

## Assessment of the assessments

Second version<sup>1</sup>, 22-02-2008

Note: Where documents are cited (even if in a slightly edited way to provide for more easy reading), this is indicated by using *italics*.

### 1. Introduction

At the MIT meeting (July 2005), the JOIN Steering Committee (SC) decided to concentrate on remediation rather than auditing, a shift in focus from the initial plan that JOIN would produce guidance for audit methods. Still, to test the effectiveness of remediation, some baseline assessment was needed. Taking into account the resistance amongst suppliers to multiple audits and the generally agreed desire to avoid unnecessary duplication, the audit approach was shifted to “assessment”.

According to the Trial Project design, the assessment was expected to look *‘at the overall state of the labour conditions in the factory but to the three main items<sup>2</sup> in more detail. The baseline assessment would also contain a description and analysis of the relationship between the buyer and supplier, both in economic terms and in terms of code implementation. It would also assess past remediation and what remediation is currently underway.*

*The base line assessment plus the reports on the follow-up per factory would also provide input for the special research topics:*

- *Use of complaints mechanisms;*
- *Experiences with workers interviews (dig up past forays into worker interviews;*
- *If and how subcontractors are used and involved in code implementation.’*

Note that the outline for the reports did not contain a chapter on recommendations.

When the SC finally read and discussed the reports from the assessments during the SC meeting in Istanbul, Feb 7/8 2007, it was felt that the quality of the full written reports was not adequate and that it would therefore be better to disseminate only a summary of these reports.

This perceived lack of quality, it should be noted, is referring to the written reports. The question to be answered in this report is if the problems with the reports result from specific weaknesses in the assessments process or the JOIN project in general; and if so, what factors has caused these.

A special point of discussion during the SC meeting in Istanbul (when the outcomes were discussed) was whether there were no significant differences between the outcomes of the off-site and the on-site worker interviews. According to the minutes: *‘Ineke reported that after talking to some of the people involved in the worker interviews her impression was this conclusion was drawn a bit prematurely.*

*The SC focused especially on the need to have some analysis of the outcomes of worker interviews (comparing the offsite and onsite interview results) and considering the factors contributing to “low numbers” of offsite interviews. Alice noted that it is necessary to*

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<sup>1</sup> The first version was written before the re-assessments by me (Sjef Stoop/FWF). I had one meeting with Ineke Zeldenrust (CCC) on this in July 2007, one meeting with Mike Murphy in November 2007, and many inputs by Mike Murphy and Aye Ozver by email upon questions from my side. In this 2<sup>nd</sup> version Par. 8 on workers interviews is written by Ineke who also commented on some earlier paragraphs. The second version also benefited from Alice Tepper Marlin’s (SAI) editing and remarks on the first version, plus from interviews with the three re-assessors that threw a new light on the first assessment too. Additionally Mike wrote an email on feb. 21-2 with a lot of useful remarks and suggestions. Ineke Zeldenrust added the chapter 8. This version has been presented to the SC, which had no comments or suggestions for changes. For the public version of this report, all names have been removed, apart from those of JOIN staff and SC members.

<sup>2</sup> The JOIN SC had decided to concentrate on three issues: Excessive Overtime (OT), Freedom of Association (FoA) and Living Wage (LW).

*consider the cost-benefit of doing off-site interviews on a case by case basis. JO-IN has previously committed to trying to address the question as to if and when it is always necessary to conduct off-site interviews. Questions such as “Can on-site interviewers judge whether or not off-site interviews are necessary, useful, or of adequate quality? The SC agreed that the international project coordinator, Mike Murphy would contact the interviewers on this issue and undertake some kind of comparative analysis, seeking to reach some conclusions about worker interview methodologies. This exercise will be included in the reported learnings from the assessment phase in the JO-IN Report. It was also agreed that Mike Murphy and the local project coordinator (Ayse Özver) would convene a meeting of lead assessor plus lead off-site interviewer, in the lead-up to the remediation.’ (This did not take place, reviewing of the approach to the assessment process was left until the preparations for the re-assessments began).*

Apart from that, Mike commented that *the assessments were especially weak on FoA, and that there was a lack of understanding of this standard in the Turkish context.*<sup>3</sup> *There were also weaknesses on data needed for wage measurement. Also, the assessment team (with the exception of the off-site worker interviewers) largely viewed the factory from a managerial perspective. The data collected from previous buyer audits was minimal, especially on FoA.*

At the end of the project, November 2007, a reassessments have been undertaken in the the participating facilities. The general feeling in the SC was that, given the limitations in time and budget, at face value these reassessments have yielded more results than the first round of assessments, but a more thorough analysis was left to be reported in this study.

The task of this report is to look into these questions and specifically look at the following factors:

- the design of the assessments
- the tools of the assessments (protocols, training, planning)
- the recruitment of assessors
- the role of JOIN, the MSIs’, the factories and the buyers
- the actual assessment process, with special attention paid to the worker interviews
- the reporting
- comparing the outcomes of the assessments with the 2<sup>nd</sup> round of (re-) assessments, and see if possible differences in outcomes may be explained by differences in the way the re-assessments has been organised and performed.

We will compare -where applicable- what was originally agreed with what was actually done.

This is not an impact assessment to see what improvements have been made in the participating facilities. This ‘assessment of the assessments’ only looks at the process up to the completion of the six assessment reports and at the re-assessments; all activities concerning remediation in between are no part of this paper. In this respect in can be said that there is a hole in the middle of this report.

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<sup>3</sup> Note for example that in factory X the assessment team reported: *‘The codes of all three buyers mentioned co-exist on the cafeteria walls. It is interesting also to note that each of the said buyers translated “freedom of association” to Turkish in their own terms, Nike simply referring to being associated, Reebok to establishment of societies or clubs and adidas to organizing, among which only the last addressed unions directly.* ‘On the other hand there was an assessment protocol written on FOA by the SC that describes the specific Turkish circumstances regarding FoA although the questions do not go into much detail on this.

Also we do not attempt to really assess the reports since we cannot judge them against the reality of the factories because we lack sufficient comparative sources about these factories. Hence we look at processes rather than at results.

Finally, this report is solely written for the SC, hence I felt free to mention names etc. It should be noted that the organisation of the assessments faced many problems that the assessors and the JOIN staff had to address. Any critical review of the assessments must bear this in mind and should not be interpreted as a lack of appreciation for the hard work that has been done by all involved. That in the end the assessments have taken place at all seems, after rereading all the minutes, more than small miracle.

