (including 3 hours of Overtime) for shift B. Shifts are rotated every week.</p> <p>This implies that workers need to work overtime to complete the shifts indicating mandatory overtime work.</p> <p>Written consent is not obtained from workers for the overtime work because the additional hours are included in the shift.</p>	<p>Production planning should be based on regular hours of work and not include regular overtime. Rotation of workers for shift working should be planned in a way that workers should not need to work overtime to complete the shift.</p>	<p>All production planning is based on regular working hours of 9 hours however the normal dyeing process is around 10-12 hours and cannot be interrupted.</p> <p>Overtime is on a voluntary and consensual basis. A pool of workers is available to cater for this.</p> <p>Written consent will now be included in the workers info pack (for dyeing employees) for all new recruits starting Jan 2023. For existing workers, a training will be conducted, and written consent will be obtained.</p>	<p>Brands reviewed contract addendum and consent form, however we will continue to engage with the factory to find a solution for this issue as it is currently still under review and not closed. This is because:</p> <ul style="list-style-type: none"> i) Overtime work should be consensual and not solely based on production demands ii) Overtime should not be requested on a continuous 	Under review

				<p>basis, and factory should evaluate its production capacity and explore possible solutions.</p> <p>As brands, we discourage systematic and continuous overtime and encourage the factory to look into alternative solutions and production planning so that the factory can be compliant as per our codes of conduct.</p>	
Working hours	Workers in shift B in Dyeing section work 3 hours of OT daily x 5 days = 15 hours a week against 10 hours per contract. Written consent is not obtained for overtime hours worked beyond 10 hours as per clause 6 (Extra Work) of the contract.	<p>Contracts are vetted by the government which implies that all terms of employment recorded in the contract are required to be followed.</p> <p>Overtime work should not exceed hours recorded in the contract. Written</p>	<p>All changes will be documented in an addendum to contract.</p> <p>Written consent will be included in the workers info pack (for dyeing employees) for all new recruits starting Jan 2023.</p>	Brands reviewed addendum to contract and consent form, however the issue remains open and under review as overtime does not comply with the brands codes of conduct.	Under review

		consent should be obtained prior to working overtime.	To cater for existing workers, a training will be conducted, and written consent will be obtained.		
Working hours	Workers from the Make Up section work up to 3 hours of overtime on 3 days a week as a systematic practice and occasionally work 4 hours on Saturdays.	Overtime work should not be continuous/systematic and should be only allowed based on occasional requirements.	Overtime is based on production requirements and is on a daily voluntary basis for all employees.	Brands reviewed overtime consent form template, however this issue is still open and under review due to the systematic nature of the overtime which is against the brands codes of conduct.	Under review
Freedom of association	There could be a risk of team leaders concealing grievances. Procedures require use of a 3rd person (team leaders) which workers may want to avoid in certain instances. Lack of channel for direct reporting by avoiding involvement of team leaders may discourage workers from reporting concerns which could be against team leaders or any other reason.	Factory management should have adequate staff who speak languages for all nationalities of workers to allow for direct interaction with workers.	Dedicated expat staffs under the HR Department are assigned the responsibilities of the grievance mechanism under the supervision of a HR officer responsible for grievances and disciplinary matters.	Brands reviewed list of dedicated workers who are handling grievances who are able to speak the local language of the workers alongside the new procedures to conclude that the issue is currently closed.	Closed

