



WORKER RIGHTS CONSORTIUM

**WORKER RIGHTS CONSORTIUM
FACTORYASSESSMENT
BKI (CODEVI Industrial Park, Haiti)**

FINDINGS AND RECOMMENDATIONS

October 1, 2014

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I. Introduction

This report details the findings and recommendations of the Worker Rights Consortium's (WRC) assessment of labor practices and conditions at BKI, S.A. ("BKI"), an apparel manufacturing facility in Haiti.

BKI is located in the CODEVI (Compagnie de Développement Industriel) Industrial Park ("CODEVI") in the Ouanaminthe district of Haiti's Nord Est Province, on the country's border with the Dominican Republic. At the time of the WRC's investigation in April 2014, the factory employed approximately 600 workers, not including office and management personnel. BKI is a cut-and-sew apparel assembly facility that principally manufactures uniforms from synthetic and blended materials. BKI is classified as an "Industrial Establishment" under Haiti's Labor Code,¹ the country's principal labor statute.

In 2008, the management of CODEVI signed a collective bargaining agreement ("CBA") with the union, Syndicat des Ouvriers de CODEVI a Ouanaminthe (Union of Workers of CODEVI at Ouanaminthe, a labor organization registered with the Ministère des Affaires Sociales et du Travail (Haitian Ministry of Social Affairs and Labor, "MAST") and known by its Haitian Kreyol acronym, "SOKOWA." The CBA, by its terms, covers workers in all of facilities currently operating in CODEVI, including BKI.²

BKI is owned by Propper International ("Propper"), a Missouri-based firm that supplies apparel produced at BKI to the City of Los Angeles, California ("the City") for use by City employees, through the City's contract with distributor Galls/Long Beach Uniform. Propper is also among the largest suppliers of apparel to the U.S. Department of Defense.³ In a previous assessment conducted for the City in 2010, the WRC found violations of workers' rights at Propper manufacturing facilities in Puerto Rico and the Dominican Republic, including denial of statutory leaves of absence, underpayment of wages, health and safety hazards, and violations of workers' right to freedom of association.⁴

The WRC conducted its assessment of BKI in its role as the independent monitor for the City of compliance with the City's Sweat-Free Procurement Ordinance ("Ordinance"),

¹ Haitian Labor Code ("Labor Code"), Article 2 Law No.4 93 ("Industrial establishments notably comprise undertakings in which the products are manufactured, altered, cleaned, repaired, ornamented, finished, prepared for sale and in which materials undergo a transformation").

² See, SOKOWA-CODEVI CBA, Article 3.1.

³ Propper, "About Us," <http://www.propper.com/about/>.

⁴ Worker Rights Consortium, *Assessment re Propper International (Puerto Rico and Dominican Republic): Findings and Recommendations* (December 10, 2010), available at: <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=2144&context=globaldocs>.

which sets standards for labor rights and working conditions at manufacturers of apparel supplied to the City by its vendors.⁵ The assessment, which included extensive offsite interviews with factory employees, was conducted in April and May 2014 by WRC field representatives with assistance from local Haitian labor rights researchers.

The Ordinance requires City contractors and their subcontractors to comply with all “wage, health, labor, environmental and safety laws, legal guarantees of freedom of association, building and fire codes, and laws and ordinances relating to employment and workplace discrimination” as well as “all human and labor rights and labor obligations that are imposed by law on the country in which the . . . goods and materials are made or assembled.”⁶ In this case, therefore, the Ordinance requires BKI to comply with Haitian labor laws and regulations and with those International Labour Organization (ILO) Conventions to which Haiti has bound itself, via either membership in that organization or ratification.

Unfortunately, as it has done previously with respect to its facilities in Puerto Rico and the Dominican Republic, Propper has refused to cooperate with the WRC’s assessment of BKI. On May 7, 2014, the WRC contacted Propper to request access to the BKI facility in order to conduct an onsite inspection of the physical plant and review company records as part of the WRC’s assessment for the City. On May 12, 2014, Propper informed the WRC that the company would not cooperate with the WRC investigation and would not allow the WRC access to the site.

Propper’s ongoing refusal to cooperate with the WRC’s assessment for the City reflects a troubling lack of respect for the goals the City has attempted to achieve by adopting the Ordinance. WRC assessments of factories supplying City vendors are a key mechanism adopted by the City to evaluate compliance with the Ordinance. If a supplier refuses to cooperate with such an assessment, it undermines the efforts of the WRC and the City to gain a full picture of a factory’s compliance or noncompliance with the Ordinance. However, even in the face of such noncooperation, independent monitors such as the WRC are still able to gather credible evidence and reach accurate findings concerning a factory’s labor practices and compliance with relevant laws and standards based on in-

⁵ See, City of Los Angeles Administrative Code, Article 17 Section 10.43.1 (i) (defining “Sweatshop Labor” as “means work performed by a person employed by a contractor or subcontractor which has habitually violated laws of any applicable jurisdiction governing wages, employee benefits, occupational health and safety, nondiscrimination, or freedom of association.”) 12 10.43.3 B (To comply with all applicable wage, health, labor, environmental, and safety laws, legal guarantees of freedom of association, building and fire codes, and laws and ordinances relating to workplace and employment discrimination).12 10.43.3 C (To comply with all human and labor rights and labor obligations that are imposed by treaty or law on the country in which the equipment, supplies, goods or materials are made or assembled, including but not limited to abusive forms of child labor, slave labor, foreign convict or forced labor, or sweatshop labor).

⁶ Ibid.

depth offsite interviews with workers, as has been recognized by leading international labor rights experts.⁷

The WRC's assessment of BKI identified noncompliance with the Ordinance's requirements in the following main areas: (1) wages and hours, (2) abuse, and (3) occupational health and safety. Specifically, these violations included:

Wages and Hours

- **Subminimum Wages.** Workers report that they are paid wages that are more than 20% below the legal minimum.
- **Underpayment of Overtime.** BKI reportedly compensates workers for overtime at a rate that is more than 25% below the legally required rate.
- **Unauthorized Nonstandard Work Schedule.** BKI has set a daily work schedule that is longer than is generally permitted and does not include the minimum amount of break time required under Haitian law; the factory does not appear to have obtained the necessary approval and authorization the law requires for such nonstandard schedules.
- **Off-the-Clock Work.** BKI requires employees to work during rest breaks, and does not properly compensate workers for this extra time, both in violation of Haitian law.
- **Compulsory Overtime.** Factory supervisors reportedly pressure and coerce employees to involuntarily perform additional work after the end of their regular shifts, in violation of an applicable collective bargaining agreement and relevant international labor standards.
- **Failure to Provide Sunday Pay.** When workers work six consecutive days, the factory fails to provide workers with a paid rest day as required by law.
- **Underpayment of Holiday Work.** The factory fails to pay employees at the legally required premium rate for work performed on holidays.
- **Social Security and Maternity Benefits.** Workers report that they do not receive statutory paid maternity leave and there are indications that the company is not enrolling workers in the country's social security program.