## 2. Assessment methods

The “Trial Project Design” stated that *“the baseline assessment will be conducted on the basis of a protocol which will specify:*

- *The method to be used during the assessment (e.g. sampling techniques, interviews with managers, worker interviews on and off-site by different persons from the Jo-In team).*
- *relevant information to be collected (e.g. historical material on code implementation in that facility, including reports of prior visits or studies by buyers, audit reports, MSI assessments and remediation already underway etc.).*
- *Questions in respect of code elements on freedom of association and collective bargaining, wages and hours of work.*

*The baseline assessment will include the following steps:*

- i.) The gathering of all relevant information (including previous audit reports and data).*
- ii.) A meeting with relevant auditor(s).*
- iii.) A visit to the facility to conduct the assessment.*
- iv.) Off-site interviews with workers (by a different person from the Jo-In team).*
- v.) A comparison of the results of the assessment with previous audit reports. This will involve a follow-up meeting with the relevant auditor(s) to confer with them on the results.”*

Note that this element v.) was dropped later, without this having been discussed in the SC.

These basics of the assessment were placed in a note: Elaboration of the trial methodology variables (November 2005): *“The assessment of compliance/non-compliance in regard to the labour standards will be based on existing audit reports plus possible additional assessments if the GIE<sup>4</sup> finds that according to their protocol, there is not enough certain proof. Since comparing audit methods is not the main topic of the project, a methodology must be chosen that can guarantee consistency in the baseline study but will secure a focus on remediation in the trials.*

*The reports of the baseline assessments for each participating supplier will be structured the following way:*

- I. Assessment overview*
  - A. Comments on any variations/adaptations to the methodology in the field*
  - B. Description of key elements in assessment process:*
    - *Team that conducted the assessment*
    - *Number of interviews with workers and management (see checklist in Annex 1 below)*
    - *Time spent in and out of the factory observing, reviewing documentation and holding interviews*

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<sup>4</sup> GIE: Group of Independent Experts (At that time it was foreseen that the assessments would be done by this GIE).

- *Coordination between office assessment and interviews; e.g. how much did payroll and other records reviewed inform/strengthen the interviews?*
  - *Number of trade unions and/or NGO's consulted and quality of information received specific to the region and/or factory being assessed.*
  - *Number of past audit results reviewed;*
  - *List of all other kinds of data accessed (internet, financial reports, other documentation)*
  - *Level of access and cooperation from buyers, factory management and workforce; e.g. level of stability in buyer relations and/or incentives being offered by buyer/s; and number of buyers sourcing from the factory that are participating in JOIN.*
  - *Was any attention paid to subcontractors?*
- II. *Factory overview*
- A. *Factory Characteristics*
- *Size, number of employees, annual turnover*
  - *Customer range and historical relationship;*
  - *Relationship and size of the share of MSI member buyers in their output;*
  - *Products (nr. of styles, seasonal, complexity, batch size, knitted or woven, vertical integration, etc.)*
  - *Labour processes (assembly lines, bundling, group work/level of automation)*
  - *Number of outsourced products and services;*
  - *Management systems already in place and for how long*
  - *Roles of unions and other worker representative systems;*
  - *Human resource practices (including turnover, outsourced services etc.)*
- B. *Factory History with Social Compliance Programs*
- *Overview of historical audits (when they first started, etc.)*
  - *Improvements made as a result of the past audits and improvements currently underway (implementation of remediation plans, corrective actions);*
  - *Observed improvements by both labour and management;*
  - *Use of complaint mechanisms;*
  - *Programs to involve subcontractors in code implementation and levels of success/progress;*
  - *Level of cooperation between the buyers and the factory in improving working conditions (including relationship between sourcing and auditing departments)*
  - *Worker training*
  - *Manager training*
- *Current performance on freedom of association*
- *Review of current performance based on surveying most recent audit reports, worker interviews, data from trade unions, management interviews, buyer interviews, historical use of complaint mechanisms and any other source;*
  - *Analysis of current status and perceived shortcomings*
- *Current performance on living wage*
- *Overview of current wage structure based on financial reports, most recent audits, buyer information, worker interviews, management interviews, use of complaint mechanisms, etc.;*
  - *An overview of the cost of living in the area based on worker interviews, governmental and/or NGO, trade union data*

- *Analysis of current status and perceived shortcomings*
- *Current performance on hours of work*
  - *Overview of current levels of overtime based on worker and management interviews, most recent audit reports, financial documentation, buyer lead time on orders as compared to total output for the year, etc.*
  - *Analysis of current status and perceived shortcoming.”*

Of all the different methods of the assessment, the worker interviews raised the most discussion. This also was the only element on which the SC drafted a protocol (Jo-In workers interview protocol, Draft, February 03.03.2006, file name Join draft interview protocol)

The SC had long debates on the worker interview protocol. In the end it was concluded not to specify every detail but to refer to existing tools and manuals (point 5 of the interview protocol).

Also it was agreed that *the ‘protocol’ would not serve as an assessment of the various workers interview methods, nor as ‘established best practice’ for workers interviews.* (Point 2).

It was stated (point 3) that *a goal of this project is also to learn about methods of workers interviews; what works under which circumstances? Therefore, it is important that all methods applied and evaluations of the results of the interviews are systematically recorded.*

*Point 4 states that ‘the assessments should also try to draw some conclusions on the need for specific interview methods. For example, have you come across information through off-site interviews that you would not have found out by other methods? For this, comparisons between the outcome of these assessments with other reports and inspection methods should be made to the extent possible.’*

August 2006 Ayse summarized the different papers for the assessment in ‘A Summary of the Contents of the Protocols Related to the Assessment Process for Jo-In Project Participant Suppliers’ (18.08.2006): *‘In order to ensure that all issues related to the three subject areas the project is focusing on will be assessed properly (freedom of association and collective bargaining, hours of work and wages). The Jo-In Steering Committee has drafted an assessment and an (worker) interview protocol to guide the assessors in their work.*

*The assessment and the draft interview protocols were circulated and feedback was received from key project stakeholders.*

*Members of the Jo-In Steering Committee have drafted the explanatory note on living wage in responses to requests by buyers, suppliers and some trade unions to clarify the project’s treatment of the living wage provision of the Jo-In draft Common Code. Again, this note was circulated and feedback was received from key project stakeholders.*

*Jo-In staff prepared the information protocol describing how the project will treat sensitive information during the course of the project in response to requests by some of the participant buyers. The information protocol informs buyers and participating suppliers about the process for collecting and sharing data in the project. This also responds to anti-trust concerns about relating to information about factory costs and income.*

*Jo-In staff gave written answers to the all concerns/comments/questions raised by some of the participant buyers about documents related to assessments. .*

*The explanatory note on living wages and the information protocol were sent to the suppliers, whereas the assessment and the interview protocols were not. This is because they were intended only as a guidance tool for use of the assessors in their work during trials.*

*It was noted in the assessment protocol that “any questionnaires to be used for the assessment shall not be disclosed in advance of the study, but a copy shall be given for information to management and union representative (if any) at the opening meeting.” ‘*

Apart from the above mentioned assessment notes and papers, the SC members also planned to write three background papers, one on each of the central themes (2005). The paper on FoA was never written.