	<p>Review of the log of grievances reported and from interview with workers, workers appeared to be satisfied with management practices. Logs maintained list grievances reported, identification of root cause and action taken.</p>				
Accommodation	<p>From tour to production areas and visit to Dormitories it was observed that work areas are well maintained, well-ventilated and lit. No critical HSE concerns were noted.</p> <p>Living standards (ventilation, living space, in house facilities, toilets) in Dormitories owned and located inside the factory compound were better than those accommodations that were in private buildings leased by the factory.</p> <p>Management shared that they have plans to relocate workers from privately owned accommodations to better accommodations within upcoming months.</p>	<p>Until the workers housed in privately owned accommodations are relocated to better locations, factory should ensure additional monitoring of facilities provided.</p>	<p>The residents have been relocated in the upgraded dormitory with all the facilities and amenities provided.</p> <p>A 24-hour security service is provided to ensure the safety and security of the residents.</p> <p>A standby maintenance and housekeeping team are available in the dormitory to provide immediate remedial solutions in case of any issue.</p>	<p>Brands engaged with the factory to change the current dormitory, and reviewed photos of the change and photos of the new dormitory alongside management procedures.</p> <p>Brands will continue to monitor the situation.</p>	Closed

Recruitment	<p>From information gathered, workers denied paying any recruitment fees to recruitment agents in country of origin or in Mauritius.</p> <p>70% of sampled workers from Bangladesh interviewed stated that they paid some money to local village contacts to ensure selection in Bangladesh. These workers also paid for their medical examination which was instructed by the agent and required for recruitment.</p> <p>All migrant workers sign a confirmation letter stating that they did not pay any fee for recruitment. Management stated that they ask workers if any payment was made to confirm any malpractices by agents.</p> <p>Management shared that they could monitor their agents but cannot monitor sub agents or contacts at villages of workers.</p>	<p>The agents need to have a system in place to ensure that subagents or contact at village levels do not charge a fee. Factory may try and move a step deeper to identify and track the process followed by agents when they contact workers from villages.</p>	<p>The recruitment practices of the facility have been extended to the recruiting agents. A training has been conducted with all the recruiting agents to adopt the same working principle and due diligence on their side to ensure that no fees whatsoever are being paid by workers throughout the recruitment process. The facility also refrains from using any sub-agents in the recruitment process.</p>	<p>Brands reviewed the training document on code of conduct alongside management procedures and policies to conclude that this issue is currently closed.</p>	Closed

Working hours	Breaks as defined in contracts are not provided. Factory provides 45 minutes break against 80 minutes defined in the contract and as legally required. As the 80 minutes duration is agreed in the contract, this should be provided.	Factory needs to ensure that breaks as defined in the contract are provided	Workers' consent with regards to the actual break and lunch times provided has been updated and records documented accordingly.	Brands reviewed worker consent form added as addendum to contract but will continue to monitor the situation to ensure all workers are aware of the procedures around the form and that the consent is voluntary.	Closed
Recruitment	<p>Factory policies and procedures on Recruitment and Hiring do not provide complete information on practices that are followed. The step by step procedure should be defined for clarity.</p> <p>Use of recruitment agents is not systematically reviewed. There are lapsed uses of recruitment agent from India and Bangladesh.</p> <p>Workers are made aware in country of origin on nature of work, wages, accommodation and food however information on deductions from wages, calculation of bonuses and overtime payment is not</p>	<p>Factory needs to revisit their written policies and procedures to ensure transparency and clarity.</p> <p>Legal documentation of recruitment agents should be periodically reviewed.</p> <p>Employment terms should provide information on all aspects from recruitment to termination of employment. Information should be in a language workers read and understand.</p>	<p>The facility is guided by the local law and regulations and the vetted contract provided by the Ministry of Labour. A pre-recruitment training is conducted in the home country whereby all the terms and conditions are explained.</p> <p>Upon arrival, an induction training is conducted.</p> <p>The facility understands that workers come from multiple regions. Unfortunately, with the available resources and language barriers, they</p>	<p>Brands reviewed pre-recruitment training document for workers but will continue to monitor the situation to ensure that workers are aware of the terms and conditions of their employment.</p> <p>Brands also held conversations with the factory to ensure the necessary management systems are implemented to effectively conduct the necessary due diligence over the recruitment process and the management of migrant workers.</p>	Closed