⁷ See, e.g., Adrian Goldin, *Mission Report on Closure Process at Jerzees de Honduras 3* (2008) (report for Fair Labor Association by ILO expert) ("Testimony is a decisive source of evidence in matters related to labor relations in general[,] . . . [s]o much so that within the International Labour Organization, the organs that are responsible for freedom of association investigations rely without reservation on this source of evidence.") (parenthetical omitted).

Abuse and Discrimination

- **Abuse and Harassment.** Supervisors and managers at BKI reportedly use abusive language towards workers on a regular basis. Workers also reported incidents of more serious mistreatment, including physical violence and sexual harassment.

Occupational Safety and Health

Workers reported a number of health and safety hazards at the factory, including:

- Inadequate onsite healthcare and first aid facilities;
- Unhealthy drinking water;
- Unsafe machinery;
- Obstructed emergency exits;
- Poor air quality;
- Failure to provide adequate protective equipment;
- Unsanitary restrooms; and
- Restrictions on access to restrooms.

With respect to the remainder of this report, Section II details the methodology used by the WRC in conducting this assessment despite Propper's refusal to cooperate. Section III discusses each of the findings listed above, as well the relevant laws, contracts and international labor standards that are violated by such practices. Section III of this report also provides the WRC's recommendations for addressing and remedying each of these violations.

While the WRC has urged Propper to take prompt remedial action to address these instances of noncompliance with the City's Ordinance, the company has failed to respond. In June 2014, the WRC sent Propper the findings and recommendations detailed in this report. To date, however, the company has failed to provide any substantive response to the WRC's findings and recommendations. The WRC recommends that the City urge Propper to address and remedy the violations of the Ordinance that are discussed herein.

II. Methodology

Beginning in April and May 2014, the WRC conducted in-depth offsite interviews with workers regarding labor conditions at BKI. These interviews were conducted at workers' homes and at the SOKOWA union office in Ouanaminthe, where workers felt comfortable speaking with the WRC.

The WRC also reviewed biannual reports issued by Better Work Haiti, a factory monitoring program established by the International Labour Organization ("ILO") and the International Finance Corporation, which summarize the findings of that program's inspections of CODEVI and the country's other export garment manufacturing facilities. Better Work Haiti's published reports treat the CODEVI Industrial Park as a single facility for purposes of labor rights compliance, and do not present disaggregated findings with regard to BKI. These reports do, however, provide some indication of whether a particular form of noncompliance is pervasive throughout the industrial park as a whole.

The WRC also reviewed written documents pertaining to their employment that were provided by the workers who were interviewed for this assessment. Finally, the WRC also reviewed the key labor standards relevant to this assessment, including Haitian labor law and those Conventions of the ILO that are binding on Haiti by reason of either ratification or membership in that organization.

The findings of this report are limited to BKI. The only statements regarding conditions at any other factories in the Codevi industrial park in this report are references to Better Work Haiti's findings as to noncompliance in the park as a whole.

III. Findings and Recommendations

This section details the WRC’s findings of noncompliance with the City’s Ordinance at the BKI factory and, for each finding, presents practical recommendations for remedying the violations and ensuring compliance with the Ordinance going forward.

A. Wages and Hours

1. Nonpayment of the Legal Minimum Wage

a. Findings

Haiti’s minimum wage law states that for garment workers who are paid based on piece rates, (i.e., based on the number of items that an individual worker or a team of workers produces), such rates must be set at a level that “allow[s] the worker to realize for his/her day of eight (8) hours of work at least Three Hundred (300) [Haitian] Gourdes [the country’s unit of currency, typically abbreviated as “HTG”],” which, at current exchange rates, is the equivalent of \$6.82.⁸ This requirement applies to most production workers in the Haitian garment industry, including those at BKI.

By law, the length of the standard Haitian workweek is 48 hours, the equivalent of six eight-hour workdays.⁹ As a result, a worker who is paid based on a piece rate should receive, for a normal workweek, no less than 1,800 HTG (\$41) per week. The law permits piece rate workers who are trainees or are being re-trained, and workers who are not paid according to piece rates, to be paid at a lower “reference” minimum wage, which, on May 1, 2014, was increased from 200 HTG (\$4.54) to 225 HTG (\$5.11) for an eight-hour workday.¹⁰ Additional explanation and analysis of Haitian minimum wage law can be found in the recent WRC report *Stealing from the Poor: Wage Theft in the Haitian Apparel Industry*.¹¹

BKI workers report receiving gross wages of between 1,200 and 1,700 HTG (roughly \$27 to \$37) for a regular workweek of 48 “straight-time” hours. As these workers are

⁸ Minimum Wage Law of 2009, Art. 2.2. All conversions in this document, unless otherwise noted, are calculated at the exchange rate as of May 22, 2014: \$1 = 44 HTG.

⁹ Haitian Labor Code, Ch. 2 (96).

¹⁰ The reference minimum wage was increased to 225 HTG per eight-hour work day on May 1, 2014. *See, e.g.*, Jacqueline Charles, “Haiti raises minimum wage for factory workers, others,” *Miami Herald* (May 9, 2014), <http://www.miamiherald.com/2014/05/09/4108244/haiti-raises-minimum-wage-for.html>.

¹¹ Worker Rights Consortium, *Stealing from the Poor: Wage Theft in the Haitian Apparel Industry* (October 15, 2013), <http://www.workersrights.org/freports/WRC%20Haiti%20Minimum%20Wage%20Report%2010%2015%2013.pdf>.

paid based on piece rates (i.e., according to how many items they produce), it is unsurprising that workers' reported gross wages showed considerable variance. Average straight-time wages reported by workers who were interviewed for this assessment was 1,422 HTG per 48-hour week (\$32), or 237 HTG (\$5.38) per eight-hour day. These figures are generally consistent with the wage levels reported to the WRC by piece rate workers at other factories in Haiti during the period immediately prior to this assessment.¹²

As already noted, Haiti's minimum wage law requires piece rates to be set to allow workers to earn no less than 300 HTG (\$6.82) for an eight-hour day, and 1,800 HTG (\$41) for a 48-hour week. This means that every worker interviewed by the WRC from BKI reported receiving wages that are significantly lower than the law requires.