On the three themes SC members wrote and discussed three assessment protocols (late 2005, early 2006), that later were consolidated into one paper by Sebastian (March 2006).

Of the planned remediation papers only the one on Low Wages was written (July 2006) but it was never discussed.

No special papers were produced for the document inspection and the visual inspection.

JO-IN used resources budgeted for training to prepare and deliver a module introducing the 6 SC member organisations -- explaining the similarities and differences -.<sup>5</sup>

About the next steps Mike explains in an email for this report: *‘The protocols were given by Ayse<sup>6</sup> to the team leader of the first round of assessments, plus the MSI Codes/procedures as background. The team leader of the first round of assessments then cut and pasted the questions into questionnaires.*

*The team leader of the first round of assessments presented these in draft form at the August calibration meeting and the assessors made comments. The team leader of the first round of assessments produced the final version for the October meeting. When the actual JO-IN assessors team met in October (the third preparatory meeting, after the April and August ones) they looked at the questionnaires and tried to simplify the most difficult/abstract questions into a more easily understandable format. But this was not reduced to writing. It was decided that the assessors should just use their professional experience when on the assessments, and use the questionnaires as a guide. (Before leaving JO-IN, back in April, Sebastian had proposed that this was the best way to proceed.)*

*When I saw the questionnaires (during my 2-week visit in October) it was clear that (especially for the workers) that the questions were too abstract to be understandable. I drafted a more worker-friendly 2-page questionnaire for the team leader of the first round of assessments, but I don’t see that anywhere in the materials, and the team leader of the first round of assessments confirmed that in many cases they did not use a questionnaire at all in the interviews, and rather preferred to conduct a free discussion.’ The overall methodology (work plan over 3 days) appears in the August/October preparatory meeting documentation. The length (number of days) of assessments was left to the team leader of the first round of assessments to suggest, to be expanded or reduced according to the circumstances at each factory. In practice, there was never time to expand because freelance assessors book themselves into as many days of*

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<sup>5</sup> Alice Tepper Marlin (SAI) notes that she advocated development of an assessor training module, but the group decided against that idea, believing that 1) since people doing the assessments were already trained and experienced at audits, they would not need such special training for this assessment and 2) that since the budget did not provide sufficient funds to do both, it was more important to develop a training module on the 6 MSIs. However I was not able to find this recorded in the minutes.

<sup>6</sup> The lead assessor for the first assessments, had been in contact with JOIN since he applied for the job of IPC after Susan Hayter had left and made a very good impression to the selection committee (Ineke Zeldenrust(CCC), Rut Tufts (FLA), Sjeff Stoop (FWF) at that time.

*work as possible, long in advance. By the end of a 3-day assessment, you can be sure that Day 4 is already booked elsewhere.'*

#### Conclusion on the Assessment methods

The SC spend a lot of time in 2005 and first half of 2006 outlining the assessment methods, especially focussing on the principle of LW and methods of worker interviews.

Judging from the assessment reports, the teams seem to have followed the protocol as outlined in the Elaboration of the trial methodology variables (November 2005) although the reports lack information in enough detail<sup>7</sup> on:

- *Time spent in and out of the factory observing, reviewing documentation and holding interviews.*
- *Coordination between office assessment and interviews; e.g. how much did payroll and other records reviewed inform/strengthen the interviews?*
- *Number of trade unions and/or NGO's consulted and quality of information received specific to the region and/or factory being assessed.*

The assessment protocol prescribed:

- *Contact one or more local trade union(s) to review past history related to freedom of association in the geographical area where the factory is sited (whether the factory in question is organized or not). The ITGWLF and ETUF-TCL may be able to provide information on past events or contacts to local unions where these are not apparent. Ask the trade unions to review all collective bargaining agreements (CBAs). If the facility is unionized, note details about the terms of the factory CBA relating to wages (including all benefits) and hours of work and consult with trade union about the application of relevant clauses. If the facility is not unionized, review the terms of the CBA active in a nearby factory.*
- *Local NGOs and trade unions should also be contacted to identify cases of failure to pay regular and overtime wages in full, excessive overtime, use of illegal temporary labour, unregistered workers, misuse of apprenticeship policies, etc. in the geographical area. Reports of satisfactory or good wage policy and payment should also be investigated and noted. If a piece-rate system is used, note how the system works and any safeguards that are in place to ensure that wages are adequate. Using the wages defined on the "wage ladder" can facilitate this process.*

There are no reports indicating that this protocol was utilized or that the JO-IN staff checked on this. It seems not to have taken place. Ayse Ozver, the local coordinator, says that *unions visited in the preparatory research said they could not give information unless they had the name of the companies, but this was confidential.*

Relatively little attention was paid in the SC discussions to the overall audit methodology (e.g. how were the different parts to be organised, how was the visit to be planned?) and to methods of auditing FoA.<sup>8</sup> This is surprising since the controversy surrounding this last issue (cp. ILO's Michael Urminsky's inputs in the MIT Meeting).

<sup>7</sup> Alice poses the questions "how do we determine how much detail is enough and what sort is needed? Doesn't it depend in part on the common understanding between the report writers and the reader and on the system for reporting relative to visit notes? Shouldn't the bullets below mostly have been planned and/or executed in advance of the visit, approved by our Project Director, and found on the desk review docs and the assessment plan?"

<sup>8</sup> For instance I (ss) only noticed now that a question was lacking in case there are no formal worker reps whether there are informal reps. E.g. FWF audit manual asks: If there is no official representation, whom does the management contact if they would like to have consultations/negotiations with shop floor workers (informal spokespersons?) Also FLA, as far as I remember has such question to identify informal leaders who they should be interviewed. The Assessment protocol only contained this *Supporting questions: Are certain people in the factory given more freedom to discuss issues with management (i.e. depending on gender, age, positions, etc.).*

According to Mike: *‘The general/universal character of the protocols did not pose the question “how should this be applied in the specific situation in Turkey?” Such a question could have dealt with the problems posed by the very low spread and very low capacity of unions in Turkey. In practice, getting from the protocols to the actual processes and questions to be used in the assessments was left to the lead assessor to do. The former project manager [Sebastian] supported this approach, arguing that the assessors were professionals, knew how to ask questions, and should be allowed to do their job.’*

Vic later send an interesting article on the weaknesses of Turkish trade unions and especially also the reasons why they are not very much supported neither in society, nor by the workers. This information has not really found its way into the assessments it seems. For instance the question lacks if workers know about trade unions and if so what their impression is on them.<sup>9</sup>

On the other hand this situation does not differ much from most of the other major garment producing countries, so the lack of specification of the FoA discussion regarding the particular Turkish context may not have been too much of a problem.

