

**INTERNATIONAL LABOUR ORGANISATION  
GARMENT SECTOR WORKING CONDITIONS IMPROVEMENT PROJECT  
KINGDOM OF CAMBODIA**

**EIGHTH SYNTHESIS REPORT ON THE  
WORKING CONDITIONS SITUATION  
IN CAMBODIA'S GARMENT SECTOR**

FEBRUARY 2004

# **1 INTRODUCTION**

## **1.1 Project background**

On 20 January 1999, the Governments of the Kingdom of Cambodia and the United States of America entered into a three-year Trade Agreement on Textile and Apparel. The agreement was amended and extended for another three-year period on 31 December 2001. The Agreement sets an export quota for garments from Cambodia to the United States, while seeking to improve working conditions and respect for basic workers' rights in Cambodia's garment sector by promoting compliance with - and effective enforcement of - Cambodia's Labour Code as well as internationally recognised core labour standards. The amended agreement offers a possible 18% annual increase in Cambodia's export entitlements to the United States provided the Government of Cambodia supports:

"The implementation of a programme to improve working conditions in the textile and apparel sector, including internationally recognised core labour standards, through the application of Cambodian labour law" (Article 10B, US-Cambodia Textile Agreement)

Under the Agreement, "The Government of the United States will make a determination by December 1 of each Agreement period, beginning on December 1, 1999, whether working conditions in the Cambodian textile and apparel sector substantially comply with such labour law and standards".

Following the signing of the Agreement, the Governments of Cambodia and the United States requested ILO technical assistance to prepare a project proposal to support the implementation of the article of the Trade Agreement concerned with the improvement of working conditions. Following this request, the ILO consulted extensively with the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation (MOSALVY), The Garment Manufacturers Association in Cambodia (GMAC), the Cambodian trade union movement and the United States. As a result, a technical cooperation project with a budget of US\$ 1.4 million (USA 1 million, GMAC and MOSALVY 200,000 each) over a period of three years was agreed upon in May 2000. The project commenced in January 2001 under the direction of a Chief Technical Advisor (CTA) appointed by the ILO to manage the project in accordance with the agreed project document. In November 2002 an additional US\$ 675,000 was received from the USA to strengthen and intensify project activities. In November 2003 the project was formally extended for 2 years with a budget of US\$ 1.5 million (USA 1 million, MOSALVY 400,000 and GMAC 100,000).

## **1.2 Project objectives**

The basic objective of the project is to improve working conditions in Cambodia's textile and apparel sector through:

- ◆ Establishing and operating an independent system to monitor working conditions in garment factories;
- ◆ Providing assistance in drafting new laws and regulations where necessary as a basis for improving working conditions and giving effect to the labour law;
- ◆ Increasing the awareness of employers and workers of core international labour standards and workers' and employers' rights under Cambodian labour law;
- ◆ Increasing the capacity of employers and workers and their respective organizations to improve working conditions in the garment sector through their own efforts;
- ◆ Building the capacity of government officials to ensure greater compliance with core labour standards and Cambodian labour laws.

The execution and implementation of the project is guided by a Project Advisory Committee (PAC), which comprises three representatives each from the Government of Cambodia, the GMAC and the Cambodian trade union movement. The PAC meets quarterly, or as otherwise necessary, to discuss progress in project implementation and advise on envisaged activities. The PAC has no direct responsibility for project execution or day-to-day implementation of the project, but is expected to provide guidance and advise on such matters as work plans, implementation of activities, communication with the parties involved, and coordination of project activities with relevant work undertaken by other entities. It is also expected to advise on the operation of the monitoring and reporting system and contribute to the periodic evaluation of that system.

## **1.3 The monitoring system**

The monitoring system consists of the following three main components:

- ◆ Registration of participating factories
- ◆ Procedures for undertaking monitoring visits and reporting on these visits
- ◆ Procedures for reporting on the overall findings of the monitoring

### 1.3.1 Registration of participating factories

To be able to set up the monitoring system, enterprises in the textile and apparel sector have registered with the project. This registration is voluntary but has been encouraged by a Prakas issued by the Ministry of Commerce which indicates that only registered factories would be eligible to use allocated export quotas and/or buy export quotas through official bidding for the export of textiles to the USA. As of 26 February 2004, 211 enterprises have registered with the Project. Registration consists of the signing of a Memorandum of Understanding (MOU) between the ILO and the participating factory. The MOU outlines the duties and responsibilities of both parties. Under the MOU the factory undertakes, inter alia, to provide full access to ILO monitors to factory premises, allow ILO monitors to interact freely with shop stewards, union representatives and factory workers, both inside and outside factory premises, and provide such access in case of both announced and unannounced monitoring visits. On its part, the ILO undertakes to ensure, inter alia, that monitoring visits are undertaken in a fair and objective manner, that monitoring visits will be undertaken in such a manner as to cause least disruption to factory operations, that basic information is kept confidential and that any allegation of misconduct by any ILO monitor in the execution of his/her duties will be considered in good faith.

### 1.3.2 Monitoring procedures

The Project, with the advice of the Project Advisory Committee, has recruited a total of 11 monitors to undertake factory visits. They have been provided with intensive training, covering subjects such as Cambodian labour law and international labour standards, interviewing techniques, report writing, and also including a number of training visits by monitors to different types of enterprise. In undertaking factory visits, monitors are guided by an extensive checklist prepared by the CTA and approved by the Project Advisory Committee. This checklist consists of 156 questions (excluding sub-questions) most of which relate to articles in the labour code and its implementing regulations and/or provisions in the relevant ILO Conventions.

Monitors normally undertake enterprise visits in pairs. Each visit follows a similar procedure, which includes an initial meeting with management, a tour of the enterprise, observation of the working place, interviews with workers and their representatives both inside and outside the factory, collection of relevant documents (payroll, sample contracts, leave records, etc.) and an exit interview with management. After each monitoring visit, monitors prepare a report for the CTA containing their findings and suggestions for areas of improvement. The CTA checks the report to see that it has been completed in accordance with project procedures. Once approved by the CTA, the CTA and/or the Programme Assistant discusses the draft report with management in order to secure the agreement of management with the findings and suggestions in the report and gather additional information if necessary. This stage also includes a short visit of the

factory to verify further information received. The final report prepared after this meeting is sent to management with a request to sign and return it. At this point, management can indicate with which points they do not agree. Upon request from management, the project may offer assistance to factories in implementing the suggestions identified in the report.

Follow-up visits are undertaken in pairs whereby, in principle, at least one of the monitors was part of the team that undertook the first visit. Follow-up visits focus on progress made in the implementation of the suggestions. In addition, monitors look into changes with regard to fundamental issues such as freedom of association and child labour as well as major changes with regard to issues for which factories were found in compliance with the law after the first monitoring visit. Reports on follow-up visits are sent to management with a request to sign and return it. At this point, management can indicate with which points they do not agree. They are also informed that they can contact the Project at all times to discuss the report or provide additional information if they so desire.

### 1.3.3 Reporting procedures

Based on the reports prepared by the monitoring teams, the CTA prepares a synthesis report every four months that provides an overview of the operation of the monitoring system for the period under review<sup>1</sup>. The synthesis report is presented to the Project Advisory Committee. The Project Advisory Committee discusses each synthesis report and its comments are recorded and attached to the ILO report. The ILO report and the comments of the Project Advisory Committee are made available in both English and Khmer and distributed to implementing and cooperating agencies under the project, and to the parties to the US-Cambodia Textile and Trade Agreement. The report is also posted on the ILO website. The first report was published in November 2001, the second in April 2002, the third in June 2002, the fourth in September 2002, the fifth and sixth in June 2003, and the seventh in October 2003.

## **1.4 This synthesis report**

This eighth synthesis report contains an overview of progress made by the 65 factories covered by the fourth synthesis report in implementing the suggestions made by the project for improving working conditions in each individual factory. The assessment of progress made is based on a follow-up visit undertaken by the monitors. Two of the 65 factories covered by the fourth report had closed down. It was therefore impossible to undertake a follow-up visit and include relevant information on progress

---

<sup>1</sup> Initially the period for the publication of reports was every three months. Since it was found that this was logistically difficult this period was changed to every four months.

made by these factories in this report. One of the factories was dropped because it was already covered by the fifth synthesis report (June 2003).

The Fourth Synthesis Report (September 2002) identified the following key findings with regard to the 65 factories covered by the fourth, and the current eighth report, as follows:

- ◆ There is no evidence of forced labour;
- ◆ There is no evidence of child labour;
- ◆ There is some evidence of sex discrimination, including sexual harassment;
- ◆ Non-correct payment of wages occurs frequently;
- ◆ Over-time work is not, or not always, undertaken voluntarily in a substantial number of factories;
- ◆ Over-time hours extend, either occasionally or frequently, beyond the legal limits in a substantial number of factories;
- ◆ Freedom of association, including anti-union discrimination, is a problem in some factories;
- ◆ Strikes are not organised in conformity with the legally required procedures.

While the current Eighth Report contains the details of the monitoring, the key findings following the undertaking of follow-up visits at the 62 factories are the following:

- ◆ There is no evidence of forced labour;
- ◆ There are two incidents of sex discrimination including 1 minor incident of sexual harassment;
- ◆ There are four minor incidents and two more serious incidents of child labour;
- ◆ There has been improvement in the correct payment of wages though this remains a problem in a number of factories;
- ◆ There has been some improvement with regard to ensuring that overtime work is undertaken voluntarily though this remains a problem in a number of factories;
- ◆ There has been some improvement in ensuring that overtime hours are within legal limits though this remains a problem in a number of factories;
- ◆ There has been some improvement in ensuring freedom of association, including protection against anti-union discrimination, though this remains a problem in a small number of factories;
- ◆ There has been some improvement in ensuring that strikes are organised in conformity with the legally required procedures.

It is important to underline that the monitoring of factories is not an objective in itself, but part of a process aimed at improving working conditions in Cambodia's garment sector as a whole. Thus, factories are not named the first time information on them is included in a report but they are named in the following report. It is believed that

giving factories a grace period before they are named is the best way to realise the objective of the project, i.e. improving working conditions.

## **2. PROGRESS MADE IN IMPLEMENTING PROJECT SUGGESTIONS.**

The following provides an overview of progress made by factories in implementing the suggestions made by the Project. The names of the factories are listed below. The information is provided in two ways, i.e. by subject and by factory. Thus, sub-chapter 2.1 contains information on the implementation status of suggestions by subject, while sub-chapter 2.2 contains summary information on the implementation status by factory. **It is important to note that the information provided reflects changes in situations that took place in the period between the first factory visit and the follow-up visit. Also, where factories are listed by name this is done in alphabetical order.**

### Factories covered by this report

1. Best Honour International Garment Co., Ltd.,
2. Cambodia Apparel Industry Co., Ltd.,
3. Cambodia CPG Garment Co., Ltd., (NB. Permanently Closed),
4. Century Rich Company Ltd.,
5. Chea Sinat Garment Co., Ltd.,
6. Cheer View Textile Co., Ltd.,
7. Chu Hsing Cambodia Co., Ltd.,
8. Cinkamp Apparel Corp.,
9. Emperor Garment Industry Co., Ltd.,
10. Evertex Garment Industry Co., Ltd., (NB. Permanently Closed),
11. Fame Cambodia Knitting Garment Co., Ltd.,
12. Flying Dragon Co., Ltd. (Branch 1-),
13. Flying Dragon Co., Ltd. (Branch 2),
14. Flying Dragon Co., Ltd. (Branch 3),
15. Fortune Garment & Woollen Knitting Factory,
16. Four Seasons Garment Co., Ltd.,
17. Genon Garment Manufacturing Ltd.,
18. Gold Kamvimex Garment Factory Ltd.,
19. Golden Jet Cambodia Ltd.,
20. Goldfame Enterprises Knitters Ltd.,
21. Grandtex International Co., Ltd., (NB. Dropped because of overlapping)
22. Great Union Garment Ltd.,
23. Hytex Garment (Cambodia) Ltd.,
24. INSM Garments Co., Ltd.,

25. Jacqsintex Industries Cambodia Ltd.,
26. Jiangsu Diao Cambodia Co., Ltd.
27. June Textiles Co., Ltd.,
28. Jung Min Cambodia Apparel Co., Ltd.,
29. Kennetex International Co., Ltd.,
30. King First Industrial Co., Ltd.,
31. Lien-I Textiles (Cambodia) Co., Ltd.,
32. Manhatttan Qing Dao Textiles & Garment Co., Ltd.,
33. Manhatttan Textile & Garment Corp.,
34. Marlyn Industrial Corp.,
35. Maurea Garment Corp. Ltd.,
36. Medtecs (Cambodia) Corp. Ltd.,
37. M.G Garment Manufacturing Co., Ltd.,
38. MSI Garment Co., Ltd.,
39. M & V International Manufacturing Ltd. (Branch 1 – Nr. 754),
40. M & V International Manufacturing Ltd. (Branch 3 – Nr. 1623),
41. New Island Clothing Ltd.,
42. New Orient Cambodia Co., Ltd.,
43. North Gaiety Apparel Co., Ltd.,
44. Potamon Cambodia Co., Ltd.,
45. Roo Hsing Garment Co., Ltd.,
46. Sabrina Garment Manufacturing Corp.,
47. Sambath Garment Co., Ltd.,
48. Sam Han Cambodia Fabric Co., Ltd.,
49. Sharp Casual Co., Ltd.,
50. Sin Lan Ho Garment Co., Ltd.
51. Suit Way & La Rissaca Fashion Co., Ltd.,
52. Supreme Garments Pte, Ltd.,
53. Tai Yar Garment Industrial Co., Ltd.,
54. Terratex Knitting & Garment International Factory Ltd.,
55. Top-One Garment Manufacturing Co., Ltd.,
56. United Art Garment Co., Ltd.,
57. United Eternity (Cambodia) Ltd.,
58. Vinstar Garment Industry Co., Ltd.,
59. Wearwel Cambodia Ltd.,
60. Wing Tai Apparel (Cambodia) Ltd., (Branch 1)
61. Wing Tai Apparel (Cambodia) Ltd., (Branch 2)
62. Winner Knitting Factory Ltd.,
63. Ya Shin Industries Co., Ltd.,
64. YGM (Cambodia) Co., Ltd.,
65. Zheng Yong Garment Co., Ltd.