On average, the wages reported by BKI workers amounted to less than 80% of the minimum straight-time wages to which they were legally entitled. As a result, BKI is in violation of both Haiti's minimum wage law and, by extension, the City's Ordinance as well.

b. Recommendations

The WRC recommends that Propper take the following measures to address and remedy its BKI factory's noncompliance with Haiti's minimum wage law and the City's Ordinance:

- Immediately begin paying non-trainee piece-rate workers 300 HTG per eight-hour day. While long-term compliance with the minimum wage law's requirements will require adjustment of BKI's piece rates, this should not cause further delay in workers receiving the minimum to which they already are legally entitled;
- Set piece rates at the factory at a level so that non-trainee piece rate workers consistently earn a minimum of 300 HTG for a regular eight-hour workday; and
- Provide full back pay, with interest, to piece rate workers who, except while as a trainee or re-trainee, have received wages below the legal minimum of 300 HTG for an eight-hour day.

¹² Ibid.

2. Underpayment of Overtime

a. Findings

Haiti's labor code requires that workers be compensated for any hours of work beyond 48 hours in a single week (i.e., "overtime") at a rate equal to 150% of their ordinary rates of pay (i.e., "time-and-a-half").¹³ According to this requirement, given that the country's minimum wage law requires that piece rate workers be paid for straight-time work at a piece rate that allows them to earn 300 HTG in an eight-hour day, piece rates for overtime work should be set to permit these workers to earn no less than 56.25 HTG per hour ($300 \text{ HTG} / \text{day} \div 8 \text{ hours} / \text{day} \times 1.5$) for this additional time.

Workers at BKI, however, consistently reported that they are paid for overtime work at a rate of 40 HTG per hour, nearly 30% lower than the rate at which they should be paid according to the language of the law. This underpayment has a significant impact on workers' earnings, as nearly all BKI employees interviewed by the WRC reported that they regularly worked two hours of overtime per workday. Because BKI's practices concerning payment of piece rate workers for overtime violate Haitian law, they also, by extension, violate the City's Ordinance.

b. Recommendations

The WRC recommends that Proper take the following measures to address and remedy BKI's noncompliance with Haitian law regarding payment of overtime work:

- Immediately begin compensating workers for overtime at no less than the legally required minimum rate which, for piece rate workers, should be calculated by applying the legally required overtime premium (time-and-a-half) to an hourly rate derived from the 300 HTG wage that must be realizable by non-trainee piece rate workers in an eight-hour day (56.25 HTG per hour); and
- Provide back pay for any and all workers who previously have been underpaid for overtime hours.

¹³ Haitian Labor Code, Art. 2; Law No.4, Ch. 2 (96-97).

3. Unauthorized Nonstandard Work Schedule

a. Findings

Workers reported that the BKI factory's official work schedule is as follows: Employees work from Monday through Friday, starting at 6:30 a.m., and ending their regular work shifts at 4:30 p.m. Some employees report also working on Saturday, beginning at 6:30 a.m. and ending at 11:30 a.m. or at 4:30 p.m. depending on the factory's production needs. The employees' daily work schedule includes a one-hour meal break that workers are supposed to receive between 10:50 a.m. and 11:50 a.m.

Haitian labor law states that the regular workday in industrial establishments should not exceed nine hours in length.¹⁴ The law also requires that a rest period of one-and-one-half hours be scheduled approximate halfway through the work shift, unless an agreement to the contrary has been reached between the workers and the factory management, and written permission to modify the schedule has been obtained from the MAST.¹⁵

The work schedule described by BKI workers, however, is 10 hours in length with a rest period of one hour, giving it a total duration that is longer than the legal maximum, and a rest period that is shorter than the legal minimum. Because Propper, the factory's owner, refused to cooperate with the WRC's assessment of BKI, the WRC was not able to determine whether this deviation from the standard statutory requirements had been, as the law requires in such case, agreed to by employees or approved by the labor authorities. Absent such agreement and authorization, the work schedule reported by employees violates Haitian labor law and, by extension, the City's Ordinance.

a. Recommendations

The WRC recommends that Propper take the following measures to address and remedy its BKI factory's noncompliance with Haitian labor law and the City's Ordinance:

- Provide the WRC with any and all documents indicating that the shortened meal break and extended workday have been authorized by the MAST and approved by employees; and
- Should no such approval and authorization have been previously obtained, *and* should BKI wish to maintain a schedule that deviates from the statutory standard, consult with the SOKOWA union, as the registered collective bargaining

¹⁴ Id., Law No. 4, Ch. 2 (96).

¹⁵ Id., Law No. 4, Ch. 2 (99).

representative of employees in the CODEVI industrial park, on an acceptable schedule, and seek approval for the agreed-upon schedule from the MAST.

4. Off-the-Clock Work

a. Findings

Haitian labor law states that during designated break times, employees should not be available to the employer;¹⁶ therefore, during these periods, they should not be required to perform any tasks. Employees at BKI, however, report that they often perform work during their rest breaks, and are pressured by management to do so. Employees interviewed by the WRC testified consistently that they regularly return to work 10 to 30 minutes before the designated end of their one-hour lunch break. Some employees also reported that they began working prior to the start of their regular workdays.

Nearly all of these employees also indicated that their supervisors verbally pressure them to return to work before the end of the lunch break. One worker recounted, “[E]very time I’m on break, right after I spend a couple minutes to eat, they [the supervisors] are starting to bother me, saying ‘It’s time to [go] back to work. Do what you’re doing fast – what are you still doing outside?’ So that is why I always take 20 minutes of my break time to continue working.” Another worker explained, “They [the supervisors] always complain for me to get inside before it’s time [to return to work], to sit at my position. When I don’t come inside right away, they call me and ask, ‘Why did you stay out? Remember that you’re not working for hours, you’re working for a production target.’”

The portion of their lunch breaks, or any time prior to the start of the regular workday, when employee perform work is time in excess of employees’ regular working hours, and – given the weekly schedule these employees work – time in excess of 48 hours per week. As such, under Haitian law, such time must be compensated as overtime, at 150% of employees’ wage rate for ordinary straight-time work.