3. Factory selection process

This has been dealt with in the interim report and in a separate note ‘Interim report on Factory selection process’ by Sebastian van der Vegt (the predecessor of Mike Murphy as International Project Coordinator), send March 17 2006. Hence in this report we will only touch upon this briefly.

In the course of 2006 2 facilities dropped out. The facility that the project had selected for M&S participation closed. ETI proposed an alternative facility *which seems to fit several of the criteria upon which the other has been selected: it is about the same size and M&S is the major buyer in the facility (95% of production). Unfortunately, the factory is not unionized (none of the other selected M&S factories are unionized). In light of the fact that the facility closely matches the selection criteria used for selecting the previous facility, the SC approved of ETI moving forward to bring the facility on board. Similarly, Puma’s selected facility has ended its relationship with Puma. Puma has therefore proposed an alternative facility, which is one of its strategic facilities. The facility did not appear on the list of previously-selected suppliers, because it was not in existence more than a year ago when the lists were first assembled. Nonetheless the facility is not cherry-picked as it has problems in all three project areas. Because the facility was not previously considered by the selection committee, the SC determined that it would be necessary for that committee to review this proposal against the criteria used for the initial selection (i.e. industry, geography, scope, size, union-presence, buyer influence in the facility, etc.) to maintain the project’s integrity. For both cases, it was noted that the reasons behind the originally-selected suppliers’ ceasing to be involved should be reported by the project. Furthermore, as noted in the past, it is necessary to report on all of the selected suppliers and their reasons for not joining the project. (SC minutes 13-9)*

In retrospect, the decision to not look at subcontractors have also weakened the significance of the trials since in Turkey the subcontractor system is of crucial importance as is shown by the 6 factories involved:

	Production Structure relating to Subcontractors (SC’s).
U	1 SC mentioned in Re-assessment report. The first assessment report mentions more SC’s. Re-assessment report suggests more unauthorised SC’S but could not find proof since management had turned quite secretive about this.
V	More subcontractors found than the mentioned 4 in the first assessment report. the first assessment

<sup>9</sup> So the reference in the report on V that “nobody really took this seriously” when it was mentioned that the union actually wanted to come into the factory to discuss a meeting with workers, has not been followed up by any discussion.

	report only found the 4 that have been approved, these 4 are said to take 90% of SC production)
W	Works with in house and external SC's. 2 SC terminated compared to the first assessment report.
X	One satellite production facility of the same owner, in Ordu, and 2 approved SC's. Also until recently operations abroad.
Y	The main SC for production ('Y1') has been bought and incorporated by Y. Another 5 approved SC are used.
Z	SC's do >80% of Turkish production, also foreign factories. Moving own production to in-house contractors.

## Conclusion

To evaluate the assessments, it is necessary to reiterate that some SC members have expressed doubt that the buyers had actually been active enough in either 'strong-arming' the suppliers to join and/or to 'incentivise' them to participate in the project. In the end it must be said that the Factory selection process has turned up with a sample of factories that lacked the balance of characteristics that we originally looked for, a very small and atypical sample for the assessments. It also limited the opportunities for learning. It seemed to have put suppliers in a position to strongly influence the parameters and execution of the assessments.

### 4. Recruitment of assessment teams

The Trial Project design stated:

*'Project activities, including the baseline assessment, facilitation of the remediation plan and follow-up assessment will be conducted by a group of experts selected and trained for assessments by Jo-In ("assessment team"). The assessment team will be recruited in Turkey. This small team will be briefed and supervised by Jo-In. They will report to the International Project Manager and Local Coordinator.*

*The assessment team will work together with buyers, suppliers, workers, MSIs and other relevant parties (trade unions, auditing firms where appropriate etc.) to conduct the baseline assessment and conduct the follow-up assessment. The assessment team will also be responsible for writing relevant reports.*

*The International Project Manager will facilitate two-way communication between the assessment team and the Steering Committee, and consultation with relevant stakeholders at critical points during the project in line with the project plan below.'*

The Steering Committee considered the criteria for the group of independent experts that would carry out the initial assessment of the factories in the meeting on October 4<sup>th</sup>.

These were:

- *Independence - The project will seek to minimize conflicts of interest by not hiring people currently employed by a buyer, MSI's, factories or other interested parties. The project will not exclude applicants who occasionally do work or have worked in the past for buyers; MSI's factories and other interested parties, given that they have no vested interest in any of these parties.*
- *Credibility - defined as professionalism, and expertise that can be respected;*
- *Ability to communicate effectively;*
- *Ability to work effectively in a team;*
- *Ability to follow precise guidance (laid out in the protocols)*
- *Understanding of garment sector;*
- *Turkish language skills;*
- *Analytical skills.*
- *Worker/manager interview expertise;*
- *Expertise in reviewing records onsite (time, pay and other personnel records);*

- *Good research skills - ability to access information through consultation with various stakeholders or through other sources;*
- *Understanding/ experience of the various Code initiatives (and an open attitude to the different approaches);*
- *Knowledge of Turkish labour law;*
- *Report writing skills - ability to communicate findings accurately and clearly, also in English;*
- *Mathematical and accounting skills.*

It was also noted that : *'While not every member of the assessment team will possess all the qualities listed above, every effort should be made to ensure that a balance of these qualities is achieved when selecting the team, building on the skills of each member so as to ensure that the qualities listed are present.'*

The process of hiring the Assessment Team(s) was planned as follows:

*Phase 1: Send criteria and collect resumes*

*Send criteria for comments and feedback to all project stakeholders and ask them to suggest candidates. These stakeholders will include those not actively participating in the project (ie. universities, commercial audit companies, etc.). Jo-In staff will also advertise the posts on the website and invite other stakeholders to do the same.*

*Phase 2: Review resumes and make shortlist (Jan 4<sup>th</sup> - Jan 10<sup>th</sup>)*

*After collecting resumes, Sebastian van der Vegt and Ayse Ozver will review them.*

*Phase 3: interview process (Jan 10<sup>th</sup> - Jan. 24<sup>th</sup>)*

*After the resumes are reviewed, a short list of maximum 20 applicants will be drawn up. Jo-In staff will conduct a brief 10 minute telephone interview with each of these applicants to determine their availability and general suitability for the postings. Initial screening in the telephone interview will be based on the following questions:*