## **2.1 Overview of implementation status by subject.**

In the sections below information is provided with regard to progress recorded in implementing suggestions made by the project to improve working conditions. Under each subject heading, suggestions are listed followed by an indication of their implementation status (implemented, in process, partly implemented, not implemented) per factory. Thus, the combined number of factory names listed under each of these categories is the total number of factories for which a particular suggestion was made. While the project undertakes to ensure that suggestions are standardised this is not always possible since situations in factories differ. The overview given therefore contains suggestions that overlap. Under certain subject headings pertaining to the core standards of the ILO, information is also provided indicating whether or not there have been changes in factories where previously no suggestions were made.

### **2.1.1 Working conditions**

#### **2.1.1.1 Internal regulations**

Suggestion:

Management should ensure the internal regulations are posted at an appropriate place in the workplace.

Implemented: Century Rich, Flying Dragon 1, Flying Dragon 2, INSM, Medtecs, M&V 3, New Island, Qing Dao, United Art, Vinstar, YGM.

Not implemented: Four Seasons, Gennon, Manhattan, M&V 1, United Eternity.

Suggestion:

Management should ensure the internal regulations fully comply with the law.

Implemented: Best Honour, Potamon, Winner.

In process: Goldfame.

Not implemented: Chu Hsing, Emperor.

Suggestion:

Management should develop internal regulations (in consultation with shop stewards).

Implemented: Manhattan, Medtecs, Qing Dao, Terratex, Wing Tai 1, Wing Tai 2.

Not implemented: Fortune.

Suggestion:

Management should submit the internal regulations for approval by the labour inspectorate.

Implemented: Lien-I.

Not implemented: --

Suggestion:

Management should develop internal regulations for apprentices.

Implemented: New Island, Terratex.

Not implemented: Fortune.

Suggestion:

Management should change the old name of the factory written on the existing internal regulations to the new one.

Implemented: New Island.

Not implemented: --

### **2.1.1.2 Employment contract**

Suggestion:

Management should ensure that workers understand the terms of their employment contract.

Implemented: Cambodia Apparel, Cheer View, Gennon, Jiangsu Diao, Kennetex, Manhattan, Supreme, Top-One, Wing Tai 1, Winner.

Partly implemented: Century Rich, Gold Kamvimex, Great Union, Hytex, Jung Min, M.G, Sam Han, Wearwel, Wing Tai 2, Zheng Yong.

Not implemented: Best Honour, Chea Sinat, Emperor, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Fortune, Goldfame, INSM, Tai Yar, United Art, Vinstar.

Suggestion:

Management should ensure the amendment of clauses in the employment contract that do not comply with the law.

Implemented: Jiangsu Diao, New Island, Sabrina, Sam Han, Sin Lan Ho, Terratex.

Partly Implemented: Great Union, New Orient, Roo Hsing, Zheng Yong.

Not implemented: Best Honour, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, INSM, Jacqsintex, Maurea, Sambath, YGM.

Suggestion:

Management should ensure that probation contracts do not exceed 3 months.

Implemented: Flying Dragon 1, Flying Dragon 3, Manhattan, M.G, Top-One, United Eternity.

No more  
probationary  
workers recruited: Tai Yar.

Not implemented: Flying Dragon 2, INSM, Maurea, Potamon, Sambath.

Suggestion:

Management should ensure that apprenticeship contracts are in line with the law.

Implemented: –

No more  
apprentices  
recruited: Century Rich, Hytex, Lien-I.

Not implemented: M&V 3, Roo Hsing.

Suggestion:

Management should ensure that apprenticeship contracts do not exceed 2 months.

Implemented: M&V 3, Sabrina.

No more  
apprentices  
recruited: Lien-I, Supreme.

Not implemented: --

Suggestion:

Management should develop specific apprenticeship contracts.

Implemented: Terratex.

No more  
apprentices  
recruited: Hytex, Supreme, YGM.

Not implemented: Fortune, Sam Han.

Suggestion:

Management should ensure that workers' contract status is not subject to arbitrary change (i.e. from regular to apprentice).

Implemented: Best Honour.

Not implemented: Zheng Yong.

Suggestion:

Management should ensure that casual workers have the same obligations and enjoy the same rights as regular workers, especially with regard to wage payments.

Implemented: Best Honour, Cheer View, Roo Hsing.

Partly implemented: Cinkamp, Four Seasons, Gold Kamvimex, Sabrina, Wearwel, Wing Tai 2, Zheng Yong.

No more casual workers recruited: Chu Hsing, North Gaiety, Wing Tai 1.

Not implemented: Cambodia Apparel, Emperor, Great Union, INSM, Jiangsu Diao, June, Jung Min, Kennetex, King First, Manhattan, Maurea, Medtecs, Qing Dao, Supreme, Top-One, United Eternity, Vinstar.

Suggestion:

Management should ensure that casual workers are only recruited to a) perform a specific work that shall normally be completed within a short period of time and b) perform work temporarily, intermittently and seasonally.

Implemented: Cambodia Apparel, Gold Kamvimex, Jiangsu Diao, Roo Hsing, Wing Tai 1.

No more casual workers recruited: Chu Hsing, United Eternity.

Not implemented: Chea Sinat, Cheer View, INSM, Jung Min, Manhattan, Supreme, Top-One, Wearwel, Wing Tai 2.

Suggestion:

Management should ensure no worker has to pay anyone a fee in order to get a job.

Implemented: Emperor, June, Marlyn, M.G.

Not implemented: Fortune, Four Seasons, Goldfame, Manhattan, Sam Han, Terratex.

Suggestion:

Management should ensure that the signing or renewal of a contract is not subject to a cash guarantee or bond of any form.

Implemented: Jiangsu Diao.

Not implemented: --

Suggestion:

Management should ensure that employment contracts specify the duration of employment as well as the terms of employment.

Implemented: --

Not implemented: Lien-I.

Suggestion:

Management should ensure no workers are subject to employment suspension because of fainting in the factory.

Implemented: Top-One.

Not implemented: --

Suggestion:

Management should ensure that dismissed workers are paid the correct indemnity.

Implemented: --

Not implemented: Zheng Yong.

Suggestion:

Management should ensure that the termination of employment contracts of workers is done only for reasons allowed under the law.

Implemented: Manhattan.

Not implemented: --

### **2.1.1.3 Collective agreement**

Suggestion:

Management should ensure that the collective agreement is posted throughout the factory.

Implemented: Great Union, Hytex, North Gaiety.

Not implemented: --

Suggestion:

Management should ensure that the collective agreement complies with the law.

Implemented: --

Not implemented: Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Gennon, Hytex, Sin Lan Ho.

### **2.1.1.4 Wages**

Suggestion:

Management should ensure that the minimum wage notice is posted in the workplace.

Implemented: Cambodia Apparel, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Goldfame, Gold Kamvimex, INSM, Jiangsu Diao, Kennetex, Medtecs, M.G, MSI, M&V 1, M&V 3, New Island, North Gaiety, Potamon, Qing Dao, Sam Han, Terratex, Top-One, United Art, Winner.

Partly implemented: Manhattan.

Not implemented: Century Rich, Cheer View, Fortune, Four Seasons, Gennon, Sambath, YGM.

Suggestion:

Management should ensure that workers understand their wage calculations.

Implemented: Best Honour, Cambodia Apparel, Chea Sinat, Gennon, Hytex, Jiangsu Diao, June, M.G, M&V 3, Qing Dao, Supreme, Terratex, Winner.

Partly implemented: Flying Dragon 3, Golden Jet, INSM, King First, Lien-I, M&V 1, Sin Lan Ho, Wing Tai 1.

Not implemented: Century Rich, Cheer View, Chu Hsing, Fame Cambodia, Flying Dragon 1, Flying Dragon 2, Fortune, Goldfame, Gold Kamvimex, Great Union, Kennetex, Potamon, Sambath, Sam Han, Suit Way, Wing Tai 2, YGM, Zheng Yong.

Suggestion:

Management should inform workers of the piece rate before work starts.

Implemented: Winner, Zheng Yong.

Partly implemented: Best Honour.

Not implemented: Century Rich, Chu Hsing.

Suggestion:

Management should ensure that the piece rate is set at such a level that permits a worker of average ability working normal hours to earn the minimum wage.

Implemented: –

Not implemented: Best Honour, Cheer View, Gold Kamvimex, M.G, M&V 3, Qing Dao, Supreme, Terratex, Wing Tai 1, Wing Tai 2, Zheng Yong.

Suggestion:

Management should ensure that apprentices or probationary workers get the correct minimum wages, including bonuses.

Implemented: Century Rich, Jung Min, Sin Lan Ho, Supreme, Terratex, Top-One.

Not implemented: Fortune, Sambath.

Suggestion:

Management should ensure that workers doing the same job in the same position or doing work of equal value receive the same wage.

Implemented: Marlyn.

Not implemented: --

Suggestion:

Management should ensure that workers receive the correct overtime wages.

Implemented: Emperor, Four Seasons, M.G.

Not implemented: Fortune, Goldfame.

Suggestion:

Management should ensure workers receive the correct wages for work undertaken during Sunday/public holiday.

Implemented: King First, Sam Han, Supreme.

Not implemented: Fortune, INSM.

Suggestion:

Management should ensure that piece-rate or casual workers receive paid public holidays.

Implemented: MSI.

Not implemented: Zheng Yong.

Suggestion:

Management should ensure that the correct payment of wages is provided to workers.

Implemented: Zheng Yong.

Not implemented: --

Suggestion:

Management should ensure that workers receive the correct nighttime wages.

Implemented: New Orient, Sam Han, Terratex.

No more night  
work/shift: Hytex.

Not implemented: Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Fortune,  
Gennon, Goldfame, INSM, Jiangsu Diao, Jung Min, Manhattan,  
Medtecs, Qing Dao, Sambath, Winner.

Suggestion:

Management should ensure that casual workers are paid the legally guaranteed minimum wage, including overtime payments.

Implemented: Cheer View.

No more casual  
workers hired: Great Union.

Not implemented: Chea Sinat, Vinstar.

Suggestion:

Management should ensure that pre-apprenticeship or pre-probation workers are paid the correct minimum and over time wages.

Implemented: --

Not implemented: Fortune, Terratex.

Suggestion:

Management should ensure that the workers' wage in February is made up to the minimum wage.

Implemented: --

Not implemented: June.

Suggestion:

Management should ensure that the food allowance or a free meal is provided to workers undertaking overtime.

Implemented: INSM, Jiangsu Diao, Top-One.

Partly implemented: Cambodia Apparel.

Not implemented: Chea Sinat, Tai Yar, Vinstar, Yashin.

Suggestion:

Management should consider providing workers with a free choice whether they want to have a free lunch or (1,000 riel) food allowance for undertaking overtime.

Implemented: --

Not implemented: Wearwel.

Suggestion:

Management should ensure the correct payment of overtime and that the food allowance or a free meal is provided to workers undertaking overtime.

Implemented: --

Partly implemented: Flying Dragon 1, Flying Dragon 2, Flying Dragon 3.

Not implemented: --

Suggestion:

Management should pay the attendance bonus to workers entitled to it.

Implemented: Cambodia Apparel, Flying Dragon 1, Flying Dragon 3, Fortune, Lien-I.

Partly implemented: Goldfame, Gold Kamvimex (Only part of a suggestion – probation).

Not implemented: Sambath.

Suggestion:

Management should treat workers equally with regard to the provision of attendance bonus when taking leave.

Implemented: –

Not implemented: Gennon.

Suggestion:

Management should ensure that the attendance bonus is not used to make up the minimum wage of piece rate workers whose earnings fall below the minimum wage.

Implemented: M.G.

Not implemented: Terratex,

Suggestion:

Management should ensure that all (casual/probationary) workers entitled to it are provided the attendance bonus.

Implemented: –

No more casual  
or probationary  
workers hired: Great Union,

Not implemented: Cambodia Apparel, Vinstar.

Suggestion:

Management should ensure that workers entitled to it are provided the attendance bonus, even when they take authorised, paid leave.

Implemented: Roo Hsing, Sabrina.

Not implemented: --

Suggestion:

Management should provide the lodging or accommodation allowance to workers entitled to it during the suspension of operation.

Implemented: Jiangsu Diao.

No more  
Suspension: Yashin.

Not implemented: --

Suggestion:

Management should ensure that workers are provided the seniority bonus after 1 year of service.

Implemented: Cambodia Apparel, Flying Dragon 2, Fortune, M.G, M&V 3, Tai Yar, Vinstar.

Partly implemented: Jung Min.

Not implemented: Sam Han.

Suggestion:

Management should ensure that wage deductions for unauthorised absence do not exceed basic daily wages.

Implemented: Cambodia Apparel, Chu Hsing, Goldfame, Sam Han.

Not implemented: --

Suggestion:

Management should ensure no undue wage deductions are made in the event of authorised absence by piece rate workers.

Implemented: Zheng Yong.

Not implemented: --

Suggestion:

Management should not impose fines/wage deductions to ensure labour discipline.

Implemented: Goldfame, Jiangsu Diao, Manhattan, MSI, Vinstar, Yashin.

Not implemented: Chu Hsing, Emperor, M.G, Supreme, Terratex, Top-One.

Suggestion:

Management should not impose any fine or wage deduction for workers being marginally late.

Implemented: --

Not implemented: Sambath.

Suggestion:

Management should ensure that the cost for replacement of worn/unusable tools used by workers is not deducted from their wage.

Implemented: --

Partly implemented: YGM.

Not implemented: King First.

Suggestion:

Management should ensure that wage payments are made on time.

Implemented: Sambath.

Not implemented: --

Suggestion:

Management should ensure that the payment of wages is made a day before when the payday falls on a Sunday or Public Holiday.

Implemented: Fortune, M&V 3.

Not implemented: --

Suggestion:

Management should ensure that a payslip is developed in Khmer and provided to workers.

Implemented: Four Seasons, MSI, Potamon.

Not implemented: Yashin.