	<p>communicated.</p> <p>Workers sign on government vetted contracts that are in English and a translated version in their language based on country of origin. Workers are hired from multiple regions from India but don't all speak the language "Hindi" which is the contract language. This is a risk for miscommunication.</p> <p>All sampled workers interviewed were aware of basic terms of employment. They lack awareness on leaves, deductions, calculation of bonuses that are paid and overtime payment. They stated that they do not read the complete contract and review each term of employment as they are more excited to travel and work in a foreign country.</p> <p>While workers are verbally promised appropriate jobs based on their skill levels, contracts do not define the job and instead state "Sewing</p>		<p>cannot translate in all the available languages in India. However, they have translated in the main languages namely Hindi, Bengali, Sinhalese, and Malagasy.</p> <p>Team leaders are also providing support to avoid any miscommunication. A translated copy of the payslip is also posted on their notice board.</p>		
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	<p>machine operators" for all workers. This is based on the work permit is issued by the government.</p> <p>Information on termination of contract prior to completion of contract period is not defined or communicated to workers.</p> <p>Documentation pertaining to termination of employment was missing.</p>				
Health & safety	<p>Factory needs to improve on training of employees for implementation of health and safety parameters and introduce a system for periodic monitoring.</p>	<p>Improve training and introduce a system for periodic monitoring</p>	<p>Facility's H&S training program comprises of an induction training. Targeted trainings are also conducted for specific groups based on training needs.</p>	<p>Brands reviewed H&S training document and will continue to monitor the situation to ensure that workers receive annual training.</p> <p>We have also reviewed management systems to ensure that workers are aware of the H&S procedures in the factory.</p>	Closed
Health & safety	<p>Anti-Fatigue mats are not provided for all workers with standing jobs. Workstations</p>	<p>Anti-fatigue mats should be provided to all employees with standing jobs and workstations should be</p>	<p>Anti-fatigue mats are provided for workers with standing jobs. Suitable customised</p>	<p>Brands have reviewed photos of anti-fatigue mats and will continue to monitor the</p>	Closed

	are not adjustable in height to suit height of workers.	adjustable in height to suit the height of workers	chairs with backrest are provided to workers to suit the height of workers.	situation to ensure that management systems are in place to review wherever required workers are provided with all necessary PPE including anti-fatigue mats.	
Health & safety	Evacuation direction markings are missing or faded in most areas.	Update evacuation markings	Evacuation plans have been reworked for updated floor layouts and yellow markings have been implemented.	Brands reviewed photos of updated evacuation markings but will continue to monitor to ensure that workers are aware of the evacuation plans and that floor markings are maintained on a regular basis as part of the regular maintenance work.	Closed
Health & safety	Emergency Exit doors (push doors) are locked with multiple plastic tags restricting quick and easy opening of doors	Ensure emergency exits are free to always use	Emergency exit doors with push bars are available on production floors. The security systems have been amended and only 1 safety tag is used per door.	Brands reviewed photos of emergency exit doors and removal of the additional safety tag but will continue to monitor to ensure that the emergency exits are always accessible and that workers are aware of their nearest emergency exit.	Closed

Health & safety	Emergency lights installed above exits and walkways are lights used for cases of thick smoke from fire. Most lights were not functional when tested at random. The charge indicator was not lit up.	Ensure that all emergency lights are always functional.	Emergency lights of industrial type have been sourced but were not available on the local market. The facility is expecting receipt of the lights in due course.	Brands received and reviewed copy of the proforma invoice for the new lights but will re-review once these have been received.	Under review
Health & safety	Blocked passages in make-up section restricting free movement.	Ensure passages are free from obstruction	All aisles and passageways are kept unobstructed. Notices have also been placed to raise awareness.	Brands reviewed photos of the unobstructed passage ways and will continue to monitor to ensure that the factory is organised and communicates to workers the importance of keeping passage ways unobstructed. Factory H&S officer will monitor and check the passageways as part of the H&S monitoring process.	Closed
Health & safety	Visual alarms not installed in dyeing section and visual exit directions not installed. Stagnant water was seen on floors of Dyeing and Washing. This could cause injury from accidental slip falls	Ensure housekeeping of the dyehouse	Visual alarms are installed to notify workers of emergency. Regular emergency drills are conducted to raise awareness and train our	Brands reviewed photos of the alarms and the dyeing and washing sections. Brands will continue to monitor to ensure that the necessary management systems	Closed