- *Why are interested in this position?*
- *Are you available during February/March 2006, full- time if needed? (to test whether other commitments may impede the ability to carry out the job)*
- *Can you tell me a little bit more about your experiences with social audits/research/garment industry etc. (depending on resume)*
- *Are you currently employed by any of the MSIs/Buyers/Trade Unions/Employer organizations/NGOs which are involved in the project?*

*Once these telephone interviews have been conducted, Sebastian and Ayse will draw up a short list of maximum 12 people with whom they will conduct detailed interviews in Ankara/Istanbul. All successful candidates should score high marks on at least one or more skills in the additional skills category but are not required to possess all the skills mentioned.*

*Phase 4: Propose two teams to the steering committee (Jan 25<sup>th</sup>- Feb 10<sup>th</sup>)*

*After the interviews, Sebastian and Ayse will propose 2 teams of 3 people to conduct the factory assessments. Detailed information about these candidates and proposed make-up of the two teams will be sent to the Steering Committee for approval and suggestions. The information will include the candidates' resumes and other information gathered during the interviews.*

*Phase 5: Information and process meeting (February)*

*The successful candidates will be invited to a 2-3 day session in Istanbul with the Jo-In project staff to discuss the project and assessment protocols.*

*While not every member of the assessment team will possess all the qualities listed above, every effort will be made to ensure that a balance of these qualities is achieved when selecting the team, building on the skills of each member so as to ensure that all the qualities listed are present.*

*While the Jo-In project staff will conduct the interviews and make recommendations, the members of the Jo-In Steering Committee will have the final decision on the make-up of the assessment team.*

As planned, January 2006 the JOIN MSIs and the local stakeholders gave their suggestions for AT members.

An internal memo between Ayse and Sebastian, (Suggestions for Candidates by Stakeholders & 3rd Parties), from mid January 2006 concludes:

*"I've been sending emails and talking over the phone with more than 30 people. It's difficult to find well experienced and good free lance auditors. Because;*

- 1. All the best auditors in this field are recruited by buyers and some by the third parties.*
- 2. There are a few good free lance auditors and these are all in our list.*

*Off Site Workers Interviews: There are no professionals in this area, no experts on this. WHRW Association is the only NGO which worked with CCC and FWF. Meetings were held twice with the members of this NGO.*

*The idea of having an academic in labour law and a very experienced auditor in the team was approved by many CSR managers and auditors.*

*Off site interviews can be carried out by a group of people. Because it's the most difficult job in the trials. I suggest to see WHRW's proposal."*

Feb. 9 & 10 2006, 17 candidates were interviewed. A document called 'Candidates for the assessments phase' was sent 24-2-2006 to the SC in a mail for the tel. conference of 28-2-2006. Sebastian reported in this mail: *'During the selection process, we consulted with all local stakeholders, most commercial auditing companies in Turkey and two Universities to ask whether they had any suggestions for candidates. In total we consulted with 35 different people and organizations and received 25 resumes. We interviewed 17 people in total.*

*A big obstacle to finding the right candidates is the fact that a lot of the best people currently have full time jobs and many applicants were either part time Masters and PhD students. For the make up of the team, we would still suggest having some alternates but starting with only one team, given that we only have about 4-5 factories at the moment. Also, considering that the majority of people who were well suited to do off-site interviews have only limited availability (mostly because they are in school), we were going to suggest to have two teams of two people conducting these interviews to start, with the leader of the two teams actively cooperating with the on-site assessment team. Pending their availability they can also be part of the on-site assessment team, but if we are flexible we can test different approaches for this.*

*We were hard pressed to find real 'leaders' to head the in-factory assessment team. We were therefore thinking conduct this process with Ayse taking the lead as an observer/supervisor on all assessments. X is our recommendation to lead the assessment team. Our recommendation:*

*In-factory assessments:*

*Observer/Supervisor: X*

Lead:X; alternate: Y (X is very busy and may not be available for all assessments)

Assistants:

1. X (reviewing books and accounts, she is a professional accountant with a positive attitude and auditing experience).
2. X: one of the strongest candidates, lead auditor for SA8000<sup>10</sup> and going to an FLA workshop in China for a couple of days in March. The only reason we did not think him appropriate to 'lead' the team is because neither of us were convinced of his leadership skills .
3. One of 3 people,: X- good personality, no auditing experience but has worked in many different textile factories. X - experienced in off-site interviews, she should lead an off-site interview team and can be part of the in-factory assessment team pending availability (she is a full-time student). X: good for interviewing women workers, has experience in this but will still require some training.

Off-site interviews:

Lead team one:X; assistant: X(will need to be trained)

Lead team two:X; assistant: X(very motivated)

*Pending your approval of these candidates, we are planning to call everyone together for one/two day(s) of training with very experienced auditors to discuss the protocol and interviewing strategies. The make-up of the teams may be slightly altered at this point to reflect the dynamics of the group, but we don't foresee a lot of changes.*

April 8 the first one day briefing for on-site assessors was held by Sebastian and Ayse. As Sebastian reported in an email of April 11: *'the on-site assessors were informed about Jo-In project, the Jo-In Code, the living wage note, and the assessment process, including a detailed review of the protocols. The team seemed enthusiastic, although unfortunately several people could not make it and we therefore decided to invite the buyers to the final meeting, which will be held on Saturday the 22nd (for all assessors, on-site and off-site).*

Since the basic idea for this training was to introduce already experienced auditors to the methods and goals of the JOIN trials the fact that neither Sebastian nor Ayse had long experience with auditing was not seen as problematic (at least it seems never to have been questioned).

No meeting was held on 22 April. It ended up being held as the calibration meeting in August.

Conclusion

For this part of the selection process the JOIN staff followed exactly what was decided by the SC and despite some problems with the availability of enough qualified persons, came up with teams of people that seemed up to their job.

As per minutes of the 28-2-2006 tel. conference the Jo-In team was *'commended on the thorough selection process and was given the go ahead to proceed with the candidates they selected.'*

## 5. Delays mid 2006

After April 2006 some delays occurred, mainly because of the second IPC (Sebastian van der Vegt) left the project per June 1. This delay itself caused a new delay because two selected assessors dropped off.

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<sup>10</sup> Alice points out that this not make clear if lead auditor for SA8000, for whom (what employer)? Or does this just mean he passed an SA8000 lead auditor course (might not even be the advanced course)?