Suggestion:

Management should add a Khmer header description into the payroll ledger/revise the payroll to specify different categories or hours of work.

Implemented: Chu Hsing, Goldfame, Hytex, M&V 3, North Gaiety.

Partly implemented: Top-One.

Not implemented: Chea Sinat, Fortune, Golden Jet, M&V 1, Suit Way.

Suggestion:

Management should write worker's names in Khmer into the payroll ledger.

Implemented: --

Partly implemented: Top-One (Only part of a suggestion).

Not implemented: Lien-I.

Suggestion:

Management should correct the names of workers with their corresponding factory identity number listed in the payroll.

Implemented: INSM.

Not implemented: --

Suggestion:

Management should develop and introduce a payroll ledger.

Implemented: --

Not implemented: Gold Kamvimex

#### **2.1.1.5 Hours of work**

Suggestion:

Management should ensure that normal working hours (for causal workers) do not exceed 8 hours per day.

Implemented: Qing Dao, Top-One.

Not Implemented: --

Suggestion:

Management should ensure that overtime is voluntary, exceptional and does not exceed 2 hours per day.

Implemented: Terratex.

Partly implemented: Best Honour, Cambodia Apparel, Cheer View, Century Rich, Cinkamp, Fame Cambodia, King First, Sam Han, Winner, Zheng Yong.

Not implemented: Chu Hsing, Emperor, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Four Seasons, Fortune, Gennon, Goldfame, Gold Kamvimex, Great Union, Hytex, INSM, Jiangsu Diao, Kennetex, Manhattan, M.G, New Orient, Potamon, Sharp Casual, Roo Hsing, Sambath, Suit Way, Supreme, Top-One, United Eternity.

Suggestion:

Management should ensure that overtime work is voluntary and exceptional.

Implemented: --

Partly implemented: Wearwel.

Not implemented: --

Suggestion:

Management should ensure that overtime work is exceptional and does not exceed 2 hours per day.

Implemented: Wing Tai 2.

Not implemented: Qing Dao, Medtecs, M&V 1, M&V 3, Wing Tai 1.

Suggestion:

Management should ensure that overtime work does not exceed 2 hours per day and that workers receive meal allowance when undertaking overtime.

Implemented: --

Partly implemented: Jung Min.

Not Implemented: --

Suggestion:

Management should ensure that overtime work does not exceed 2 hours per day.

Implemented: Lien-I.

Not implemented: North Gaiety.

Suggestion:

Management should ensure that overtime work is voluntary.

Implemented: Vinstar.

Not implemented: June, Sin Lan Ho.

Suggestion:

Management should ensure that overtime work is exceptional.

Implemented: Marlyn, Sabrina.

Not implemented: --

Suggestion:

Management should not subject workers to warning/sanctions/dismissal for refusing to work overtime or Sundays/holidays.

Implemented: Century Rich, Gold Kamvimex, Jacqsintex, Sam Han, Top-One.

Not implemented: Four Seasons, New Orient.

Suggestion:

Management should ensure that workers who refuse to undertake overtime can easily leave the factory.

Implemented: --

Partly implemented: Wearwel.

Not implemented: --

Suggestion:

Management should obtain permission from MOSALVY to undertake overtime work.

Implemented: King First, Sam Han, Sin Lan Ho.

Not implemented: Lien-I, Manhattan, Medtecs, Qing Dao.

Suggestion:

Management should obtain permission from MOSALVY to undertake overtime and Sunday work.

Implemented: North Gaiety, YGM.

Partly implemented: M&V 1.

Not implemented: --

Suggestion:

Management should post the overtime permission in the factory.

Implemented: Jung Min, Wearwel.

Not implemented: --

Suggestion:

Management should ensure that working on weekly time-off/Sunday and public holidays is voluntary and exceptional.

Implemented: Emperor.

Partly implemented: INSM.

Not implemented: Goldfame.

Suggestion:

Management should ensure that work on public holiday is exceptional and voluntary.

Implemented: Chu Hsing, Jiangsu Diao, Terratex.

Not implemented: Fortune, Qing Dao.

Suggestion:

Management should ensure that work on public holiday and/or Sunday is voluntary.

Implemented: Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Jacqsintex, Roo Hsing, Terratex.

Not implemented: --

Suggestion:

Management should ensure that workers are provided weekly time-off and public holidays.

Implemented: Sam Han.

Not implemented: Top-One.

Suggestion:

Management should ensure that workers are provided with weekly time-off of 24 consecutive hours.

Implemented: --

Not implemented: Goldfame, Qing Dao.

Suggestion:

Management should ensure that work on Sunday is voluntary and exceptional.

Implemented: Cambodia Apparel, Terratex.

Partly implemented: Jiangsu Diao.

Not implemented: Fortune.

Suggestion:

Management should obtain prior weekly time-off suspension permission from MOSALVY.

Implemented: Cheer View, King First, Lien-I, North Gaiety, Terratex.

Not implemented: Chu Hsing, Fortune, Manhattan, Medtecs, Sam Han, Top-One, United Eternity.

Suggestion:

Management should ensure that night workers are provided a place to sleep or are provided transportation.

Implemented: Fortune.

No more night work/shift: United Eternity, YGM.

Not implemented: Cambodia Apparel, Century Rich, INSM, Jiangsu Diao, June, Manhattan, Medtecs, Qing Dao, Roo Hsing, Terratex.

Suggestion:

Management should set the daily production target for normal working hours only to ensure the voluntary nature of overtime.

Implemented: Roo Hsing, Suit Way, Top-One.

Not implemented: Manhattan.

Suggestion:

Management should ensure that the time machines are repaired and functioning properly.

Implemented: Top-One.

Not implemented: --

### **2.1.1.6 Leave**

Suggestion:

Management should ensure that the list of national public holidays is posted in the factory.

Implemented: INSM, Qing Dao.

Not implemented: Sambath.

Suggestion:

Management should ensure that workers receive their annual leave entitlements.

Implemented: Four Seasons, Jiangsu Diao, Medtecs, Top-One.

Partly implemented: Cambodia Apparel, Goldfame, INSM, Manhattan.

Not implemented: Flying Dragon 1, Flying Dragon 2, Flying Dragon 3.

Suggestion:

Management should ensure that workers can avail themselves of their annual leave entitlements.

Implemented: Best Honour, Great Union, King First, Terratex.

Partly implemented: Gennon, Jung Min.

Not implemented: Century Rich, Jiangsu Diao, June, M.G (Only part of a suggestion), Sin Lan Ho, Supreme, Vinstar, Wearwel, YGM.

Suggestion:

Management should secure the agreement of workers to convert annual leave into cash compensation.

Implemented: Cheer View, Gennon, Hytex, Jiangsu Diao, Jung Min (Only part of a suggestion), Kennetex, Terratex.

Not implemented: Fortune, King First, Sam Han.

Suggestion:

Management should simplify the calculation formula and secure the agreement of workers to convert annual leave into cash compensation.

Implemented: INSM.

Not implemented: --

Suggestion:

Management should ensure that workers in service for 3 years receive one extra day annual leave.

Implemented: Best Honour, New Orient, Top-One, Zheng Yong.

Not implemented: Cambodia Apparel, Goldfame, Gold Kamvimex, Jung Min, MSI, Sam Han, United Art, United Eternity, Winner.

Suggestion:

Management should ensure that the correct payment is made for annual leave compensation.

Implemented: Top-One, Vinstar, Zheng Yong.

Not implemented: --

Suggestion:

Management should ensure that the compensation of annual leave is provided to workers whose employment contract has been terminated.

Implemented: United Eternity.

Not implemented: --

Suggestion:

Management should ensure that special leave is provided without any undue restrictions, including wage deductions.

Implemented: Emperor, Four Seasons, Marlyn, Medtecs, Potamon, Terratex, Wing Tai 1.

Partly implemented: Best Honour, Cambodia Apparel, Chea Sinat, Cinkamp, Chu Hsing, Fame Cambodia, Gennon, Gold Kamvimex, Jacqsintex, M&V 3, New Orient, Qing Dao, Roo Hsing, Sabrina\*, Sam Han\*, Top-One, Vinstar, Wearwel, Yashin, YGM, Zheng Yong.

Not implemented: Cheer View, Century Rich, Flying Dragon 2\*, Flying Dragon 3\*, Fortune, Golden Jet, Goldfame\*, Great Union, INSM, Jiangsu Diao\*, June\*, Jung Min, Kennetex, Lien-I, Manhattan, M.G\*, MSI, Sharp Casual, Sambath, Sin Lan Ho, Suit Way, Supreme, Tai Yar, United Eternity, Wing Tai 2, Winner\*.

NB: For factories with an asterisk this was only part of a suggestion.

Suggestion:

Management should ensure that special leave for voter registration and national elections is provided without undue restrictions, including wage deductions.

Implemented: --

Not implemented: Sambath.

Suggestion:

Management should amend the (maternity) leave application form to comply with the law.

Implemented: --

Not implemented: Four Seasons, United Eternity.

Suggestion:

Management should ensure that sick leave is provided without any undue restrictions, including wage deductions.

Implemented: Chu Hsing, North Gaiety, Roo Hsing, Sin Lan Ho.

Partly implemented: Cambodia Apparel, Chea Sinat, Flying Dragon 1, Four Seasons, Gennon, Great Union, Marlyn, M&V 1, M&V 3, MSI, New Orient, Sabrina\*, Terratex, Wearwel, Wing Tai 1.

Not Implemented: Best Honour, Century Rich, Cheer View, Cinkamp, Emperor, Fame Cambodia, Flying Dragon 2, Flying Dragon 3\*, Fortune, Goldfame\*, Golden Jet, Goldfame, Gold Kamvimex, Hytex, INSM, Jacqsintex, Jiangsu Diao\*, June\*, Jung Min, Kennetex, King First, Lien-I, Manhattan, Medtecs, M.G\*, Potamon, Qing Dao, Sambath, Sam Han\*, Sharp Casual, Suit Way, Supreme, Tai Yar, Top-One, United Art, Vinstar, Wing Tai 2, Winner\*, Yashin, YGM.

NB. For factories with an asterisk this was only part of a suggestion.

Suggestion:

Management should ensure that sick leave is not deducted from annual leave.

Implemented: Best Honour.

Partly implemented: Fame Cambodia, Four Seasons.

Not Implemented: Cambodia Apparel (only part of a suggestion).

Suggestion:

Management should ensure that paid sick leave is not subject to the use of only one designated hospital.

Implemented: North Gaiety.

Not Implemented: --

Suggestion:

Management should treat all workers equal with regard to granting paid leave.

Implemented: June.

Not implemented: --

Suggestion:

Management should refrain from taking undue measures that alters a worker's contract in a negative manner, including suspension and dismissal, following the taking of paid or unpaid sick leave.

Implemented: Top-One.

Not implemented: New Orient.

### **2.1.1.7 Maternity leave**

Suggestion:

Management should ensure that 90 days' maternity leave is provided, with half pay including benefits for workers who have worked one year.

Implemented: Cheer View, Chu Hsing, Fame Cambodia, Flying Dragon 1, Flying Dragon 3, Great Union, Hytex, Jiangsu Diao, June, New Orient, Qing Dao, Roo Hsing, Sam Han, Suit Way, United Eternity, Vinstar, Wearwel, Wing Tai 1, Wing Tai 2, Yashin, YGM.

Partly implemented: Century Rich, Goldfame, Gennon, M.G, M&V 3, Terratex, Winner.

Not implemented: Cambodia Apparel, Cinkamp, Emperor, Flying Dragon 2, Fortune, INSM, Jung Min, King First, Sabrina, Tai Yar, Top-One, United Art.

Suggestion:

Management should ensure that workers on maternity leave receive half their wages and that payments are made before or during leave.

Implemented: Wearwel.

Not implemented: M&V 1.

Suggestion:

Management should ensure that workers on maternity leave receive half their wages before or during leave.

Implemented: MSI.

Not implemented: Four Seasons, YGM.

Suggestion:

Management should refrain from taking measures to dismiss or force pregnant workers to resign from work.

Implemented: Roo Hsing, Terratex.

Not implemented: --

Suggestion:

Management should ensure that workers are not subject to negative changes in their contract status when returning from maternity leave.

Implemented: Terratex.

Not implemented: --

Suggestion:

Management should ensure that new mothers do light work during the first two months after their maternity leave.

Implemented: Qing Dao.

Not implemented: --

### **2.1.1.8 Breast-feeding**

Suggestion:

Management should ensure that time-off for breast-feeding is provided/ workers are aware they have this right.

Implemented: Chu Hsing, Cinkamp, Four Seasons, Gennon, Golden Jet, Great Union, Jacqsintex, Jiangsu Diao, Kennetex, Maurea, New Orient, United Eternity, Wearwel, Wing Tai 1, Wing Tai 2, Yashin.

Partly implemented: Manhattan, Medtecs, MSI, Qing Dao, Tai Yar, Vinstar, Zheng Yong.

Not implemented: Best Honour, Cambodia Apparel, Chea Sinat, Cheer View, Century Rich, Emperor, Fame Cambodia, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Fortune, Goldfame, Gold Kamvimex, Hytex, INSM, June, Jung Min, King First, Marlyn, M.G, M&V 3, North Gaiety, Potamon, Sambath, Sam Han, Sin Lan Ho, Suit Way, Supreme, Terratex, Top-One, United Art, Winner.

### **2.1.1.9 Nursing room/day care centre**

Suggestion:

Management should establish a (fully operational) nursing room-day care centre or pay eligible workers for placing their children in private day-care centres.

Implemented: Supreme.

Partly implemented: Cinkamp, Chu Hsing, Fortune, Gold Kamvimex, Great Union, Kennetex, Maurea, M&V 3, New Island, New Orient, Sabrina, Sam Han, Wearwel, Wing Tai 1, Wing Tai 2, Winner, Yashin.

In process: Best Honour, Four Seasons, Jung Min.

Not Implemented: Cambodia Apparel, Chea Sinat, Cheer View, Century Rich, Emperor, Fame Cambodia, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Gennon, Golden Jet, Goldfame, Hytex, INSM, Jacqsintex, Jiangsu Diao, June, King First, Manhattan, Marlyn, Medtecs, M.G, M&V 1, MSI, North Gaiety, Potamon, Qing Dao, Roo Hsing, Sambath, Sharp Casual, Sin Lan Ho, Suit Way, Tai Yar, Terratex, Top-One, United Art, United Eternity, Vinstar, YGM, Zheng Yong.