Yet, as these employees are paid according to piece rates, the company’s current practice, it appears, is to compensate employees for items produced during their lunch breaks or prior to the start of the regular workday at the same pieces rate it pays them for work during their normal hours. Since, as explained, the time these employees spend working during their lunch breaks or prior to the start of their regular work-shifts must be compensated as overtime, BKC’s failure to pay employees for this work at a premium rate constitutes a further violation of the Haitian labor law, and, by extension, the City’s Ordinance.

¹⁶ Haitian Labor Code Art. 2, Law No. 4, Ch. 2 (95).

b. Recommendations

The WRC recommends that BKI take the following steps to remedy and prevent future overtime violations resulting from employees working during lunch breaks and prior to the start of their regular workdays:

- Instruct all supervisors and managers to allow workers to refrain from work during the entire period of time designated in the factory as a meal break; and
- Provide back pay at the legal overtime rate for any time that employees spent working during their designated meal break, or prior to the start of the regular workday; and to all workers who were not paid or were underpaid in the past for time spent working during their designated meal break, or for overtime worked after the end of the work day.

5. Compulsory Overtime

a. Findings

Workers interviewed by the WRC reported that supervisors pressured or otherwise coerced them to perform overtime work after the end of the regular workday. These employees testified that company supervisors made it clear to them that their job security was conditional upon their performing overtime when requested.

One worker recounted how when she attempted to tell one of the company supervisors that she needed to leave the factory at the end of the regular workday, the supervisor replied, “You have to stay. If you don’t stay, a decision will be made.” This worker told the interviewer that she understood the supervisor’s statement to mean that if she refused to work overtime, she would risk termination by the company.

Another employee recalled hearing a manager swear at a worker who had expressed reluctance to perform overtime on a Saturday. The employee reported,

Carlos [a manager] asked the worker to work a full day [instead of the usual half-day on Saturday] without warning him in advance. The worker said to [the manager] that [the worker] couldn’t [work the full day] because [the worker] had things to do at home and that [Carlos] was supposed to tell him this earlier. Carlos was angry about it and said, ‘If you don’t want to stay, get the fuck out.’

The employee who reported this incident interpreted the manager's statement to mean that if the worker in question did not work the overtime requested, the employee would risk not being allowed to return to work.

Workers also said that they are not provided advance notice before being assigned to work overtime. Rather, they reported, their supervisors often simply tell them, as their regular work shift was about to end, that they should continue working.

The CBA between the SOKOWA union and the CODEVI industrial park, which covers employees at BKI, states that workers shall not be forced to work overtime hours and that any requests for employees to work overtime shall be communicated two hours in advance.¹⁷ Propper's failure to implement the SOKOWA-CODEVI CBA at BKI with respect to its prohibition on forced overtime and requirement of prior notice for the offering of overtime constitutes a violation of workers' right to collective bargaining, which encompasses the right to enjoy the protections negotiated by the union in this agreement.¹⁸ This right is protected by ILO Convention 98 (Right to Organize and Collective Bargaining), which was ratified by Haiti in 1957. Any violation by BKI of rights protected under this convention is also, by extension, a violation of the requirement under the City's Ordinance that suppliers comply with all "labor rights and labor obligations that are imposed by treaty or law on the country in which the equipment, supplies, goods or materials are made or assembled."¹⁹

b. Recommendations

The WRC recommends that Propper comply with the SOKOWA-CODEVI CBA at BKI, and the City's Ordinance by refraining from requiring employees to work overtime, and by providing workers with advance notice of overtime being offered as specified under the CBA.

¹⁷ SOKOWA-CODEVI CBA, Article 3.2.

¹⁸ International Labor Organization, *Freedom of Association: Digest of Decisions and Principles of the Freedom of Association Committee of the Governing Body of the ILO* ¶¶ 943 (ILO: 5th (rev.) ed., 2006) ("ILO Committee on Freedom of Association Digest") ("Failure to implement a collective agreement, even on a temporary basis, violates the right to bargain collectively."). The ILO Committee on Freedom of Association is the body charged with interpreting the rights to freedom of association and collective bargaining under ILO Conventions 87 and 98.

¹⁹ City of Los Angeles Administrative Code, Article 17 § 10.43.3B.

6. Failure to Provide Sunday Pay

a. Findings

Haitian law states that any worker who works six consecutive days shall be paid for a seventh day of rest and that any employee who works 48 hours or more in a period of fewer than six days shall likewise be entitled to a seventh paid day of rest.²⁰ The ILO Better Work Haiti factory monitoring program has repeatedly reported violations of this law by companies in the CODEVI Industrial Park over the past four years.²¹

Similarly, all of the BKI workers interviewed by the WRC who reported working regularly from Monday through Saturday also testified that they did not receive any pay for their subsequent day of rest on Sunday. Because the company's failure to pay employees for this rest day violates the Haitian Labor Code, it also constitutes, by extension, a violation of the City's Ordinance.

b. Recommendations

The WRC recommends that BKI ensure that all workers who work six consecutive days receive a paid seventh day of rest, and provide back pay to all employees affected by the factory's past noncompliance with this requirement.

7. Underpayment of Holiday Work

a. Findings

Haitian labor law requires that workers who work on statutory holidays be compensated at a premium rate of 150% of their usual wage.²² Among those BKI workers interviewed by the WRC who reported that they had worked on statutory holidays, a majority indicated that they had not been paid for their work at this premium rate. Indeed, employees reported that the company at times had specifically promised incentive pay for working on some holidays but did not provide it.

One worker recounted having worked during a holiday in November 2013 without being paid any premium over his regular wage rate. The employee added that when the workers took a mid-day break at 11:00 a.m. that day, company supervisors promised that they would receive double their usual pay if they worked until 4:00 p.m. that afternoon.

²⁰ Haitian Labor Code, Art. 2, Law No. 4 Ch. 2 (107).

²¹ Better Work Haiti, *Eighth Biannual Synthesis Report under the HOPE II Legislation* (April 16, 2014), p. 42.

²² Haitian Labor Code, Art. 2, Law No. 4 Ch. 3 (119).

However, he said, workers were paid only their straight-time rate for their work that day – they received neither the 150% premium rate required by law, nor the 200% rate that, he reported, they were promised by supervisors as an incentive to work a full day on the holiday.