The planned training of April 2006 ran, according to Mike, 'into problems, with attendance, and amounted to an "intro to JO-IN" training. Some interviewed assessors who came to the April meeting, subsequently dropped out or otherwise excluded themselves by e.g. not replying to e-mails, displaying levels of egotism which would make teamwork impossible etc. '

In an email of 8-6-2006 Ayse reported that she 'is looking for replacements with audit experience and also seeks a productivity expert to join the team. It was noted that payment for a productivity expert can come out of remediation funds if costs are higher than what's been budgeted for assessments. According to the tel. conference minutes, the SC appreciated the strong efforts Ayse is making and suggested that she focus her work on getting assessments underway as soon as possible.

In the SC tel. conference of 13-7 of Ayse discussed her efforts seeking productivity experts to support the project trials. The SC stressed the need for the assessment team to be well-trained and collaborative - and shared a concern that a productivity expert's participation in assessments may skew assessment findings. Instead, the productivity expert should be involved in the process of analyzing assessment findings -- with the option to return to the factories to investigate productivity issues further as necessary. Such information could then be used during the wages forum in October.

In the Minutes of the 13-9-2006 telephone conference 'Ayse (...) explained that the previous plan to start assessments in August was not possible, given some concerns from suppliers about providing the lists of workers names (for off-site interviews) and a request from Gap to delay assessments until after a Local Working Group meeting. Appreciating the work that still needs to be done to solidify full participation from all 6-7 suppliers - as well as the fact that Ramadan falls from late September through late October - factory visits are likely to start in early November.'

Indeed early November a start was made, with the off-site interviews, and the first factory visits begun on 20 November. November 7 Mike reported that offsite interviews had already begun and would cover 3 of the 5 factories. The other 2 (where management cooperation about offsite interviews had been less forthcoming) would be conducted in parallel to the on-site interviews or afterwards. The 6<sup>th</sup> factory would probably need be done only in January as the 2006 time slots were all taken.

Work was still needed on the questions which were rather loose (e.g. the freedom of association questions had needed clarification w.r.t. targets). SC members wanting to make any further inputs re the questions should do so asap.

17-11-2006 Mike reported that the first 5 suppliers will all be assessed by December-end. With the late inclusion of the Puma supplier in the Assessments, the earliest our assessors can assess the 6th supplier is mid January.

In addition, the Local Working Group want an opportunity to meet to discuss the results before they meet in plenary with the Steering Committee, and they have decided on 30 January as their next meeting date in order to do this.

## 6. Training of the assessors and final composition of the assessor teams

As Mike reports in an email (10-10-2007) to me as an input to this report:

"By the time of the second calibration meeting (August 2006), the team leader of the first round of assessments (who could not attend the April meeting) was emerging as the

*only high-scoring interviewed candidate now available, and was asked by Ayse to prepare and present the calibration materials to the meeting.*

Below follows a, slightly summarised report from the August meeting (send to the SC 13-9-2006) which gives details of how the assessments were planned.

#### *Introduction*

*A one-day calibration meeting for the assessors was held in order to clarify any questions relating to the assessment process, to discuss and to agree the draft assessment manuals. A productivity expert also was invited to brief assessors in order to inform them what to check and how to record collected data regarding productivity issues in the factory. He was expected to introduce a pattern to be used by the assessors during factory trials concerning the productivity of the sites. Four buyers' local representatives were also invited to participate for one and half hour to share their view at the end of the meeting on three issues which Jo-In focuses on.*

#### *Contribution of the productivity expert*

*He explained macro and micro determinants of the factory productivity by giving examples at local and international level. He defined his contribution to the assessment process with regard to the cost / profit analysis, cost system and productivity level of a factory. He proposed to prepare a pattern including necessary questions to be asked and documents to be checked for the on-site assessors to be able to gather data related to the productivity.*

*He shared a list of basic needs required to determine the factory level regarding the productivity.*

#### *Questions to be asked to the management and workers and interview methodology*

*Assessors discussed whether to leave the questions as they were formatted in the protocol or transform them into a questionnaire. It was discussed that the list which was copied from the protocol could be used by assessors easily because they had already considerable experiences on the ways how to ask questions to the both, management and workers. But, it was also discussed that transforming these questions into a questionnaire can standardise the way of asking questions and avoid any possible interpretation which would be likely made by assessors. Off-site assessment team introduced the questionnaire with open ended questions which they prepared in a daily and simple language for the workers to make the questions more understandable. It was decided to work on this questionnaire and develop this to be used both, in and out of the factory as guidance for the assessors.*

*It was stressed also how to insert any other questions which would be likely required by productivity expert. It was decided to review these questions and to share with the SC to decide whether to use any additional questions relating to the productivity rather than those which were mentioned in protocols.<sup>11</sup> Assessors reviewed the interview protocol to clarify methods to be used during trials. It was agreed that off-site interviews (group or individual) was going to be conducted with a team of two assessors at the same time. This was seen as a suitable methodology to practice. While one of the assessors interview workers, the other one could take notes. On one hand, this may create a friendly atmosphere for the interviewer and workers rather than having a formal interview. On the other hand, the answers of worker-s can be noted directly with the witness of two assessors, this can avoid any concern about interviewer's interpretation. In case of any time limitation, a team of four assessors could conduct off-site interviews of the same factory with different individuals /group at the same period.*

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<sup>11</sup> As far as I could track, this never happened. (ss)

*Reporting Format, recording tool, the content of opening and closing meetings, documents to be checked*

*Assessors agreed on the draft reporting format and accepted to give further comments if they see any necessity. It was foreseen that the report format can also be developed during the trials.*

*The draft contents of the opening and closing meetings were shared with assessors to have their comments. All agreed that these were well designed.*

*It was also stressed how the suggested pattern by the productivity expert was to be used to gather and record related data on productivity issues. It was stated that this was to be approved by the SC. It was said that if the SC sees any necessity to use any pattern relating to the productivity during this process then it should be discussed by the lead assessor and local coordinator to determine the person in the team to have this responsibility.*

*Division of work of the team/responsibilities and planning of factory assessments*

*Since it was mentioned in Jo-In trial project design that off-site interviews with workers were to be conducted by a different person from the Jo-In team, six of assessors in the team were appointed to conduct off-site interviews. The size of the team was determined with respect to some off-site team members' advices. Because, reaching at workers out of factory needed considerable time and limitation of time availability of interviewers required to enlarge the team size.*

*It was perceived by the assessors that assessments were to be managed by two separated team such as off-site and on-site. This was clarified by the local coordinator that the assessment team combined off-site and on-site assessors and all the assessors were supposed to work in a harmony as members of one team.*