Suggestion:

Management should ensure that the nursing room is operational.

Implemented: –

Not implemented: Manhattan, Medtecs, Qing Dao.

Suggestion:

Management should ensure that the nursing room is separated from the office.

Implemented: Vinstar.

Not implemented: –

#### **2.1.1.10 Sexual harassment**

No indications were found in 61 factories that sexual harassment occurred, while in 1 factory indications were that sexual harassment did occur.

In 1 factory (Terratex – New) a male line supervisor had sexually harassed one female worker but had subsequently resigned from work and paid the worker compensation.

Suggestion:

Management should ensure that there is no sexual harassment in the factory.

Implemented: Wing Tai 1.

Not implemented: –

#### **2.1.1.11 Indecent behaviour**

Suggestion:

Management should treat workers with respect.

Implemented: Best Honour, Cheer View, Century Rich, Cinkamp, M&V 3, Terratex, Yashin.

Partly implemented: Great Union, Hytex, Manhattan, M.G, Qing Dao, Top-One, Zheng Yong.

Not implemented: Cambodia Apparel, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Goldfame, Gold Kamvimex, INSM, June, New Orient, North Gaiety, Roo Hsing, Sharp Casual, Supreme, Tai Yar, United Eternity, Vinstar, Wearwel, YGM.

Suggestion:

Management should ensure that male workers treat female workers with respect.

Implemented: Qing Dao.

Not implemented: --

Suggestion:

Management should ensure that male medical personnel undertake medical examinations in a professional manner.

Implemented: United Eternity.

Not implemented: --

#### **2.1.1.12 Discrimination**

No indications were found in any of the 61 factories that discrimination was practised, while in 1 factory the indications were that only men were recruited.

Suggestion:

Management should ensure that all forms of discrimination at the workplace are eliminated.

Implemented: Gold Kamvimex, INSM.

Not implemented: Lien-I.

### **2.1.1.13 Forced Labour**

No indications were found in any of the 62 factories that forced labour was practiced.

### **2.1.1.14 Child labour**

No indications were found in 56 factories that child labour was practiced.

In 1 factory (Fortune), monitors observed that some (12) workers' physical appearance looked young and appeared to be less than 15 years of age. The monitors examined the personnel records of these workers and found that no reliable age-certifying documents were available. All the factories had a copy of the residential certificate of individual workers issued by the local authorities. Verification of the documents of these 12 workers against the original records at the relevant commune offices showed that none of the workers were underage except one. The worker was 13 years and 5 months at the time of recruitment while she was 14 years and 5 months at the time of the monitoring visit in September 2003. Subsequently, a delegation comprised of representatives of the ILO, GMAC and the Labour Inspectorate visited the factory with a view to securing an agreement with factory management to remove and place the under-aged worker in an appropriate education/vocational training scheme. An agreement with the factory management was secured by the delegation. Under the agreement, the worker has ceased working in the factory and has been placed in a 6-month sewing course at the Provincial Training Centre. The factory agreed to pay the (US\$300) placement fee and to provide a monthly allowance (US\$55). The factory also agreed to re-employ the worker once she has turned 15. The ILO will undertake monthly follow-up visits to ensure that the worker is attending the course and receiving the relevant payments.

In another factory (June), monitors observed that workers of a sub-contractor who sometimes worked on factory premises looked young and appeared to be underage. With the assistance of the factory, the monitors were able to visit the sub-contractor (Mei Wah Auto Embroidery Factory Co., Ltd.), which has not registered with the project. The monitors observed that some 23 workers appeared to be less than 15 years of age and found that they did not have reliable civil documents. Interviews with both management and these workers confirmed they were 18 years or older. Following a request, management could provide the monitors with the personnel documents for 19 out of the 23 workers. The monitors checked the documents and found that they were 18 or older. However, examination of the documents of these 19 workers showed irregularities in these documents in which workers names and birth dates were different from the CV as compared to their official civil documents (family book, residence book, citizen ID/voter's cards, residence certificate and physical examination certificate issued by local authorities). A subsequent verification of the documents of these workers against the original records was carried out at relevant commune police offices where these workers have registered. The results showed that 17 workers were 15 years or older when they

were employed in the factory while 2 workers were less than 15 at the time of recruitment. Of the two workers, 1 was 13 years and 1 month at the time of recruitment in March 2000 and 1 was born in 1989 (no exact date available) employed as a casual worker in July 2003. The first and second workers have now turned 17 and 15 respectively.

In 1 factory (Goldfame - New) monitors observed several workers that appeared to be less than 15 years of age. Following a request for the relevant documents, management provided the personnel documents of 4 workers. Subsequently, the monitors verified the documents of these 4 workers against the original records at relevant commune offices. The findings showed that 1 worker was 23 at the time of recruitment in March 2003 while 3 were less than 15 years of age at the time of recruitment. The first worker was employed in April 2002 when she was 13 years and 10 months. She had turned 15 by the time of the monitoring in May 2003. The second was 14 at the time of employment in March 2003 and 14 years and 2 months at the time of the monitoring visit in May 2003. The third worker was employed 9 months before she turned 15. She was 14 years and 5 months at the time of the monitoring visit. Following a post-visit discussion, monitors observed a new group of (8) young workers that appeared to be under the minimum age. Again, the monitors obtained the personnel records and then verified it against the original records at relevant commune offices. The results showed that none of these 8 workers were less than 15 at the time of employment. Subsequently, a delegation comprised of representatives of the ILO, GMAC and the Provincial Labour Inspectorate visited the factory and discussed with factory management proposed measures concerning the employment of the two under-aged workers. The delegation secured an agreement with management to remove and place them in an appropriate vocational training course as identified by the ILO. Under the agreement management agreed to pay the (US\$400) training fees attached to the placement and to provide them with a monthly stipend until they attain 15 years of age. The first worker receives US\$45 and the second US\$60 monthly. Management did agree to re-hire them once they have turned 15. The two workers have been placed in a sewing course at the Provincial Training Centre. One of the workers finished the course on 9 December 2003 when she turned 15 and was re-employed by the factory while the other continues the course until she turns 15 on 10 March 2004.

In 1 factory (Great Union - New), monitors observed that some (17) casual workers appeared to be underage. Following a request for the personnel records, management confirmed that these were not available because they had never obtained them for the employment of casual workers. The monitors later obtained personal data of these 17 workers. Verification of the personal data of the workers at their home commune where they have registered indicated that 14 workers were 15 or older at the time of recruitment while 3 were under 15. The first worker was 13 years of age, the second 13 and 2 months and the third 14 when they were recruited in June 2003. Following the age verification, the monitors went back to the factory to locate these under-aged girls, but they no longer worked for the factory as their casual employment had finished.

In 1 factory (INSM - New), monitors observed that four female workers appeared to be less than 15 years of age. The monitors obtained their personnel documents. Examination of the documents of these workers identified some irregularities in these documents in that workers birth dates were altered to indicate they were all 18 years or older. The monitors later verified the birth dates of these workers at relevant communes. The findings showed that the birth dates of 3 of the workers were different from the original records at the commune offices. According to the original records, 1 worker was born on 7 July 1982 and she was 20 when employed by the factory. The second worker was born in 1987 and she was 14 years and 6 months at the time of recruitment in December 2002. The third worker was born in October 1989 and she was 14 years and 7 months at the time of employment in March 2003. The two under-aged workers had turned 15 at the time of the age verification. Attempts to verify the age of the fourth worker at her home commune were unsuccessful because of inaccessibility.

In another factory (Zheng Yong - New), monitors observed that some six casual workers appeared to be under the minimum age. The monitors requested the personnel records of these workers, but they were not available at the factory. During interviews the workers confirmed they were 18 years of age or older. Verification of their age at the relevant commune offices showed that 5 of them were more than 15 years of age at the time of recruitment, but the sixth worker was recruited at 14 years and 1 month in June 2003. Following the age verification, the monitors went back to the factory to locate this under-aged worker, but she no longer worked for the factory.

Suggestion:

Management should verify the age of workers against relevant and reliable documents prior to recruitment.

Implemented: Four Seasons, Wearwel.

Not implemented: Top-One.

Suggestion:

Management should verify with the sub-contractor and take all other necessary steps to ensure that no underage workers are employed in the factory.

Implemented: –

Not implemented: June.

## **2.1.2 Safety and health**

### **2.1.2.1 General**

#### **2.1.2.1.1 Safety and health policy**

Suggestion:

Management should develop an occupational safety and health policy.

Implemented: Four Seasons, Marlyn, New Orient, Sharp Casual.

Partly implemented: Kennetex, Maurea, Vinstar.

In process: Tai Yar.

Not implemented: Cambodia Apparel, Chea Sinat, Century Rich, Cheer View, Chu Hsing, Cinkamp, Emperor, Fame Cambodia, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Fortune, Gennon, Gold Kamvimex, Golden Jet, Goldfame, Great Union, Hytex, INSM, Jacqsintex, Jiangsu Diao, June, Jung Min, King First, Lien-I, Manhattan, Medtecs, M.G, M&V 1, M&V 3, MSI, North Gaiety, Potamon, Qing Dao, Roo Hsing, Sambath, Sam Han, Sin Lan Ho, Suit Way, Supreme, Terratex, Top-One, United Art, United Eternity, Wearwel, Wing Tai 1, Wing Tai 2, Winner, Yashin, YGM, Zheng Yong.

Suggestion:

Management should ensure that safety and health rules are in a language that workers can easily understand.

Implemented: –

Not implemented: Cambodia Apparel, Century Rich.

#### **2.1.2.1.2 Work-related accidents**

Suggestion:

Management should develop a system for recording work-related accidents/illnesses and notify the relevant authority of such accidents/illnesses.

Implemented: Cambodia Apparel, Century Rich, Chu Hsing, Emperor, Fame Cambodia, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Fortune, Four Seasons, Gennon, Gold Kamvimex, Golden Jet, Great Union, Hytex, INSM, June, Kennetex, Lien-I, M&V 1, M&V 3, MSI, Potamon, Sabrina, Sam Han, Suit Way, Wing Tai 1, Wing Tai 2.

Partly implemented: Cheer View, Jung Min, M.G.

In process: Tai Yar, Vinstar.

Not implemented: Chea Sinat, Goldfame, King First, Manhattan, Medtecs, Qing Dao, Sambath, Sharp Casual, Sin Lan Ho, Supreme, Terratex, Top-One, Winner.

Suggestion:

Management should ensure that the relevant authorities are notified of work-related accidents/illnesses.

Implemented: –

Not implemented: Jacqsintex, Jiangsu Diao, United Art, YGM.

### **2.1.2.1.3 Compensation for accidents/illnesses**

Suggestion:

Management should ensure the provision to workers of compensation for any work-related accidents/illnesses.

Implemented: Flying Dragon 3, Great Union, Maurea, M&V 1, New Orient, Potamon, Supreme, Terratex.

Partly implemented: Best Honour, Cheer View, Gennon, Goldfame, June, Jung Min, Manhattan, Medtecs, M&V 3, Qing Dao, Top-One, Winner.

In process: Sabrina.

Not Implemented: Cambodia Apparel, Century Rich, Emperor, Fame Cambodia, Fortune, Hytex, INSM, Kennetex, Lien-I, M.G, Sambath, Sharp

Casual, Sin Lan Ho, Suit Way, Tai Yar, Vinstar, Wearwel, YGM, Zheng Yong.

#### **2.1.2.1.4 Emergency arrangements**

Suggestion:

Management should ensure that all emergency exit doors are open/unlocked during working hours.

Implemented: Chu Hsing, Gennon, Great Union, Jung Min, M.G, Terratex.

Not implemented: INSM, Lien-I.

Suggestion:

Management should ensure that access paths to emergency exit doors/emergency exit doors are easily passable/accessible.

Implemented: Emperor, Flying Dragon 1.

Not implemented: --

Suggestion:

Management should build stairs for each of the emergency exits where necessary to ensure safe and easy access.

Implemented: Terratex.

Not implemented: --

Suggestion:

Management should ensure that workers can easily go outside the factory / the entrance gate is unlocked during lunch and dinner breaks.

Implemented: --

Not implemented: Wearwel.

Suggestion:

Management should ensure that all emergency exit doors are clearly marked.

Implemented: Qing Dao.

Not implemented: Flying Dragon 2.

Suggestion

Management should consider adding emergency exit doors.

Implemented: –

Not implemented: June.

Suggestion:

Management should hold regular emergency drills.

Implemented: Fortune, Gennon, Gold Kamvimex, Golden Jet, Hytex, Jiangsu Diao, Roo Hsing, Suit Way, Zheng Yong.

Partly implemented: Kennetex, Marlyn, Terratex.

Not implemented: Century Rich, Emperor, Fame Cambodia, INSM, Lien-I, Qing Dao, Sambath, Sam Han, Top-One, United Eternity.

Suggestion:

Management should consider holding emergency drills during working hours.

Implemented: –

Not implemented: Manhattan.

Suggestion:

Management should ensure that a sufficient number of fire extinguishers is available.

Implemented: Gennon.

Not implemented: Lien-I (Only part of a suggestion).

Suggestion:

Management should ensure that fire extinguishers are within easy reach.

Implemented: Emperor, M.G, United Art.

Partly implemented: Flying Dragon 1.

Not implemented: Kennetex.

Suggestion:

Management should ensure fire extinguishers are regularly serviced.

Implemented: INSM, New Island.

Partly implemented: Sam Han.

Not Implemented: Sambath.

Suggestion:

Management should ensure that fire extinguishers are regularly serviced and that the service stickers are posted on them.

Implemented: –

Not Implemented: June.

Suggestion:

Management should post safety signs in appropriate places.

Implemented: Gennon, Golden Jet, Great Union, Jiangsu Diao, Kennetex, M.G, United Art.

Not implemented: Flying Dragon 1, Flying Dragon 2.

### **2.1.2.1.5 First Aid**

Suggestion:

Management should ensure that a sufficient number of properly stocked first aid boxes are available.