Failure to pay for hours of holiday work at 150% of workers' usual rate violates the Haitian Labor Code and, by extension, the City's Ordinance.

b. Recommendations

The WRC recommends that all workers be compensated at a premium rate of 150% of their usual piece rate or other regular rate of pay for all hours worked on statutory holidays. As noted above, the piece rate upon which the 150% premium is calculated should be no lower than 300 HTG per eight hour day. The factory should also provide back pay to employees who were not properly compensated for work on past holidays.

8. Social Security and Maternity Benefits

a. Findings

Under Haitian law, pregnant employees are entitled to 12 weeks of paid maternity leave, a benefit that is administered via the country's Office of Workers' Compensation for Insurance for Accidents, Sickness and Maternity (OFATMA).²³ Employers are responsible for providing regular contributions to OFATMA and for deducting a percentage of workers' pay to contribute to OFATMA to cover not only maternity benefits, but also health coverage, and workers compensation (i.e., industrial accident) insurance.²⁴

The WRC interviewed one female employee who had qualified for paid maternity leave during her employment at BKI. She stated that while the factory granted her the full 12 weeks of leave from work, as provided under Haitian law, she only received her compensation for six weeks of this period, instead of the 12 weeks that the law requires. According to the worker, this is the standard practice at the plant in such situations. Haitian union representatives reported that it is their understanding that BKI is not registered with OFATMA, and the ILO Better Work Haiti has noted that failure to make legally required contributions to OFATMA is a problem generally at factories in the CODEVI Industrial Park.²⁵

²³ Haitian Labor Code, Law 7, Ch. 5(320-322).

²⁴ See, e.g., Better Work Haiti, *supra*, n. 21, p. 18.

²⁵ *Id.* at 42.

Given Proper's refusal to cooperate with the WRC investigation, however, the WRC has not been able to directly confirm whether or not BKI is registered with OFATMA or what is the company's formal policy with respect to payment of maternity benefits. BKI's apparent failure to ensure that workers receive maternity benefits in the full amount that the law requires, however, clearly would constitute a violation of Haitian law and, thereby, the City's Ordinance.

b. Recommendations

The WRC recommends that BKI ensure that all workers receive the 12 weeks of paid maternity leave to which they are legally entitled. If BKI is not legally registered with or making required contributions to OFATMA, the firm should promptly register and begin such payments. BKI should also make whole any workers who did not receive legally required payments for maternity leave or other benefits that would have been provided to them through OFATMA had the company been registered.

B. Abuse and Discrimination

1. Findings

Haiti's Labor Code states that workers should not be subjected to any form of abusive treatment.²⁶ In addition, the SOKOWA-CODEVI CBA prohibits sexual harassment of employees and requires employers in the industrial park to ensure that their workplaces are free of sexual harassment and to investigate any allegations of such harassment.²⁷

More than half of the workers interviewed by the WRC reported that they have repeatedly witnessed managers and supervisors shouting at and using obscene and demeaning language towards workers. Many managers at BKI are of Dominican rather than Haitian nationality, and speak in Spanish, rather than Haitian Kreyol. Nonetheless, because of the constant use of certain insults, workers were able to identify several vulgar and insulting terms used regularly by supervisors when referring to employees, such as "coño" (an obscenity used to expression frustration) and "virus" (same meaning as in English).

Supervisors often curse at employees to work harder or faster, or to castigate them for errors. One worker recalled,

²⁶ Haitian Labor Code, Art. 1, Law 1, Ch. 3(30)(d) ("The obligations of the employer are the following... to treat the worker with respect and take care to not inflict any mistreatment, verbal or in fact.")

²⁷ SOKOWA-CODEVI CBA, Article 6.2.1

In February, [BKI supervisor] Belizaire Marxene was shouting at me because of the high [amount of] production that I was responsible for [completing]. He yelled, ‘What the hell is this shit? Do you think you come here to steal or to work?.’

As already discussed, in another incident, an employee recalled hearing a manager tell a worker who had said that he could not work on a Saturday to “get the fuck out.”

One worker also reported that he had been the victim of physical abuse at the hands of one of BKI’s supervisors, Ricardo Calixto, apparently because Calixto felt the worker was not performing a task quickly enough. The worker reported,

I felt someone grab me in the back. When I turned around, it was Ricardo [Calixto, the supervisor]. He grabbed me by the neck, and started lifting me up, saying, ‘Que fue, garcon? Que fue, garcon?’ [‘What’s with you, boy?’].

A female employee also reported that she was sexually propositioned by a BKI supervisor. When she rejected the supervisor’s unwanted advances, she said, she began to receive unfavorable treatment from this supervisor. The worker was reluctant to provide further details about the situation – a common obstacle in documenting instances of workplace sexual harassment.

When taken together, workers’ testimony regarding verbal abuse, physical abuse, and sexual harassment indicate that supervisors at BKI have repeatedly violated the Ordinance’s prohibition on abusive treatment of employees. Moreover, the factory’s failure to implement the protections for employees against sexual harassment provided under the SOKOWA-CODEVI CBA constitute a violation of workers’ collective bargaining rights, and, therefore, as previously explained, a violation of the City’s Ordinance as well.²⁸

2. Recommendations

The WRC recommends that BKI take the following actions to prevent further instances of abuse or harassment, and address past violations:

- Investigate any accusations by workers of physical, sexual or verbal abuse and harassment and take appropriate disciplinary action against any managers or supervisors who have engaged in such misconduct;

²⁸ See discussion, *supra*, p. 14, nos. 17-19.

- Ensure that all supervisors and managers understand that the company will not tolerate verbal abuse, physical abuse, or sexual harassment against workers; and
- Train all supervisors and managers on what conduct constitutes verbal abuse, physical abuse, or sexual harassment, and the consequences of engaging in such conduct towards employees.

C. Occupational Safety and Health

While Propper refused to grant the WRC access to conduct a physical inspection of BKI, workers described in interviews conditions at BKI that indicate that the factory is in violation of a number of provisions of the Haitian Labor Code that concern workplace health and safety.

1. Onsite Healthcare and First Aid Facilities

a. Findings

The Haitian Labor Code requires that industrial establishments have a certain number of medical professionals on staff to ensure that workers have adequate access to health care and medical treatment. The law requires that an establishment employing 200-500 employees should have no fewer than two nurses on staff; and that for every additional 200 workers, the company should retain an additional nurse.²⁹ As an enterprise with approximately 600 workers, BKI is required by the Haitian Labor Code to directly employ at least two nurses to provide medical care for its workers.