*On-site assessors were determined as three people for each factory. It was agreed that one of the assessors was supposed to take the responsibility of leading the team. The lead assessor was supposed to manage the opening and closing meetings, interviews with the management/workers and reporting the findings gathered during assessments. It was stated that two of the assessors could conduct trials as lead assessor alternately. It was stated that besides ToRs introduced to the team, lead assessor-s needed to work with the local coordinator on clarifying of the division of work of the team to avoid any uncertainty and to standardise the factory trials.*

*A draft planning of the factory assessment was introduced to the assessors as well. The length of the assessment was foreseen for three days approximately. The need to adjust the time spent in the factory was to be decided regarding the size of the factory. It was decided also that a short explanatory note about the project and cardvisits with the contact information to be handed to the workers during factory visit to be prepared. It was proposed that the workers could leave their messages to give any further feedback to the Jo-In answering machine and the Project assistant could contact and consult with the workers to determine any serious issue to be followed up by the local coordinator.*

*Determining the time schedule for the factory visits*

*The initial idea was to give a start to the off-site interviews as soon as the lists were provided during August.*

*Since there was uncertainty about the date of off-site interviews, (because it was not yet certain if the factories would provide the list of all workers with their telephone numbers) it was discussed that on site assessors couldn't start at the beginning of September as was foreseen previously. It was agreed that if off-site interviews could be conducted till the end of first week of September on-site assessors could start factory visits by September 12. On-site assessors requested also another calibration/preparatory meeting prior to the factory visits to clarify some points which were mentioned previously. It was stressed also that conducting assessment during Ramadan wasn't convenient and it was suggested to skip the factory visits to the end of Bayram. While on-*

*site assessors stated that the first week of November was suitable to start factory visits for them, some of the off-site interviewers concerned about time availabilities after September with regard their task requirements at the university.*

*Ayse reported in an email dated 13-9 2006: "I've been consulting with the team leader of the first round of assessments, he drafted some tools for assessors and we prepared the calibration meeting together. He's very serious and friendly at work, very disciplined and idealist person. I admired his knowledge about his work. We agreed on a work plan to draft some other necessary tools for the assessments. But, he felt reluctant to work for the project after having heard buyers' negative reactions vis a vis the project during the meeting. He felt uncomfortable to hear also that suppliers were in disposition. He suspected to have problems with buyers during assessments and he stressed that same possibility could happen with the suppliers as well. After having some conversations, he agreed to work with the team. Other assessors stressed also that some buyers went too far on criticizing the project. Some concerns of buyers' representatives are related to the structure/policy of the project that actually had been discussed at international level, showing a lack of integration between international (MSI and buyer) and local level."*

*Ayse also reported 13-9 the need to enlarge the assessor's pool. "This is needed to avoid any time availability problems of the assessors and any possible reluctance of any assessor during assessments. Since we'll face with many challenging issues, we should foresee that any of the current assessors (3 on-sites and 4 off-site) may leave the project. I've been consulting with a few possible candidates already. Because of their busy time schedule, some of these candidates weren't able to come to the interview when we conducted with Sebastian".*

According to Mike a final meeting to prepare took place in October. But also mentioned in the SC minutes (Nov. 7) is the remark that a final meeting with assessors to prepare for the first assessment was scheduled for 15 November.

There are no minutes of this November meeting. The 3 on-site assessors met as final preparation (the 2 other assessors were given the doc prepared by the lead assessor.) The 3 off-site assessors reported on their first off-site interviews, reporting that workers seemed generally happy. This sparked a discussion about possible coaching.

Apart from the documents cited above, which as my email box can show was not received by the SC, headed 'General Qualifications of On-site Assessor Team, file name 'Summary of Bios of Join Assessment Team Properties' (according to the properties of the file it was written 22-9-2006). This has been written on request of buyers and suppliers who wanted to know more about who was going to do the assessments.

This document gives the following names for the teams:

The team leader of the first round of assessments- On-site assessor (lead assessor- alternately)

X - On-site assessor (Financial/document assessor)

X- On-site assessor (lead assessor- alternately)

X- Off-site assessor(lead off-site assessors)

X- Off-site assessor

X- Off-site assessor

X- Off-site assessor

X- Off-site assessor

The document also gives the qualifications of the pool of assessors: however without specifying to whom of the list this qualification refers.

In the end the audits have been done by the following people:

Auditor	Factories	Referenced in Jan. 2006 by :	Recruited on the basis of:
X	Y, x,u,v,z		The team leader of the first round of assessments's recommendation
X	Y,w		The team leader of the first round of assessments's recommendation
X	Y,x,w,u,z	FWF	Recommendation 24-2-06 S&A to SC
X	X,w,u,v,z	FWF	
X	X,w,u,v,z	FWF, Tekstil, Teksif, WHRW	Recommendation 24-2-06 S&A to SC
X	X,w,v,z	WHRW (later in the process)	
X	U	WHRW (later in the process)	Recommendation 24-2-06 S&A to SC

Two of these persons also came forward in the list the then International Project Coordinator Sebastian van der Vegt and the local coordinator Ayse Ozver proposed in Feb. 2006 and the SC agreed to. A third person, The team leader of the first round of assessments, was also already in the picture at that time, recommended by FWF, but was not mentioned in that list. Two other members (both off-site interviewers) were mentioned in the list of 22-9-2006, whereas X and X had never been mentioned before as far as I can trace back.

They were, as Mike notes in his email (10-10-2007) to me: *'head-hunted in September (using personal recommendations) after it became clear that the some of the short listed/approved assessors were either not available or likely to cause problems in the JO-IN assessment process.'*

As far as I could trace, after Feb. 2006, the SC has not been involved in discussion new candidates to do the assessments.

As Mike notes in his email (10-10-2007): *'A serious problem from the start was that working with "freelance" assessors meant working with very busy people with limited time availability and a tendency to disappear onto some new job somewhere else (thus making continuity very difficult to maintain). This problem continued throughout the assessments, e.g. by the last assessment in January 2007 the team leader of the first round of assessments was already in discussions to become an employee elsewhere and was not available to do the last assessment or the report on that. This "availability" factor in practice tended to over-ride the other more "principled" questions such as the desired quality of the assessors, and the desired procedure for reporting. "*

The input ('Pattern') from the productivity expert (questions about productivity issues) evaporated because the productivity expert who had promised to design the pattern never delivered on his promise, despite several reminders. The inclusion of a productivity person into the actual assessment team for the on-site assessments was dropped at the advice of FLA's Auret van Heerden, as adding no value.

## Conclusion

Much discussion has taken place in the SC re the requirements for the AT, but in the end to little effect.

The Calibration meeting of August set the parameters. According to the minutes of the SC tel. conference, the report of this meeting has but been discussed. So the SC actually never discussed the finalisation of the assessment methodology.