Implemented: Best Honour, Cinkamp, Gennon, Great Union, Kennetex, United Art, Winner.

Partly implemented: Flying Dragon 2, Fortune, Hytex, United Eternity.

Not implemented: Flying Dragon 1, Four Seasons, Golden Jet, Goldfame, INSM, Jiangsu Diao, Jung Min, King First, M&V 1, New Island, Sambath, Top-One.

Suggestion:

Management should ensure that first aid kits are properly stocked.

Implemented: Flying Dragon 3, Medtecs, Qing Dao, Sam Han.

Not implemented: Cambodia Apparel, Chea Sinat, Emperor, Supreme.

Suggestion:

Management should ensure that (enough) first aid kits are properly stocked and easily accessible.

Implemented: North Gaiety, Terratex.

Partly implemented: M.G.

Not implemented: Emperor, Potamon, Vinstar, Zheng Yong.

Suggestion:

Management should ensure that first aid boxes are easily accessible.

Implemented: MSI, Wing Tai 1, Wing Tai 2.

Not implemented: --

Suggestion:

Management should consider providing first aid training to workers.

Implemented: --

Not implemented: North Gaiety.

#### **2.1.2.1.6 Infirmary**

Suggestion:

Management should set up an infirmary:

Implemented: Cambodia Apparel\*.

Partly implemented: Century Rich\*.

Not implemented: Sharp Casual.

NB. For factories with an asterisk, the suggestion made was part of a more comprehensive suggestion on the establishment of an infirmary and the employment and assignment of medical staff, while for those without an asterisk it was a stand-alone suggestion.

Suggestion:

Management should set up a bandaging room in the factory.

Implemented: --

Not implemented: Lien-I.

Suggestion:

Management should recruit a doctor.

Implemented: Flying Dragon 1, Gennon\*, M.G\*, Potamon\*, Sam Han\*, Top-One\*.

Not implemented: Cambodia Apparel, Flying Dragon 2\*, Flying Dragon 3\*, Fortune, Gold Kamvimex\*, Great Union\*, Manhattan\*, Medtecs, Qing Dao, Tai Yar\*, Vinstar, Winner.

NB. For factories with an asterisk, the suggestion made was part of a more comprehensive suggestion on the employment and assignment of medical staff, while for those without an asterisk it was a stand-alone suggestion.

Suggestion:

Management should recruit one (more) nurse.

Implemented: Best Honour, Cheer View, Fame Cambodia, Flying Dragon 1, Goldfame, MSI\*, Potamon\*, Roo Hsing\*, Supreme, Top-One\*.

Partly implemented: Flying Dragon 2, Flying Dragon 3, Fortune, Kennetex, M&V 3, Sam Han.

Not implemented: Chea Sinat, Emperor, Gennon\*, Hytex\*, June, Jung Min, Marlyn, M.G\*, North Gaiety\*, Tai Yar\*, Terratex\*, Wing Tai 2, Zheng Yong\*.

NB. For factories with an asterisk, the suggestion made was part of a more comprehensive suggestion on the employment and assignment of medical staff while for those without an asterisk it was a stand-alone suggestion.

Suggestion:

Management should ensure that a nurse/doctor is on duty during the required number of hours, including overtime.

Implemented: MSI\*, New Island, Supreme, Tai Yar, Vinstar.

Partly implemented: Cinkamp, Goldfame, Maurea, Terratex\*, United Art, United Eternity, Wing Tai 2, Wearwel.

Not implemented: Best Honour\*, Chu Hsing, Emperor\*, Flying Dragon 2, Flying Dragon 3, Fortune\*, Four Seasons, Gennon, Gold Kamvimex\*, Great Union\*, Hytex\*, Jacqsintex, Jiangsu Diao, Jung Min, King

First, Manhattan\*, M&V 1, North Gaiety\*, Potamon, Roo Hsing\*, Sam Han, Sin Lan Ho, Suit Way, Wing Tai 1, Yashin, YGM, Zheng Yong\*.

NB. For factories with an asterisk, the suggestion made was part of a more comprehensive suggestion on the employment and assignment of medical staff while for those without an asterisk it was a stand-alone suggestion.

Suggestion:

Management should expand the hospitalisation capacity of the infirmary.

Implemented: Cinkamp, Maurea, M&V 3, Sabrina, Wearwel.

Partly implemented: Best Honour, Cheer View, Gennon, Jacqsintex, Kennetex, Tai Yar, Terratex, Winner.

Not Implemented: Chea Sinat, Chu Hsing, Emperor, Fame Cambodia, Flying Dragon 1, Flying Dragon 2, Fortune, Four Seasons, Gold Kamvimex, Golden Jet, Goldfame, Great Union, Jiangsu Diao, June, Jung Min, King First, Manhattan, Marlyn, Medtecs, M.G, M&V 1, MSI, New Island, New Orient, North Gaiety, Potamon, Qing Dao, Sam Han, Suit Way, Supreme, United Art, United Eternity, Vinstar, Wing Tai 1, Yashin, YGM.

Suggestion:

Management should relocate the infirmary to an easily accessible place and expand its hospitalisation capacity.

Implemented: –

Not implemented: Zheng Yong.

Suggestion:

Management should ensure that an adequate supply of medication and medical equipment is available.

Implemented: Flying Dragon 1, Flying Dragon 3, Gennon, Jiangsu Diao, Potamon.

Partly implemented: Cheer View.

Not implemented: Emperor, Flying Dragon 2, Fortune, Jacqsintex, Kennetex, M.G, Tai Yar, United Art, Vinstar, Winner, Yashin.

Suggestion:

Management should ensure the infirmary is clean.

Implemented: Gennon.

Not implemented: --

Suggestion:

Management should ensure that access to the infirmary service is not subject to any undue restrictions.

Implemented: Gold Kamvimex.

Not implemented: June, Zheng Yong.

Suggestion:

Management should ensure that workers who are seriously ill/pass out receive proper care/are sent to the hospital.

Implemented: Great Union.

Not implemented: --

Suggestion:

Management should ensure that the medical service is provided free to workers.

Implemented: Four Seasons.

Not implemented: Fortune.

Suggestion:

Management should ensure that the infirmary is separated from the office.

Implemented: –

Not implemented: Chea Sinat.

Suggestion:

Management should ensure that the infirmary is separated from the workplace.

Implemented: Jiangsu Diao.

Not implemented: Jacqsintex.

Suggestion:

Management should consider setting up a toilet near or inside the infirmary.

Implemented: Wearwel.

Not implemented: –

### **2.1.2.2 Hazardous substances**

#### **2.1.2.2.1 Storage:**

Suggestion:

Management should ensure that chemical substances are properly stored.

Implemented: M.G.

Not implemented: Emperor, Gennon.

Suggestion:

Management should ensure that chemical substances are properly stored and clearly labelled in Khmer.

Implemented: M&V 1.

Partly implemented: Goldfame, Terratex.

Not implemented: Century Rich, Fame Cambodia, Flying Dragon 2, Sam Han.

Suggestion:

Management should ensure that chemical containers are labelled in Khmer and that workers are aware of the possible health effects of these chemicals.

Implemented: –

Not implemented: Gennon, Zheng Yong.

Suggestion:

Management should ensure that safety data sheets/labels for hazardous substances are posted, written in Khmer and communicated to workers.

Implemented: –

Partly implemented: Chu Hsing, M&V 3.

Not implemented: Goldfame, Fortune, Wing Tai 1.

Suggestion:

Management should provide training/instructions to workers handling chemical substances.

Implemented: Chu Hsing, Flying Dragon 2, Terratex.

Not implemented: Sam Han.

Suggestion:

Management should provide training/instructions to workers handling chemical substances and on the use of personal protective equipment.

Implemented: Fame Cambodia.

Partly implemented: Wing Tai 1.

Not implemented: --

Suggestion:

Management should install exhaust ventilation systems at the work areas where chemical substances are used.

Implemented: --

Partly implemented: Zheng Yong.

Not implemented: --

#### **2.1.2.2.2. Protective measures**

Suggestion:

Management should provide personal protective equipment, such as masks, gloves and earplugs, to workers who need it.

Implemented: Best Honour, Golden Jet, M.G, MSI.

Partly implemented: Cheer View, Goldfame, Great Union, Lien-I, North Gaiety, Potamon, Supreme, Top-One, United Art, Winner, Zheng Yong.

Not implemented: Chea Sinat, Chu Hsing, Cinkamp, Emperor, Flying Dragon 2, Flying Dragon 3, Fortune, Four Seasons, Gennon, Gold Kamvimex, Hytex, INSM, Jung Min, Manhattan, Roo Hsing, Sambath, Sharp Casual, Terratex, Vinstar.

Suggestion:

Management should provide (free) personal protective equipment to workers who need it and encourage them to use it.

Implemented: Century Rich, Kennetex.

Partly implemented: Jiangsu Diao, Wearwel, Wing Tai 1, Wing Tai 2.

Not implemented: Flying Dragon 1, Flying Dragon 3.

Suggestion:

Management should provide suitable foot wear to workers.

Implemented: New Orient, Supreme.

Partly implemented: Suit Way.

Not implemented: Century Rich, Four Seasons, INSM, June, Jung Min, M&V 3, North Gaiety, Qing Dao, Roo Hsing, Sharp Casual, Terratex, Top-One.

Suggestion:

Management should take appropriate measures to encourage workers to wear the protective equipment provided to them.

Implemented: Best Honour, Cinkamp, Four Seasons, New Island.

Not implemented: June, Medtecs, M&V 1, M&V 3, Qing Dao, Suit Way, United Eternity, Yashin, YGM.

Suggestion:

Management should regularly provide necessary personal protective equipment for all the workers at the laundry/washing section and encourage them to use it.

Implemented: Gennon.

Not implemented: Chea Sinat, Chu Hsing, Terratex.

Suggestion:

Management should provide necessary personal protective equipment for workers at the cutting section or the bar-tacking section and encourage them to use it.

Implemented: Gold Kamvimex, King First, United Eternity, Zheng Yong.

Not implemented: Best Honour.

### **2.1.2.3 Lighting**

Suggestion:

Managements should improve lighting arrangements at the warehouse and fabric inspection sections.

Implemented: Lien-I.

Not implemented: --

Suggestion:

Managements should ensure that lighting is free of glare and reflection.

Implemented: Terratex.

Not implemented: --

Suggestion:

Managements should improve lighting arrangements at the knitting department.

Implemented: --

Not implemented: Sam Han.

Suggestion:

Management should adjust the height of lights at the trimming section.

Implemented: Jung Min.

Not implemented: --

#### **2.1.2.4 Noise**

Suggestion:

Management should ensure that noise levels are reduced or that workers who need it are provided hearing protection equipment.

Implemented: Cinkamp, Qing Dao.

Partly implemented: Wing Tai 1, Zheng Yong.

Machines  
no longer  
in operation: Jiangsu Diao, Roo Hsing.

Not implemented: Chu Hsing, Flying Dragon 2, Sam Han, Terratex.

Suggestion:

Management should take appropriate measures to reduce the noise level in the workplace.

Implemented: Flying Dragon 1, Gennon, Jung Min, M.G.

Not implemented: --

#### **2.1.2.5 Machine safety**

Suggestion:

Management should ensure that machines are properly and regularly maintained.

Implemented: Fame Cambodia, Flying Dragon 1\*, Flying Dragon 2\*, Gennon, Hytex, M.G, Potamon, Sabrina, Top-One, United Art.

Partly implemented: Zheng Yong\*.

Not implemented: Kennetex.

NB. For factories with an asterisk, the suggestion made was part of a more comprehensive suggestion on the general maintenance of machines and electrical wiring systems while for those without an asterisk it was a stand-alone suggestion.

Suggestion:

Management should ensure that machines are regularly maintained and equipped with a safe/needle guard.

Implemented: –

Not implemented: Cheer View, INSM.

Suggestion:

Management should ensure that the electrical wiring system is properly maintained.

Implemented: Fame Cambodia, Flying Dragon 1, Gennon, INSM\*.

Partly implemented: Zheng Yong\*.

Not implemented: Flying Dragon 2\*.

NB. For factories with an asterisk, the suggestion made was part of a more comprehensive suggestion on the general maintenance of machines and electrical wiring systems while for those without an asterisk it was a stand-alone suggestion.

Suggestion:

Management should ensure all machines are equipped with a guard/safety switch.

Implemented: Maurea, Sambath.

Partly implemented: Wing Tai 2.

Not implemented: Chu Hsing, Emperor, Hytex, United Eternity, Wing Tai 1, Yashin, Zheng Yong.

Suggestion:

Management should take appropriate measures to prevent accidents from buttoning and laundry machines.

Implemented: –

Not implemented: Chu Hsing,

Suggestion:

Management should take into account the safety and health of workers when setting machines/operational targets and work responsibilities.

Implemented: --

Not implemented: Qing Dao.

Suggestion:

Management should ensure that the space between sewing/knitting machines is wide enough.

Implemented: M.G, Winner.

Not implemented: --

Suggestion:

Management should ensure that the electric switch boxes are properly posted with a warning sign/safety notice.

Implemented: M.G.

Not implemented: --

Suggestion:

Management should ensure that the wiring systems are properly installed.

Implemented: Zheng Yong.

Not implemented: --

Suggestion:

Management should arrange the steam pipes and wiring systems at the ironing section in Building A in a safe manner.

Implemented: --

Not implemented: Roo Hsing.

### **2.1.2.6 Ventilation and heat**

Suggestion:

Management should ensure that air circulation and ventilation are improved and the temperature level is reduced.

Implemented: Chea Sinat, Gennon, Lien-I, MSI, YGM.

Partly implemented: Chu Hsing, Fame cambodia, Goldfame, June, M&V 3, North Gaiety, Zheng Yong.

Not implemented: Best Honour, Cheer View, Century Rich, Cinkamp, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Four Seasons, Golden Jet, Great Union, Hytex, INSM, Kennetex, Manhattan, New Orient, Qing Dao, Sambath, Sam Han, Tai Yar, Top-One, United Eternity, Wing Tai 1.

Suggestion:

Management should introduce dust reduction measures.