Workers stated that, to their knowledge, BKI does not directly employ any nurses or other medical personnel inside the factory. Rather, workers who are ill or require first aid must visit the CODEVI Industrial Park's healthcare clinic, which is in a separate building from the BKI factory. Therefore, BKI is failing to comply with the law's requirement that it have medical care providers on the factory's own staff.

Worker interviews also indicate that the CODEVI clinic, which serves the workforces of all of the factories in the industrial park – a total of more than 6,700 employees³⁰ – is staffed by just one doctor and two nurses. This ratio of workers to care providers also clearly falls far below the legal minimum, and, thereby violates of the City's Ordinance as well.

²⁹ Haitian Labor Code, Art. 6, Law No. 8, Ch. 5(479).

³⁰ See, Better Work Haiti, *supra*, page 41.

b. Recommendations

The WRC recommends that BKI ensure that it complies with Haitian law and the City's Ordinance by retaining at least two nurses at the factory who can provide care exclusively to BKI employees.

2. Drinking Water

a. Findings

Haitian law requires that employers provide "sufficient quantities" of purified drinking water to employees.³¹ The SOKOWA-CODEVI CBA also specifically requires that the drinking water be tested by a reputable laboratory and that the test results should be shared with the union.³² As discussed above, any violation of Haitian law or failure to implement the requirements of the CBA constitutes a violation of the Ordinance.³³

Several workers interviewed by the WRC stated that the primary source of drinking water in the factory is a faucet that they believed supplies unpurified water and previously has caused workers to contract illnesses such as diarrhea and typhoid. All of the workers interviewed by the WRC who reported having drunk water from this source stated that they believed it had made them ill on at least one occasion. One worker recalled,

I got sick immediately after drinking the water. My whole body hurt, and I started to pass out at the [sewing] machine. My co-workers tried to wake me up, and I couldn't even answer them.

Another worker reported that he had contracted typhoid while employed at the factory and that, since he only drank bottled water at home, he strongly suspected his illness was caused by the factory's drinking water. Workers' belief that the factory's drinking water is unsafe is also based on the water's appearance. One worker reported that, "the water in the faucet smells bad and you can see little bugs in it."

Several workers stated that the factory recently had begun providing purified bottled water to employees, but one worker reported that this water was not always made available to employees. As a result, he said, some workers continued to drink the suspect water from the faucet.

³¹ Haitian Labor Code, Art. 6, Law No. 8 Ch. 5 (439) 5.

³² SOKOWA-CODEVI CBA, Article 4.6.1.

³³ See discussion, *supra*, pp. 5, n. 5, and 14, nos. 17-19.

While the WRC was not able to conduct a test of the factory's water due to Proper's refusal to cooperate with our assessment, the testimony of BKI workers strongly suggests that the factory is not providing them with safe drinking water. Failure to provide safe drinking water is violates the Haitian Labor Code and, by extension, the City's Ordinance.

b. Recommendations

The WRC recommends that BKI ensure that workers have access to sufficient quantities of safe drinking water. This water should be regularly tested by a reputable lab and confirmed to be fit for human consumption. The identity of the laboratory used to test the water and the results of the testing should be shared with SOKOWA union representatives as required by the SOKOWA-CODEVI CBA. The WRC also recommends that to address worker concerns the test results be publicly posted in the factory.

3. Health and Safety Committee

a. Findings

The SOKOWA-CODEVI CBA states that the factory should have a functioning health and safety committee, comprised of both workers and members of management.

All of the workers interviewed by the WRC were asked if they were aware of the existence of such a committee at the factory. None of these workers said that they were aware of such a committee except one, who said he believed that there was such a committee, but was unable to identify any of its members.

This testimony suggests that BKI has not established a functioning health and safety committee as the CBA requires. As discussed above, failure to implement the requirements of the CBA constitutes a violation of the City's Ordinance as well.³⁴

b. Recommendations

The WRC recommends that BKI ensure that there is a functioning health and safety committee, composed of workers and management, as per the SOKOWA-CODEVI CBA.

³⁴ See discussion, *supra*, pp. 5, n. 5, and 14, nos. 17-19.

4. Fire Safety

a. Findings

The Haitian Labor Code states that employers shall take “all appropriate measures” so that “the general conditions prevailing in the workplace help ensure adequate protection of the health of workers.”³⁵ It also details employers’ responsibility for repairing machinery when workers identify a potential safety risk.³⁶

BKI workers interviewed by the WRC related a past incident in which a sewing machine at the factory had caught on fire. The fire had then spread to the pants of the worker operating the machine. Fortunately, another worker succeeded in smothering the flames with a piece of cloth before anyone was injured. This incident raises concerns as to whether the factory has taken appropriate precautions to ensure the safe operation of its machinery, as required by Haitian law, and, by extension, the City’s Ordinance.

b. Recommendations

The WRC recommends that BKI, in cooperation with the WRC, commission an independent expert to assess any fire risks associated with the machinery and electrical wiring of the plant and identify necessary improvements. In cooperation with the expert and the WRC, BKI should then establish and promptly implement a corrective action plan. The results of the study, and the corrective action plan, should be shared with the factory health and safety committee and with the SOKOWA union.

5. Emergency Egress

a. Findings

Haitian labor law requires that workplaces be arranged to provide sufficient space “to prevent any encumbrance by machinery, materials or products.”³⁷ The majority of the BKI workers interviewed by the WRC reported that they would not be able to leave their work area quickly in case of emergency because boxes of materials and finished products were stacked on either side of them and/or behind them.

³⁵ Haitian Labor Code, Art. 5(439).

³⁶ Id., Art. 5(448).

³⁷ Id., Art. 6, Law No. 8, Ch. 5 (439) 2.

One worker stated that there was less than one arm's length of space between his work station and the one next to him. Another machine operator said that, if there were to be an emergency at the factory, "I wouldn't be able to easily leave quickly because of the big boxes of materials that block the way. I would have to jump over them just to go out."

The conditions reported represent a violation of the Haitian Labor Code and, by extension, the City's Ordinance.

b. Recommendations

The WRC recommends that any obstacles to egress from work stations and from the factory building, including stacked materials or finished goods, be immediately relocated. In addition, BKI should develop and implement a plan to modify workspaces so that they are free of obstacles to evacuation in case of emergency or pose other safety risks to workers (such as stacked boxes that could fall and injure employees nearby).