			workers on evacuation procedures. There is continuous housekeeping to ensure no water accumulation on floor.	and processes are implemented, to ensure that housekeeping of the factory is maintained.	
Health & safety	Needle guards are pushed upwards by sewing machine operators rendering them ineffective in preventing injury.	Ensure that workers are trained to use the needle guards effectively	Workers have been sensitised on the importance of safety equipment and Health & Safety at the workplace. The matter was also taken in the Safety Committee meeting for further monitoring.	Brands reviewed H&S training document and photos of safety devices and H&S committee meeting minutes (21/03/2023). Brands will continue to monitor to ensure that the necessary management systems are implemented to effectively monitor H&S conditions in the factory.	Closed
Health & safety	Eye shield not provided for button machine operators	Provide eye shields for button machine operators			Closed
Health & safety	Auto lid locking arrangement not installed on dryer doors and hydro extractors to prevent opening of doors while drums are rotating thereby increasing the risk of injury to workers.	Ensure that auto lid locking arrangements are installed on dryer doors and hydro extractors			Brands reviewed photos of dryer doors and hydro extractors and will continue to monitor to ensure that all locks are maintained and replaced if necessary as part of the regular machine maintenance.

Health & safety	Adequate secondary containment not provided for chemicals stored in washing section.	Provide adequate secondary containment for chemicals stored in washing section	Adequate secondary containment is provided for chemicals in washing and dyeing chemical store	Brands reviewed photos of secondary containers and will continue to monitor to ensure factory maintains the management of chemicals sufficiently.	Closed
Health & safety	Outlet from eye wash station releases water on the floor	Ensure there is an adequate drainage system for the eye wash stations	Drain system for water discharge from eyewash station has been implemented	Brands reviewed photos of drainage system and will continue to monitor to ensure housekeeping of the factory is maintained.	Closed
Health & safety	Auto stop sensors not functional in 2 out of 3 auto layering machines	Ensure all auto stop sensors are functional	All safety devices are operational. Workers have been sensitised on the importance of safety equipment and Health & Safety at the workplace. The matter was also taken in the Safety Committee meeting for further monitoring.	Brands reviewed H&S training document and photos of safety devices and H&S committee meeting minutes (21/03/2023). Brands will continue to monitor to ensure that the necessary management systems are implemented to effectively monitor H&S conditions in the factory and to ensure workers awareness.	Closed

The following finding is a country-wide issue which requires cross-sectoral collaboration to address. The brands are committed to working with the relevant stakeholders to find a solution. If the Mauritian Ministry of Labour is able to provide clarification on this, FLA will duly note that as an addendum on its website.

<p>Wages</p>	<p>Deduction of accommodation and food allowance from wages of migrant workers is not justified as this allowance is part of wages that is payable as per contract. Contract requires provision of accommodation and food free of cost.</p> <p>Deduction of the allowance Indicate non-payment of promised full wages.</p>	<p>Factory needs to revisit the practice and ensure complete and full wages are paid to workers with no deductions from accommodation and food.</p>	<p>This finding was disputed by factory management.</p> <p>In challenging his analysis, management officials provided documents to justify this practice and claimed that this is a result of existing employment contracts vetted by local authorities.</p> <p>As a result, the Investigator reaffirmed that this practice should be discontinued unless factory management is able to provide an opinion letter from the Mauritius Ministry of Labor, Human Resource Development and Training stating that those deductions are in fact acceptable.</p> <p>On 6th December 2022, factory management has contacted representatives from the Ministry of Labour, Human Resource Development and Training to further discuss the matter and requesting officials to conduct a visit to verify their salary structure.</p>
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The brands would like to thank the FLA and the investigator for highlighting the issues and RT Knits for helping us address the majority of the issues.