Implemented: M&V 1, North Gaiety.

Not implemented: Chu Hsing, Fortune, Goldfame (only part of a suggestion), Qing Dao.

Suggestion:

Management should install or improve ventilation systems at the cutting section.

Implemented: Gennon, Medtecs.

Not implemented: Yashin (Only part of a suggestion).

Suggestion:

Management should improve ventilation and air-circulation in the storage/warehouse department.

Implemented: --

Not implemented: Jung Min, Marlyn.

Suggestion:

Management should install exhaust fans or improve ventilation at the ironing section.

Implemented: Gennon.

Not implemented: M.G, Potamon, United Art, Wearwel, Winner, Yashin (Only part of a suggestion).

Suggestion:

Management should ensure that exhaust fans are in operation during working hours.

Implemented: Fame Cambodia.

Not implemented: Terratex.

Suggestion:

Management should install exhaust fans at the washing section.

Implemented: --

Not implemented: M&V 1.

#### **2.1.2.7 House keeping**

Suggestion:

Management should ensure that the workplace is properly cleaned.

Implemented: Cheer View, Cinkamp, Fame Cambodia, Gennon, INSM, Winner.

Partly implemented: Lien-I, M.G, Yashin.

Not implemented: M&V 1, Potamon, Tai Yar, United Art, United Eternity.

Suggestion:

Management should ensure that the workplace is properly cleaned and tidy.

Implemented: --

Not implemented: Flying Dragon 2, Four Seasons.

Suggestion:

Management should properly clean the windows and/or skylights.

Implemented: Goldfame.

Partly implemented: Golden Jet.

Not implemented: Century Rich, Flying Dragon 3, Fortune, Top-One, Zheng Yong.

Suggestion

Management should properly clean and repair the windows.

Implemented: --

Not implemented: Chu Hsing.

Suggestion:

Management should ensure that access paths allow for two-way traffic.

Implemented: Cambodia Apparel, Great Union.

Partly implemented: Century Rich.

Not implemented: North Gaiety, Sharp Casual, Top-One, United Eternity.

Suggestion:

Management should ensure that access paths, aisles and walkways are free of obstruction.

Implemented: Wearwel.

Not implemented: New Island.

Suggestion:

Management should ensure that access paths are properly cleaned/tidy and allow for two-way traffic.

Implemented: –

Partly implemented: Gold Kamvimex, New Orient, Zheng Yong.

Not implemented: Kennetex.

Suggestion:

Management should ensure that work areas/raw materials/unfinished products are organised in such a manner so as not to obstruct the free flow of people and materials.

Implemented: Great Union, Sam Han, Terratex, Top-One.

Partly implemented: Marlyn.

Not implemented: Flying Dragon 1, Jung Min, Roo Hsing, Sambath.

Suggestion:

Management should re-arrange piping systems at the washing section to ensure the free flow of people and products.

Implemented: –

Not implemented: Zheng Yong.

Suggestion:

Management should ensure that work areas for spot removing/cleaning workers are properly covered/roofed preventing them from being exposed to direct sunlight.

Implemented: INSM.

Not implemented: --

Suggestion:

Management should ensure the proper storage of production materials/fabric in the cutting section.

Implemented: Hytex.

Not implemented: --

Suggestion

Management should ensure that the sandblast section is tidy and in a safe and healthy environment.

Implemented: --

Not implemented: Zheng Yong.

Suggestion:

Management should remove the metal fence installed inside the workplace to ensure the free flow of people and production materials.

Implemented: --

Not implemented: Terratex.

Suggestion:

Management should ensure that tools, materials and switches are within easy reach of workers.

Implemented: Flying Dragon 1, Flying Dragon 2.

Not implemented: Kennetex.

Suggestion:

Management should properly arrange the warehouse.

Implemented: M.G, United Art.

Not implemented: --

Suggestion:

Managements should ensure that equipment for the transportation of heavy/bulky materials is available:

Implemented: M.G, New Island.

Not implemented: United Eternity.

Suggestion:

Management should ensure that the workplace is free of bad odour and/or that the leaking sewage pipe is repaired.

Implemented: Wing Tai 2.

No more bad  
odour entering  
from outside: Zheng Yong.

Not implemented: Chea Sinat.

## **2.1.2.8 Welfare**

### **2.1.2.8.1 Drinking water**

Suggestion:

Management should ensure that enough drinking water is available.

Implemented: Flying Dragon 2, Sam Han.

Not implemented: Chu Hsing, Goldfame .

Suggestion:

Management should ensure that drinking water is provided through suitable and hygienic means.

Implemented: Century Rich, Gold Kamvimex, Sambath, Yashin.

Not implemented: --

Suggestion:

Management should ensure that a sufficient number of glasses or other sanitary means for drinking water are available.

Implemented: Manhattan, Medtecs, MSI, New Orient, Potamon, Qing Dao, Terratex, Zheng Yong.

Partly implemented: Chea Sinat, Fame Cambodia, M&V 1, Roo Hsing.

Not Implemented: Four Seasons, Fortune, Gold Kamvimex, Goldfame (only part of a suggestion), Great Union, Hytex, June, Jung Min, North Gaiety, Sambath, Sharp Casual, Supreme, Top-One, United Art, Vinstar, YGM.

Suggestion:

Management should set up an additional drinking station.

Implemented: --

Not implemented: Best Honour, Cambodia Apparel, United Art.

Suggestion:

Management should ensure that the drinking area/water containers are clean/hygienic, and that sufficient glasses are available.

Implemented: Gennon, Flying Dragon 1.

Partly implemented: Flying Dragon 2, Flying Dragon 3, Jiangsu Diao, M.G.

Not implemented: Emperor.

Suggestion:

Management should ensure that the drinking areas are clean and hygienic and that water containers are properly covered.

Implemented: Fortune.

Not implemented: --

Suggestion:

Management should ensure that the drinking areas/containers are in a clean and hygienic environment.

Implemented: Supreme, Top-One.

Not implemented: Kennetex, Terratex.

Suggestion:

Management should ensure that the old water containers are replaced and that the containers are kept away from direct sunlight.

Implemented: Gennon.

Not implemented: --

Suggestion:

Management should ensure that drinking water is not subject to any undue restriction.

Implemented: Marlyn.

Not implemented: --

#### **2.1.2.8.2 Sanitation facilities**

Suggestion:

Management should build additional toilets.

Implemented: Four Seasons, King First, Sin Lan Ho, Yashin.

Partly implemented: Fortune.

In process: Sharp Casual.

Not implemented: Jung Min, Top-One, United Eternity.

Suggestion:

Management should build additional toilets and repair those that are broken.

Implemented: --

Not implemented: Century Rich,

Suggestion:

Management should ensure that a sufficient number of toilets is available for use by workers.

Implemented: Chea Sinat.

Not implemented: M&V 1.

Suggestion:

Management should ensure that the toilets are clearly marked for use by female and male workers.

Implemented: Four Seasons.

Not implemented: --

Suggestion:

Management should ensure that the distribution of the number of toilets is in line with the number of female and male workers.

Implemented: --

Not implemented: Jiangsu Diao.

Suggestion:

Management should ensure that broken toilets are repaired.

Implemented: Flying Dragon 1, Flying Dragon 3, Gold Kamvimex, Great Union (Only part of a suggestion), Jiangsu Diao, Sam Han (only part of a suggestion), Zheng Yong.

Partly implemented: Emperor.

Not implemented: Cambodia Apparel, Chu Hsing, Flying Dragon 2, Supreme (only part of a suggestion).

Suggestion:

Management should ensure that broken toilets are repaired and that washing facility or dippers are available for use by workers.

Implemented: --

Not implemented: M.G.

Suggestion:

Management should ensure that all toilets are regularly cleaned.

Implemented: Cinkamp, Marlyn, Sam Han.

Not implemented: Kennetex.

Suggestion:

Management should ensure that all toilets are clean and functioning properly.

Implemented: –

Partly implemented: Wing Tai 1.

Not implemented: INSM.

Suggestion:

Management should ensure that all toilets are functioning properly.

Implemented: Terratex.

Not implemented: Jacqsintex, Sambath, Zheng Yong (only part of a suggestion).

Suggestion:

Management should ensure that toilets are clean and that water, soap and tissues / towels are available.

Implemented: Fame Cambodia, Gennon.

Partly implemented: Chu Hsing, Gold Kamvimex.

Not implemented: Cheer View, Century Rich, Flying Dragon 1, Sambath, Sharp Casual, Winner.

Suggestion:

Management should ensure that toilets are clean and that soap and tissues / towels are available.

Implemented: Best Honour, Flying Dragon 3, Suit Way.

Partly implemented: Golden Jet, Medtecs, United Art.

Not implemented: Flying Dragon 2, Manhattan, M.G, Potamon, Tai Yar, Top-One, United Eternity, Yashin, Zheng Yong.

Suggestion:

Management should ensure that soap, tissues or towels are available.

Implemented: Cinkamp, Maurea, MSI, Supreme (Only part of a suggestion).

Partly implemented: Jung Min, North Gaiety, Wing Tai 2.

Not implemented: Cambodia Apparel, Chea Sinat, Fortune, Four Seasons, Goldfame, Great Union, Hytex, INSM, Jiangsu Diao, June, Marlyn, M&V 1, M&V 3, Qing Dao, Sam Han, Vinstar, Wing Tai 1, YGM.

Suggestion:

Management should ensure there are no undue restrictions on toilet use.

Implemented: Cambodia Apparel, Gennon, King First, Marlyn, M.G, Top-One.

Not implemented: Jung Min (Only part of a suggestion), New Orient.

Suggestion:

Management should improve lighting in the toilets.

Implemented: Supreme (Only part of a suggestion), Zheng Yong (Only part of a suggestion).

Not implemented: Sambath (Only part of a suggestion).

Suggestion:

Management should set up a washing facility at the toilet areas.

Implemented: --

Not implemented: Wing Tai 1.

#### **2.1.2.9 Eating area**

Suggestion:

Management should ensure the eating area is clean and suitable to worker's needs.

Implemented: Best Honour.

Not implemented: --

Suggestion:

Management should ensure the eating area is in a hygienic environment with good ventilation.

Implemented: --

Not implemented: June.

Suggestion:

Management should ensure that food preparation is done in a hygienic manner.

Implemented: --

Not implemented: Wearwel.

#### **2.1.2.10 Seating**

Suggestion:

Management should improve seating arrangements for workers who work sitting down.

Implemented: –

Not implemented: Best Honour, Cambodia Apparel, Chea Sinat, Cheer View, Century Rich, Chu Hsing, Cinkamp, Emperor, Fame Cambodia, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Fortune, Four Seasons, Gennon, Goldfame, Gold Kamvimex, Golden Jet, Great Union, Hytex, INSM, Jacqsintex, Jiangsu Diao, June, Jung Min, King First, Manhattan, Marlyn, Maurea, Medtecs, M.G, M&V 1, M&V 3, MSI, New Orient, North Gaiety, Potamon, Qing Dao, Roo Hsing, Sabrina, Sambath, Sam Han, Sharp Casual, Sin Lan Ho, Suit Way, Supreme, Tai Yar, Terratex, Top-One, United Art, United Eternity, Vinstar, Wearwel, Wing Tai 1, Wing Tai 2, Winner, Yashin, YGM, Zheng Yong.

Suggestion:

Management should ensure that workers do not work sitting on the floor.

Implemented: Supreme.

Not implemented: Emperor.

Suggestion:

Management should ensure that workers who do their work standing are provided with chairs so as to be able to sit occasionally.

Implemented: Lien-I, M&V 1, New Orient, United Art.

Partly implemented: Fame Cambodia, Flying Dragon 3, M&V 3, New Island, Roo Hsing, Wing Tai 2, Zheng Yong.

Not implemented: Best Honour, Cambodia Apparel, Chea Sinat, Cheer View, Century Rich, Chu Hsing, Cinkamp, Emperor, Flying Dragon 1, Flying Dragon 2, Fortune, Four Seasons, Gennon, Goldfame, Gold Kamvimex, Golden Jet, Great Union, Hytex, INSM, Jacqsintex, Jiangsu Diao, June, Jung Min, King First, Manhattan, Marlyn, Medtecs, M.G, MSI, North Gaiety, Potamon, Qing Dao, Sambath, Sam Han, Sharp Casual, Sin Lan Ho, Suit Way, Supreme, Tai Yar, Terratex, United Eternity, Vinstar, Wearwel, Wing Tai 1, Winner, Yashin, YGM.

Suggestion:

Management should arrange the workstation so as to avoid bending positions for workers who work standing up.

Implemented: Jung Min, Roo Hsing.

Not implemented: --

### **2.1.3 Labour relations**

#### **2.1.3.1 Workers' freedom to organise**

Suggestion:

Management should ensure that workers have the right to freely form and join trade unions and freely participate in union activities.

Implemented: Cambodia Apparel, Century Rich, Flying Dragon 3, Gennon, Great Union, Kennetex, Top-One.

Not implemented: Chu Hsing, Goldfame, Gold Kamvimex, Vinstar.

Suggestion:

Management should refrain from taking measures that may prevent workers from freely forming or joining unions and engaging in union activities.

Implemented: Flying Dragon 3, Goldfame, Wearwel, Winner.

Not implemented: --

Suggestion:

Management should refrain from taking measures that may be perceived as being aimed at placing the union under its control.

Implemented: --

Not implemented: Chu Hsing, Sin Lan Ho.

### **2.1.3.2 Anti-union discrimination**

Suggestion:

Management should refrain from using physical violence against workers who participate in or organise legitimate union activities.

Implemented: Century Rich.

Not implemented: --

Suggestion:

Management should ensure that union leaders are dismissed only in accordance with the requirements of the law.

Implemented: --

No union leader fired: Flying Dragon 3.

Not implemented: Jacqsintex.

Suggestion:

Management should ensure that no worker suffers disadvantages because of union membership or participation in union activities.

Implemented: Kennetex, Roo Hsing, Wearwel.

Not implemented: Cambodia Apparel, Great Union, Jacqsintex.

Suggestion:

Management should observe the order by the labour inspectorate to reinstate the dismissed union leader.

Implemented: Wearwel.