6. Ergonomics

a. Findings

Almost all BKI workers interviewed by the WRC stated that they regularly experience pain that impedes them from performing daily personal or household tasks. One machine operator reported that he was regularly required to load heavy piles of cloth onto his work station, a motion that caused him recurrent abdominal pain. Another operator related that she suffered frequent pain in her shoulders and thighs, saying that, "sometimes it is hard to give my child a bath because of the pain." The workers' description of this pain is consistent with symptoms resulting from worksites with inadequate ergonomic arrangements for employees performing repetitive tasks of the type that are common in garment manufacturing.

While Propper's refusal to cooperate with our assessment prevented the WRC from directly evaluating whether the factory's work stations met basic ergonomic standards for the industry, workers' reports of pain that may be related to their working environment raises concern that the factory is failing to take "all appropriate measures" to protect workers' health, as required by the Haitian Labor Code,³⁸ and, by extension, the City Ordinance.

b. Recommendations

³⁸ Id., Art. 5 (439).

Before remedial action can be taken, BKI must open its doors for a full health and safety assessment. The WRC recommends that BKI, in cooperation with the WRC, commission an independent health and safety expert to assess the current arrangement of work stations and to recommend necessary improvements. In cooperation with this health and safety expert and the WRC, BKI should then establish and promptly implement a corrective action plan. The results of the study, and the corrective action plan, should be shared with the factory health and safety committee and the SOKOWA union.

7. Air Quality and Protective Masks

a. Findings

The Haitian Labor Code requires that employers ensure that “waste and debris do not accumulate to constitute a health risk” at the workplace and that “suitable atmospheric conditions be maintained.”³⁹ The code also requires that employees be provided with masks to protect their respiratory systems and that employers ensure the proper use of such masks by all employees.⁴⁰

Almost all of the workers interviewed reported that they either felt irritation on their skin or experienced problems breathing – including coughing and sneezing – because of cotton dust inside the factory. One worker reported, “I can feel it on my skin and, when I sneeze, black powder comes out.” None of the workers interviewed by the WRC reported being provided with masks to protect them from respiratory irritation caused by cotton dust and other irritants in the factory.

This worker testimony suggests that there are excessive airborne irritants in the plant, and that workers are not provided with sufficient protective equipment. These conditions violate the Haitian Labor Code, and, by extension, the City’s Ordinance.

b. Recommendations

Workers should immediately be provided with masks and trained in the use of such protective equipment. However, if the level and nature of particulate matter is high enough to cause workers respiratory pain and skin discomfort, masks alone are not an adequate solution. For this reason, the WRC recommends that BKI, in coordination with the WRC, commission an assessment of the air quality in the factory and particularly the presence of particulate matter in the air. If improvements are necessary, BKI should then, in conjunction with the WRC, establish and promptly implement a corrective action plan.

³⁹ Id., Ch. 5(439) (1) and 5(439) (4).

⁴⁰ Id., Art. 6, Law No. 8, Ch. 5(441).

The results of the study, and the corrective action plan, should be shared with the factory health and safety committee and with the SOKOWA union.

8. Machine Guarding

a. Findings

The Haitian Labor Code specifically requires that all necessary equipment be made available to workers to ensure their safety on the job.⁴¹ One standard piece of safety equipment in apparel factories is a clear guard placed to protect worker from broken needles flying from the machine into workers' faces and particularly their eyes.

More than half of the machine operators interviewed reported that there are no eye guards installed on their machines. Workers stated that while some newer machines are equipped with guards, many older machines are not guarded. One worker recalled an accident in which a factory supervisor placed a needle guard on the machine only after an accident had occurred. She stated, "The needle on my machine broke and hit me in the face. [Afterwards,] my supervisor just came over and put a piece of protective glass on the machine."

The absence of needle guards on sewing machines is a violation of Haitian labor law and, by extension, a violation of the City's Ordinance as well.

b. Recommendations

The WRC recommends that the factory ensure that all machines in the factory are immediately equipped with functional needle guards.

9. Restrooms

a. Conditions of Restrooms

i. Findings

The Haitian Labor Code requires that workplace bathrooms be "maintained in conditions of good hygiene,"⁴² and be cleaned at least once a day.⁴³ The SOKOWA-CODEVI CBA also requires that bathrooms be stocked with toilet paper.

⁴¹ Ibid.

⁴² Haitian Labor Code, Ch. 5(474) (c).

⁴³ Id., Ch. 5(476).

A majority of BKI workers interviewed by the WRC stated that the factory restrooms are unsanitary. They reported that restrooms are never stocked with soap and sometimes not stocked with toilet paper.

These conditions violate the Haitian Labor Code and the SOKOWA-CODEVI CBA and, therefore, as discussed, constitute violations of the City's Ordinance as well.⁴⁴

ii. Recommendations

The WRC recommends that BKI ensure that all restrooms are consistently stocked with soap and toilet paper, maintained in sanitary conditions, and are cleaned at least once per day.

b. Access to Restrooms

i. Findings

BKI workers stated that they were not able to use the restrooms freely during their work-shifts. Rather, employees reported, they are scolded and sometimes physically prevented by supervisors from using the bathroom. Several workers indicated that they were verbally reprimanded for spending too much time in the restrooms.

One worker recalled an incident in which a supervisor physically blocked her from leaving her work station to use the restroom. The employee recalled, "One day I had to go [to the restroom], and I went so long without going to the restroom. When I decided to get up to go, there was a supervisor that stood in front of me to stop me from going. When I go, it's a problem for them."

Another worker stated that she was reprimanded by her supervisor for using the restroom on a day when she was suffering from diarrhea. She stated, "I went to the restroom several times during the day. I explained to the supervisor that it was because of the water. He ignored me." The supervisor asked that the worker stay to work overtime, but the employees refused. The next day, the worker received a written disciplinary warning for her frequent trips to the bathroom.

Another worker also reported receiving a written reprimand for using the restroom too frequently. Two other workers also related that supervisors have entered the restroom or stood at the entrance to the restroom to call workers to return to work.

⁴⁴ See discussion, *supra*, pp. 5, n. 5, and 14, nos. 17-19.