Not implemented: --

### **2.1.3.3 Shop stewards**

Suggestion:

Management should hold first shop steward elections.

Implemented: Lien-I.

Not implemented: --

Suggestion:

Management should hold new shop steward elections;

Implemented: Flying Dragon 2, Flying Dragon 3, Medtecs, United Eternity, Yashin.

New elections  
not due yet: United Art.

Not implemented: Chea Sinat.

Suggestion:

Management should ensure that a copy of the result of shop steward elections is posted in the workplace.

Implemented: Kennetex, Suit Way.

Not implemented: Winner.

Suggestion:

Management should ensure that the next shop steward elections are held in accordance with the relevant rules and procedures.

Implemented: Emperor, Four Seasons, Golden Jet, Jacqsintex, Suit Way.

Partly implemented: Century Rich, Manhattan, M&V 1, New Island, New Orient.

New elections

not due yet: Best Honour, Cheer View, Gold Kamvimex, Great Union, Hytex, Jiangsu Diao, June, King First, MSI, Roo Hsing, Sharp Casual, Terratex, Wearwel.

Not implemented: Cambodia Apparel, Flying Dragon 1, Fortune, Gennon, Goldfame, M.G, Sambath, Sam Han, Top-One, Zheng Yong.

Suggestion:

Management should ensure the right of workers to vote or nominate candidates for shop steward elections.

Implemented: M.G, Qing Dao, Top-One.

Not implemented: Maurea, Vinstar.

Suggestion:

Management should ensure that the shop stewards are elected from amongst manual workers.

Implemented: –

Not implemented: Maurea.

Suggestion:

Management should ensure that the correct number of shop stewards is elected when next elections are held.

Implemented: –

Not implemented: North Gaiety.

Suggestion:

Management should ensure that the vacant shop steward position is filled with valid alternative members.

Implemented: --

Partly implemented: Kennetex.

Not implemented: --

Suggestion:

Management should ensure that shop stewards are provided 2 hours per week, an office and working materials to undertake their duties.

Implemented: Cheer View, Chu Hsing, Cinkamp, M.G, New Island, Wing Tai 2, Winner, YGM.

Partly implemented: MSI, New Orient, United Eternity.

Not implemented: Best Honour, Cambodia Apparel, Chea Sinat, Emperor, Fame Cambodia, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Fortune, Gennon, Goldfame, Gold Kamvimex, Great Union, INSM, Jiangsu Diao, Jung Min, Kennetex, King First, Manhattan, Marlyn, Medtecs, Potamon, Qing Dao, Roo Hsing, Sharp Casual, Sin Lan Ho, Suit Way, Tai Yar, United Art, Vinstar, Wearwel, Wing Tai 1, Yashin, Zheng Yong.

Suggestion:

Management should ensure that shop stewards are provided an office to undertake their duties.

Implemented: --

Not implemented: June.

Suggestion:

Management should ensure that shop stewards are dismissed only in accordance with the requirements of the law.

Implemented: Goldfame.

No shop  
stewards fired: Qing Dao.

Not implemented: --

Suggestion:

Management should refrain from taking measures that may be perceived by shop stewards as preventing them from freely undertaking their duties.

Implemented: Cinkamp, Jiangsu Diao, Qing Dao, YGM.

Not implemented: Roo Hsing, Wearwel.

#### **2.1.3.4 Liaison officer**

Suggestion:

Management should recruit a liaison officer.

Implemented: Fame Cambodia, Flying Dragon 1, Flying Dragon 2, Flying Dragon 3, Four Seasons, Golden Jet, Great Union, Hytex, Jung Min, M.G, M&V 3, MSI, New Island, North Gaiety, Potamon, Roo Hsing, Sam Han, Terratex, Top-One, Wearwel, Wing Tai 1, Wing Tai 2, Yashin, YGM.

In process: INSM, Sharp Casual, Tai Yar, Vinstar.

Not implemented: Chea Sinat, Cambodia Apparel, Emperor, Fortune, Gennon, Goldfame, Jiangsu Diao, King First, Lien-I, Manhattan, Medtecs, Qing Dao, Sambath, Suit Way, Supreme, United Eternity, Winner.

Suggestion:

Management should inform workers concerning the appointment of the liaison officer.

Implemented: Century Rich, Gold Kamvimex.

Not implemented: --

### **2.1.3.5 Collective disputes**

Suggestion:

Management should fully implement conciliation agreements.

Implemented: M&V 3, Terratex.

Partly implemented: Roo Hsing.

No more disputes  
happened during  
the last 12 months: Wearwel, YGM, Zheng Yong.

Not implemented: Jacqsintex.

Suggestion:

Management should ensure that conciliation agreements are posted in the workplace.

Implemented: North Gaiety, Wing Tai 2.

Not implemented: --

### **2.1.3.6 Strike/lock out**

There were no strikes in 49 factories (Best, Century, Chea Sinat, Cheerview, Cinkamp, Emperor, Fame, Flying 1, Flying 2, Flying 3, Four, Gennon, Gold Kamvimex, Golden, Goldfame, Great, Hytex, Jacqsintex, Jiangsu, June, Jung Min, Kennetex, King, Lien-I, Manhattan, Marlyn, Maurea, Medtecs, M&V1, New Island, North, Potamon, Qing Dao, Sabrina, Sambath, Sharp, Sin Lan Ho, Suitway, Supreme, Taiyar, Top-One, United Arts, Vinstar, Wearwel, Wing 1, Winner, Yashin, YGM, Zheng).

There was 1 strike in 9 factories (Cambodia Apparel, Fortune, INSM, MSI, M&V3, Roo Hsing, Sam Han, United Eternity, Wing Tai 2), 2 strikes in 3 factories (Chu Hsing, M.G, New Orient), and 3 strikes in 1 factory (Terratex). The reason for strikes held were the non-compliance with several provisions of the law (Cambodia Apparel, Chu Hsing two times, INSM, M.G, MSI, New Orient, Roo Hsing, Sam Han, Terratex, United Eternity, Wing Tai 2), the notification of the piece rate (Fortune), the dismissal of union/workers' representatives (New Orient), the demand of reinstating a fired union member and higher wages (Terratex), employment suspension and new shift (M&V3), the level of the piece rate (M.G), the enforcement of a conciliation agreement (Terratex).

In 13 instances, an agreement was reached/solution found with the assistance of MOSALVY (Cambodia Apparel, Chu Hsing two times, INSM, MSI, M&V3, Roo Hsing, Sam Han, Terratex three times, United Eternity, Wing Tai 2), and in 3 instances without MOSALVY or other authorities assistance (Fortune, M.G two times). In 2 instances no agreements were reached/solutions found (New Orient two times).

In 5 instances agreements reached were implemented (Fortune, M.G, M&V3, Roo Hsing, Terratex). In 9 instances agreements reached had been partly implemented (Cambodia Apparel, Chu Hsing two times, M.G, MSI, Sam Han, Terratex, United Eternity, Wing Tai). In 1 instance agreements reached had not been implemented (INSM).

None of the strikes were organised in accordance with the applicable rules and procedures, although in 3 instances workers claimed to have given prior notice but no documents were available to verify this claim (New Orient two times, Wing Tai 2). All strikes were peaceful, except for 4 (Chu Hsing, New Orient, Terratex, Wing Tai 2). In 1 instance, management filed a complaint with MOSALVY in connection with a strike in which allegedly strikers used violence and threats forcing non-strikers to stop working and entering the factory premise that prompted the deployment of police force to keep the situation calm. Workers and management confirmed nobody was injured. In another instance (Terratex), violence erupted when strikers clashed with police, and police opened fire. One worker was shot dead and one police officer was killed as well. Some (6) workers and (18) policemen were reportedly injured. In 1 instance, workers claimed that some (10) strikers were injured by unidentified gangsters who had attempted to break up the strike (New Orient). In another instance, strikers turned violent after having failed to meet and negotiate their grievance with management (Wing Tai 2). The strikers threw stones into the factory and smashed the windows of the security office. The police intervened to stop the violence. Workers later filed two complaints at the local police office accusing some police officers of injuring several workers. No feedback on the complaints was available.

In 1 factory (New Orient), workers claimed that several union activists were barred from the workplace for a week and allegedly 6 workers/shop stewards/union members were fired for organising strikes (New Orient), but 2 were subsequently reinstated under strict scrutiny by the factory security guard. Management refuted the claim indicating that the dismissal was due to the breach of the internal regulations by these workers and that the municipal court issued an order to suspend their employment while the workers refused to observe it.

In one factory (Chu Hsing), workers and management agreed to submit their dispute to the Arbitration Council. Subsequently, the Council rendered an award in favour of workers ordering management to reimburse workers the deductions for medical examination and employment card. The arbitral award was implemented.

In connection with a strike held in June 2003, the local newspapers reported that 9 workers of one factory (Terratex) were arrested for involvement in a violent clash between police and strikers, and subsequently freed by the Municipal Police after an investigation that cleared them from implication of instigating the violence. However, the unions of the factory confirmed that no workers were arrested. Also, one top union leader was questioned at the district governor's office, but no charges were filed against him.

There were no lockouts.

Suggestion:

Management should refrain from imposing sanctions on workers for having participated in a strike.

Implemented: Cambodia Apparel, Wing Tai 2.

No strike held: Great Union, Jiangsu Diao, King First.

Not implemented: --

### **2.1.3.7 Individual disputes**

Suggestion:

Management should ensure workers are only dismissed for reasons allowed under law and in accordance with the relevant rules and procedures.

Implemented: --

Not implemented: INSM, Jacqsintex.

Suggestion:

Management should ensure that dismissed workers are correctly compensated.

Implemented: Four Seasons,

Not implemented: --

Suggestion:

Management should ensure that conciliation agreements are properly kept as a legal reference document.

Implemented: Sam Han.

Not implemented: --

## **2.2. Summary of implementation status by factory**

This section provides an overview of progress made by each factory in implementing the suggestions. Indications made with regard to new suggestions either reflect changes in situations where previously no suggestions for improvement were made or a situation where refinements in the interpretation of the checklist used warranted new suggestions being made.

Best Honour: Of the 33 suggestions made, 13 had been implemented, 5 had been partly implemented, 1 was in the process of being implemented, 1 was dropped because it was no longer relevant, 1 was merged with another suggestion, and 12 had not been implemented. Three new suggestions were made.

Cambodia Apparel: Of the 39 suggestions made, 12 had been implemented, 5 had been partly implemented, 2 had been dropped due to duplication and 20 had not been implemented. Eight new suggestions were made.

Century Rich: Of the 42 suggestions made, 7 had been implemented, 6 had been partly implemented, 4 had been dropped because they were no longer relevant and 25 had not been implemented. Two new suggestions were made.

Chea Sinat: Of the 25 suggestions made, 2 had been implemented, 1 had been partly implemented and 22 had not been implemented (whereby two of the 22 unimplemented suggestions were split into 4 separate suggestions). Five new suggestions were made.

Cheer View: Of the 32 suggestions made, 9 had been implemented and 5 had been partly implemented, and 18 had not been implemented. Three new suggestions were made.

Chu Hsing: Of the 41 suggestions made, 10 had been implemented, 6 had been partly implemented, 1 had been dropped due to overlap, 3 had been dropped because they were no longer relevant and 21 had not been implemented. Ten new suggestions were made.

Cinkamp: Of the 25 suggestions made, 11 had been implemented, 5 had been partly implemented, 1 had been dropped because of duplication, 1 had been dropped because

it was no longer relevant and 7 had not been implemented. Seven new suggestions were made.

Emperor: Of the 34 suggestions made, 8 had been implemented, 1 had been partly implemented and 25 had not been implemented. Eight new suggestions were made.

Fame Cambodia: Of the 28 suggestions made, 11 had been implemented, 3 had been partly implemented and 14 had not been implemented. Eight new suggestions were made.

Flying Dragon 1: Of the 41 suggestions made, 15 had been implemented, 3 had been partly implemented and 23 had not been implemented. Six new suggestions were made.

Flying Dragon 2: Of the 45 suggestions made, 10 had been implemented, 5 had been partly implemented, 1 had been dropped due to duplication and 29 had not been implemented. Four new suggestions were made.

Flying Dragon 3: Of the 38 suggestions made, 17 had been implemented, 6 had been partly implemented and 15 had not been implemented. Four new suggestions were made.

Fortune: Of the 51 suggestions made, 6 had been implemented, 4 had been partly implemented and 41 had not been implemented. Sixteen new suggestions were made.

Four Seasons: Of the 38 suggestions made, 15 had been implemented, 2 had been partly implemented, 1 had been combined with another due to overlap and 20 had not been implemented. Three new suggestions were made.

Gennon: Of the 50 suggestions made, 23 had been implemented, 8 had been partly implemented and 19 had not been implemented (whereby one had been combined with another due to overlap). Four new suggestions were made.

Gold Kamvimex: Of the 38 suggestions made, 11 had been implemented, 6 had been partly implemented (whereby one had been combined with another due to overlap), 1 had been dropped because it was no longer relevant and 19 had not been implemented. One new suggestion was made.

Golden Jet: Of the 20 suggestions made, 7 had been implemented, 4 had been partly implemented and 9 had not been implemented. Fourteen new suggestions were made.

Goldfame: Of the 45 suggestions made, 8 had been implemented, 8 had been partly implemented, 1 was in the process of being implemented, 2 were dropped due to overlap and 26 had not been implemented. Eight new suggestions were made.

Great Union: Of the 41 suggestions made, 14 had been implemented, 7 had been partly implemented, 2 had been dropped due to duplication, 3 had been dropped because they were no longer relevant and 15 had not been implemented (whereby 2 suggestions were merged into one). Four new suggestions were made.

Hytex: Of the 34 suggestions made, 9 had been implemented, 4 had been partly implemented, 3 had been dropped because they were no longer relevant, 1 had been dropped due to overlap and 17 suggestions had not been implemented. Five new suggestions were made.

INSM: Of the 48 suggestions made, 12 had been implemented, 3 had been partly implemented, 1 was in the process of being implemented, 2 had been dropped because they were no longer relevant and 30 had not been implemented. Seven new suggestions were made.

Jacqsintex: Of the 23 suggestions made, 5 had been implemented, 2 had been partly implemented, 1 had been dropped because it was no longer relevant and 15 had not been implemented. Nine new suggestions were made.

Jiangsu Diao: Of the 44 suggestions made, 18 had been implemented, 6 had been partly implemented, 2 had been dropped because they were no longer relevant, 1 had been dropped due to overlap and 17 had not been implemented. Three new suggestions were made.

June Textile: Of the 32 suggestions made, 5 had been implemented, 2 had been partly implemented and 25 suggestions had not been implemented. Thirteen new suggestions were made.

Jung Min: Of the 43 suggestions made, 7 had been implemented, 8 had been partly implemented, 3 had been dropped due to overlap, 3 had been dropped because they were no longer relevant and 22 had not been implemented. Six new suggestions were made.

Kennetex: Of the 33 suggestions made, 11 had been implemented, 6 had been partly implemented and 16 had not been implemented. Nine new suggestions were made.

King First: Of the 30 suggestions made, 8 had been implemented, 1 had been partly implemented, 1 had been dropped due to overlap, 3 had been dropped because they were no longer relevant and 17 had not been implemented. Two new suggestions were made.

Lien-I: Of the 26 suggestions made, 8 had been implemented, 3 had been partly implemented, 2 were dropped they were no longer relevant and 13 had not been implemented. Three new suggestions were made.

Manhattan Qing Dao: Of the 49 suggestions made, 15 had been implemented, 4 had been partly implemented, 2 had been dropped due to duplication, 2 had been dropped because they were no longer relevant and 26 had not been implemented. Nine new suggestions were made.

Manhattan Textile: Of the 39 suggestions made, 7 had been implemented, 6 had been partly implemented and 26 had not been implemented. 12 new suggestions were made.

Marlyn: Of the 20 suggestions made, 8 had been implemented, 3 had been partly implemented and 9 had not been implemented. Seven new suggestions were made.

Maurea: Of the 15 suggestions made, 5 had been implemented, 3 had been partly implemented, 1 had been dropped because it was addressed to shop stewards and 6 had not been implemented. Four new suggestions were made.

Medtecs: Of the 32 suggestions made, 9 had been implemented, 3 had been partly implemented, 2 had been dropped because of duplication and 18 had not been implemented. Twelve new suggestions were made.

M.G.: Of the 46 suggestions made, 22 had been implemented, 7 had been partly implemented and 17 had not been implemented (whereby 1 had been split as two separate suggestions). Nine new suggestions were made.

MSI: Of the 24 suggestions made, 13 had been implemented, 3 had been partly implemented and 8 had not been implemented. Four new suggestions were made.

M & V 1: Of the 29 suggestions made, 7 had been implemented, 5 had been partly implemented, 1 had been dropped due to overlap and 15 had not been implemented. Five new suggestions were made.

M & V 3: Of the 31 suggestions made, 12 had been implemented, 9 had been partly implemented, 1 had been dropped due to overlap and 9 had not been implemented. Five new suggestions were made.

New Island: Of the 17 suggestions made, 11 had been implemented, 3 had been partly implemented and 3 had not been implemented. Two new suggestions were made.

New Orient: Of the 24 suggestions made, 9 had been implemented, 7 had been partly implemented and 8 had not been implemented. Twelve new suggestions were made.

North Gaiety: Of the 29 suggestions made, 11 had been implemented, 3 had been partly implemented, 1 had been dropped because it was no longer relevant and 14 had not been implemented. Six new suggestions were made.

Potamon: Of the 27 suggestions made, 10 had been implemented, 1 had been partly implemented and 16 had not been implemented. Nine new suggestions were made.

Roo Hsing: Of the 36 suggestions made, 13 had been implemented, 6 had been partly implemented, 2 had been dropped due to overlap, 1 had been dropped because it was no longer relevant and 14 suggestions had not been implemented. Six new suggestions were made.

Sabrina: Of the 13 suggestions made, 7 had been implemented, 1 was in the process of being implemented, 3 had been partly implemented and 2 had not been implemented. Twelve new suggestions were made.

Sambath: Of the 40 suggestions made, 5 had been implemented, 1 had been dropped due to overlap, 4 had been dropped because they were no longer relevant and 30 had not been implemented. Fourteen new suggestions were made.

Sam Han: Of the 44 suggestions made, 16 had been implemented, 6 had been partly implemented, 2 had been dropped because of duplication and 20 had not been implemented. Fourteen new suggestions were made.

Sharp Casual: Of the 25 suggestions made, 3 had been implemented, 2 were in the process of being implemented, 2 was dropped because it was no longer relevant and 16 had not been implemented (whereby 1 had been combined with another). Nine new suggestions were made.

Sin Lan Ho: Of the 20 suggestions made, 5 had been implemented, 1 had been partly implemented and 14 had not been implemented. Seven new suggestions were made.

Suit Way: Of the 24 suggestions made, 7 had been implemented, 1 had been partly implemented and 16 had not been implemented. Eight new suggestions were made.

Supreme: Of the 34 suggestions made, 11 had been implemented, 2 had been partly implemented, 1 had been dropped due to overlap, 2 had been dropped because they were no longer relevant and 18 had not been implemented. Two new suggestions were made.

Tai Yar: Of the 25 suggestions made, 2 had been implemented, 3 had been partly implemented, 3 were in the process of being implemented, 2 had been dropped because they were no longer relevant and 15 suggestions had not been implemented. Five new suggestions were made.

Terratex: Of the 58 suggestions made, 30 had been implemented, 6 had been partly implemented, 1 had been dropped because it was no longer relevant and 21 had not been implemented. Ten new suggestions were made.

Top-One: Of the 55 suggestions made, 22 had been implemented, 6 had been partly implemented, 1 had been dropped because of duplication, 2 had been combined each with another and 24 had not been implemented. Eleven new suggestions were made.

United Art: Of the 30 suggestions made, 9 had been implemented, 3 had been partly implemented and 18 had not been implemented. One new suggestion was made.

United Eternity: Of the 37 suggestions made, 7 had been implemented, 3 had been partly implemented, 3 had been dropped because of duplication, 1 had been dropped because it was no longer relevant and 23 had not been implemented. Six new suggestions were made.

Vinstar: Out of the 37 suggestions made, 8 had been implemented, 4 had been partly implemented, 2 were in the process of being implemented, 2 had been dropped due to overlap, 1 had been dropped because it was no longer relevant and 20 had not been implemented (whereby 1 suggestion was combined with another). Five new suggestions were made.

Wearwel: Of the 37 suggestions made, 12 had been implemented, 9 had been partly implemented, 1 had been dropped because it was no longer relevant, 1 had been dropped because it was addressed to shop stewards/unions and 14 had not been implemented. Twelve new suggestions were made.

WingTai 1: Out of the 32 suggestions made, 10 had been implemented, 7 had been partly implemented, 2 had been dropped because they were no longer relevant and 13 had not been implemented. Four new suggestions were made.

Wing Tai 2: Out of the 29 suggestions made, 11 had been implemented, 9 had been partly implemented (whereby one suggestion was combined with another) and 9 had not been implemented. Six new suggestions were made.

Winner Knitting: Of the 30 suggestions made, 10 had been implemented, 6 had been partly implemented and 14 had not been implemented (whereby one suggestion was split as two). Five new suggestions were made.

Yashin: Out of the 27 suggestions made, 8 had been implemented, 3 had been partly implemented, 2 had been dropped because they were no longer relevant and 14 had not been implemented. Ten new suggestions were made.

YGM: Of the 31 suggestions made, 8 had been implemented, 2 had been partly implemented, 4 had been dropped because they were no longer relevant and 17 had not been implemented. Six new suggestions were made.

Zheng Yong: Of the 49 suggestions made, 11 had been implemented, 14 had been partly implemented, 2 had been dropped because they were no longer relevant and 22 had not been implemented. Five new suggestions were made.

### **3. STEPS UNDERTAKEN BY THE TRIPARTITE PARTNERS**

In the following section, information is provided on efforts undertaken by the Government, GMAC and the trade union movement in improving working conditions in the garment sector. The information is provided directly by the different parties and not verified by the project for accuracy.

#### **3.1 Government**

No information received.

#### **3.2 GMAC**

No information received.

#### **3.3 Individual factories**

Since July 1998, Care International has been implementing its Factory Programme called "Sewing a Healthy Future/Life Skill" for workers. The Programme seeks to promote reproductive health and HIV/AIDS awareness and improved access to clinical services in 3 factory zones in Phnom Penh.<sup>2</sup> The programme also includes training on cultural sensitiveness provided for foreign middle management teams. Currently, 25 factories participate in the programme. Of the 62 factories covered by this report, 4 (Gennon, June, Wearwel, New Island) participate in this programme.

#### **3.4 Trade unions**

The Cambodian Independent Federation of Trade Unions (CIFTU) indicated it has taken some measures to prevent strikes from happening through collective negotiation and bargaining. The measures taken included a good communication/cooperation between management and workers/unions and a systematic dispute resolution approach through discussions and negotiations. However, CIFTU found it difficult to implement these measures and to ensure all strikes staged by its members were fully within a correct legal procedure because of interference from other unions.

---

<sup>2</sup> For more information on the Care Factory Program, you can send an e-mail to [YRHCARE@online.com.kh](mailto:YRHCARE@online.com.kh)

#### **4. AGREEMENT OF FACTORIES WITH FINDINGS**

Of the 62 factories to which a final follow-up report was sent, 9 factories had returned the report as of 26 February 2004. Of these, 3 factories agreed with all the suggestions for improvement in the report while 6 factories indicated they did not accept some of the suggestions in the report. Additional information provided by factories will be discussed during the next follow-up visit to the relevant factory.

#### **CONCLUDING REMARKS**

This report is the fourth in a series with factory names. Consistent with the fifth and seventh reports, findings confirmed no evidence of forced labour or discrimination. Child labour was inadvertent and found in a limited number of factories. While problems still remain, there have been improvements in the correct payment of wages and ensuring the voluntary nature of overtime practices within the legal limits. In addition, there has been improvement in ensuring freedom of association. It is evident that in all the factories progress has been made in improving working conditions. In general terms, a large percentage of the suggestions made by the project for improvement in this group of factories were implemented or partly implemented. It is obvious that a substantial number of factories continue to endeavour to implement suggestions while a small number of factories made little effort to improve the situation found during the first visit undertaken. It is expected that the factories concerned will put more efforts in implementing the suggestions for improvement, since this report again clearly indicates that it is possible to make improvements and that the process needs to be an on-going one and requires a strong commitment and continually concerted effort of factory management. At the same time, it is important that factory management and unions/workers cooperate with each other and that industrial action is undertaken only in accordance with the law.

For its part, the ILO will continue working with all parties involved to bring about this change. Having been extended for 2 years, the project will shift its focus on making the monitoring system sustainable and, in cooperation with its social partners, establishing mechanisms to systematically address the problems identified, and further assist in the creation of a socially sensitive administration system for the sector. It will continue a remediation programme that aims to provide direct assistance to 8 factories in improving working conditions and productivity, as well as develop tools that can be used sector-wide to ensure compliance with the law. The project will provide both financial and technical support for the training of medical staff and union representatives of garment factories on occupational safety and health, which will be conducted by MOSALVY.

\* \* \*

**STATEMENT OF THE PROJECT ADVISORY COMMITTEE ON THE RELEASE  
OF THE EIGHTH ILO SYNTHESIS REPORTS ON THE WORKING CONDITIONS  
SITUATION IN CAMBODIA'S TEXTILE AND APPAREL SECTOR**

On 26 February 2004, the Project Advisory Committee (PAC) of the ILO Garment Sector Working Conditions Improvement Project, which comprises three representatives each from the Government of Cambodia, the Garment Manufacturers Association in Cambodia and the Cambodian trade union movement, met in Phnom Penh to review and endorse the Eighth ILO Synthesis Report on the working conditions situation in Cambodia's textile and apparel sector as follows:

The members of the PAC welcome the release of the Eighth Report on the ILO labour conditions monitoring programme and once again wish to express its appreciation to the ILO project team, which continues to demonstrate a fair and balanced approach in making its assessments, for its continued efforts.

We believe that the joint decision of the PAC to support the ILO programme has brought positive benefits to all of the parties in Cambodia and has led to improved working conditions and greater respect for the rights of workers.

We note with satisfaction that the Eighth Report confirms that forced labour is not a matter of concern in the factories surveyed. We are also pleased to note that, with the exception of a limited number of cases of sexual harassment, discrimination was not found to be a matter of major concern.

We also note that in a majority of factories covered by the Eighth Report no violations of trade union rights were indicated but that in a limited number of factories such violations did occur.

The members of the PAC note with concern the incidents of child labour. Though inadvertent and limited in terms of number of workers involved, the PAC considers this to be a serious matter and appreciates the efforts of all involved in solving the three cases of active child labour identified. It calls upon all parties involved to establish an appropriate and necessary mechanism for the removal of children identified and their placement in appropriate educational facilities combined with the provision of an alternative source of income.

We note with regret that the Eighth Report again indicates that the payment of wages and the nature and frequency of overtime work are still a problem in a number of factories in Cambodia. We call upon all identified employers to fulfil their legal obligations in this respect.

While a number of factories covered by the Eighth Report have made solid progress in improving working conditions, the PAC also notes with regret that a number of factories appear to have made limited efforts. We continue to believe that, with the accession of Cambodia to the WTO in 2004, the expiry of the US-Cambodia Trade Agreement in 2004, and the abolition of trade quotas under WTO regimes come 2005, ensuring that working conditions and labour relations through out the sector are generally acceptable is now, more than ever, of the utmost importance. This includes the peaceful operations of industrial relations between the parties which follow the due process of the law.

The PAC, while noting that there appears to be an increased interest from buyers to source from Cambodia, again calls upon buyers to demonstrate their support for the efforts underway in Cambodia through expanded and long-term commitments to sourcing from our garment industry, and by considering how they can further contribute to improved working conditions in Cambodia's garment sector.

Finally, all members of the PAC welcome the extension of the ILO Garment Sector Project until the end of 2005 and pledge their continued support to the ILO.

Phnom Penh, 26 February 2004