Unreasonable restrictions on bathroom usage are damaging to workers' health, increasing their risk of infections and other illnesses.⁴⁵ Such restrictions constitute a violation of standards of good practice in protecting workers' health.⁴⁶ Imposing such restrictions, which put workers' health at unnecessary risk, thus violates the requirement of Haitian law that companies take "all appropriate measures" to protect workers' health.⁴⁷ As a violation of Haitian law, these restrictions are also, by extension, a violation of the City's Ordinance as well.

ii. Recommendations

The WRC recommends that BKI take the following actions to ensure that workers have adequate access to restrooms:

- BKI should instruct all supervisors and managers to allow workers to use the restrooms freely; and
- The factory should remove all disciplinary actions from employees' personnel files that were a result of workers using the restrooms.

10. Excessive Heat

a. Findings

⁴⁵ See, U.S. OSHA, *Memorandum on Interpretation of 29 C.F.R. § 1910.141(c) (1) (i)* (Apr. 6, 1998) ("[M]edical studies show the importance of regular urination, with women generally needing to void more frequently than men. Adverse health effects that may result from voluntary urinary retention include increased frequency of urinary tract infections (UTIs), which can lead to more serious infections and, in rare situations, renal damage (see, e.g., Nielsen, A. Waite, W., 'Epidemiology of Infrequent Voiding and Associated Symptoms,' *Scand. J Urol Nephrol Suppl.*, 157). UTIs during pregnancy have been associated with low birth weight See, Naeye, R.L., 'Causes of the Excess Rates of Perinatal Mortality and the Prematurity in Pregnancies Complicated by Maternity Urinary Tract Infections,' *New England J. Medicine* 300-315, 819-823 (1979). Medical evidence also shows that health problems, including constipation, abdominal pain, diverticulitis, and hemorrhoids, can result if individuals delay defecation (see National Institutes of Health (NIH) Publication No. 95-2754, July 1995).")

⁴⁶ See, ILO Recommendation 164 (Occupational Safety and Health) §10(f) ("[T]he obligation [is] placed on the employer [. . .](f) to ensure that work organisation, particularly with respect to hours of work and rest breaks, does not adversely affect occupational safety and health."). For a detailed discussion of access to toilets as a health and safety issue, see, e.g., OSHA Memorandum, *supra*, n. 44 ("[T]he language and structure of the general industry sanitation standard reflect the Agency's intent that employees be able to use toilet facilities promptly. The standard requires that toilet facilities be 'provided' in every workplace. The most basic meaning of 'provide' is 'make available.'... Toilets that employees are not allowed to use for extended periods cannot be said to be 'available' to those employees.... Timely access is the goal of the standard.").

⁴⁷ Haitian Labor Code, Art. 5 (439).

The Haitian Labor Code requires that all work places have sufficient ventilation and air circulation to prevent excessive heat.⁴⁸ However, at BKI, workers report that the temperature is excessively hot.

One worker reports that the temperature is often higher inside the factory than outside. While the factory is equipped with some fans, the workers stated that these are not sufficient to cool the factory. Multiple workers also related that they had seen repeated instances of employees fainting on the job, as a result, they believed, of the excessive heat levels inside the factory.

Propper's refusal to cooperate with the WRC investigation prevented the WRC from assessing the ambient temperature in the factory as part of an onsite inspection. However, worker testimony indicates that the heat levels inside the factory place BKI in violation of Haitian Labor Code and, by extension, of the City's Ordinance as well.

b. Recommendations

The WRC recommends that BKI take the following actions to address the excessive temperatures in the factory:

- Install adequate fans or other cooling devices to ensure that the factory maintains a safe temperature for workers;
- Install thermometers that are visible to workers in multiple areas of the factory, including the hottest areas of the plant; and
- Maintain a log of daily temperature readings taken at the hottest time of the day, to assess the risk posed to workers by excessive heat. This data should be shared with the WRC, the union, and the factory health and safety committee.

⁴⁸ Id., Art. 6; Law No. 8 Ch. 5 439(4).

IV. Company Response

In June, the WRC sent its assessment of BKI to Propper and asked the latter to respond in detail to the WRC's findings and recommendations concerning noncompliance with the City's Ordinance. Although Propper initially informed the WRC that it intended to provide a response to the WRC's assessment, to date, the company has failed to do so.

V. Conclusion

The WRC has now documented violations of workers' rights at Propper factories producing apparel for the City in Puerto Rico, the Dominican Republic and Haiti. Rather than remedying these violations, Propper has responded by attempting to prevent the WRC from fully assessing its compliance with the City's Ordinance by denying access to its facilities. Despite Propper's refusal to cooperate with the WRC's current assessment of BKI, the WRC was able to identify a number of serious violations of the City's Ordinance at this factory as well.

In particular, the various forms of underpayment of wages detailed in this report, including failure to pay the minimum wage and pay legally required overtime and holiday premiums, are especially disturbing because garment workers in Haiti are among the poorest in the Western hemisphere.

In 2011, a WRC study found that wages earned by Haitian garment workers, on average, were lower in purchasing power than those earned by garment workers in any other major apparel producing country in the region. The WRC also found, likewise, that the gap between prevailing wages for garment workers and the actual cost of a decent standard of living was broader in Haiti than in any of the hemisphere's other major garment exporting nations.⁴⁹ A new study released in April 2014 by the Solidarity Center, a U.S.-based nonprofit organization, found that an actual living wage for Haitian workers would be 1,006 HTG (\$22.86) per day – more than three times the country's current legal minimum for production (i.e., piece rate) workers.⁵⁰

As interviews with workers at BKI revealed, the impact of Haiti's low minimum wage is exacerbated by employers' refusal to pay even this poverty-level standard. The result, as the WRC has elsewhere reported, is that Haitian garment workers and their families do not earn enough to eat adequate meals, afford housing with running water or electricity,

⁴⁹ See, Worker Rights Consortium, *Global Wage Trends for Apparel Workers 2001-2011* (Center for American Progress: July 11, 2013).

⁵⁰ See, Solidarity Center, *The High Cost of Low Wages in Haiti* (April 2014).

seek medical care when they are ill, or to escape the cycle of debt and insecurity that is their daily existence.

Propper's unwillingness to cooperate with WRC's requests to inspect its facilities, its lack of response to the WRC's findings and recommendations, and its failure to address the violations the WRC has identified demonstrate a clear pattern of refusal to comply with the City's Ordinance. The WRC urges Propper to immediately correct the underpayment of wages and other violations of Haitian labor laws and international labor standards at BKI that are detailed in this report. In addition, the WRC urges Propper to cooperate with the WRC to undertake additional assessments as necessary to ensure healthy and safe conditions for workers at this factory.