On the other hand, already in the SC call of 31-1-2007, *'there was broad agreement that the assessment process should be flexible to allow the auditors some freedom to focus on getting the results the project is looking for.'* But: *"There was also agreement that interview guidelines should be documented in writing and circulated before the assessments start."*

Although the trial project design stated that *'The International Project Manager will facilitate two-way communication between the assessment team and the Steering Committee'* this never happened. Partly because after Sebastian's evaluation on leaving his post it was decided that the SC should act more at arms length, partly because the SC had set other priorities (finding a new IPC) and partly because due to the initial delays, the assessments itself were a bit rushed.

## 7. Process of assessments

### a. Role of JOIN

In general it can be said that the pre-assessment research that was foreseen in the assessment protocol (amongst others visiting NGO's, unions) did not bring what was expected. (for reasons see under e below).

During most of the assessments JOIN staff was present, what role they played has not been reported.

### b. Role of buyers

Before the assessment could take place some buyers had some critical questions that needed to be answered (see mail Ayse August 13, 2006).

*One buyer asked how and what kind of questions were supposed to be asked regarding the FoA. They wanted to know whether they could see the questions.*

*The other buyer stressed that conducting off-site interviews would be much easier in big cities on the contrary this might be more difficult in the small and conservative regions and visiting workers at their houses might create problems.*

*They mainly concerned the lack of detailed information about the planned assessments (buyers weren't informed about the assessment and interview protocols, buyers requested that suppliers should be informed about the process in writing, buyers were not provided with CVs of assessors)*

At that time also, some changes were proposed in the sample of factories that were to take part in the trials because one factory had closed, another one had ended its relation with the involved buyer.

*The request by buyer's compliance officers to be allowed to shadow the JO-IN assessors when at 'their' supplier(s) had been referred to the Assessors who did not object. Of course, there could be no shadowing at interviews. SC members noted that the shadow process might be valuable to open a dialogue with buyers e.g. about better assessment methodology, but*

- *buyers should not be permitted to interfere (under the guise of 'shadowing')*
- *the ID of the assessors as JO-IN assessors should not be compromised*

In the end this 'shadowing' does not seem to have taken place.

According to Mike, buyers were asked to provide previous audit reports, but some refused, as they said they belonged to the suppliers and should be obtained from them. So JO-IN approached the Suppliers

Supplier V said it's ok for the buyer to release, and then M&S gave the full report. The Assessment report notes: *'V did not possess a written copy of the code, namely of ETI, though they have been audited a number of times up to it.'*

V has been audited historically by buyers sourcing there as well as 3<sup>rd</sup> parties regarding codes of conduct. Hence, it's been annually checked by Intertek up to ETI Base Code for quite a few years. It was surprising to be told that V did not possess a written copy of the code, namely of ETI, though they have been audited a number of times up to it.

*The last report as per above dates back to March 2006. The report, though highly detailed in format, does not provide any value; e.g. best practices are limited to free transportation, food, nursery and ethical values/training. On the other hand, question regarding company's management system is answered yes at some point, and no in another. The report is haphazard in many ways, e.g. V employs under-18 but the report apparently misses it. Similarly, V exceeds legal overtime limits despite report's full clearance on this. Same follows with the issue of subcontractor use, etc. Given that the audit team of two auditors arrived at 09.00 and left the facility at 14.00, including time spent to interview 20 workers, as presented in the report, the effectiveness should rather be questioned by the parties involved in the process.'*

Supplier Z also agreed to the buyer releasing its report. Then Nike gave a short 1-page report (Closed and Open issues) and Gap provided a brief "follow up" summary of reports. These were designed for internal use only, not for outside review, so were extremely cursory, recording primarily just the corrective actions agreed and when their implementation was verified.

Supplier X provided the adidas report directly to the JO-IN assessors when they were at the factory doing the assessment

The factory report notes: *'The assessment team had a chance to be reported on a recent audit conducted at the plant by SGS on behalf of FLA, which lasted half a day by two auditors and revealed a few H&S issues and the lack of a disciplinary committee only.'*

Supplier Y gave the full Puma report before the assessment, plus some other audit reports, e.g. from TH.

Supplier U gave permission and then Gap Inc gave 2 1-page reports called "Factory Review Log". The factory report notes: *'A GAP follow-up audit report was obtained. Issues raised as per excessive overtime and apprenticeship match with the findings of assessment, but notwithstanding the fact that the same issues still continue, the cited audit report was apparently cleared and closed, perhaps owing to then corrective actions found sufficient. This may also either show that the audit was inadequate or else the findings are recurring in short time intervals due to root cause problem not always removed.'*

No 3<sup>rd</sup> party assessment has yet undergone at U'.

At supplier W the MSI had previously conducted an independent external audit, but because of coordination problems caused by a change of involved staff at the buyer and the MSI at the same time, the audit report was not made available to the Jo-In assessment team prior to the assessment. The factory report notes: *'Buyers sourcing at W are generally visiting both W and its subcontractors for quality checking purposes, rather than social compliance monitoring. The factory has once been audited by a 3<sup>rd</sup> party, namely BVQI, the same registrar which certified W to ISO-9001, about a year ago unannouncedly'*

as per FLA requirements. Two auditors were said to visit the facility for one day, and W cited the audit as a non-value adding one with no feedback at all, verbal or written. BVQJ auditors had, according to W's management, mentioned that the report to be issued is likely to be routed through W too, but apparently with no such result. The assessors could not have a chance to observe any report thereto.

Patagonia or the other bands are solely interested in seeing external subcontractors' premises in order to get an idea about the quality of work to be undertaken, not on the social or working conditions of workers. Therefore, one cannot talk about approval of subcontractors by buyers or authorized 3<sup>rd</sup> parties.'

All available reports were shared by JO-IN with assessors before they went in to do the assessments.

c. Role of MSI's

Although most MSI's have been actively engaged in solving issues with their member buyers, no reports of any direct role of the MSI, either leading up to the assessment or during the assessment could be found. <sup>12</sup>

d. Role of factory management and worker interviews.

A little noticed but remarkable comment in the JO-IN assessment report on X seems to point to a serious problem during the assessments regarding the role of factory management: 'The assessment environment was such that it naturally turned out to be regarded and also implemented as a buyer or 3<sup>rd</sup> party audit and both the management and some workers have taken it much seriously as compared to other factories.'

Since some outcomes of the worker interviews were defined to a considerable extent by the (non-) cooperation of the management or coaching, and others pointed to a certain role of management (coaching, climate of fear) we take both issues here together. Note that this is only based on the factory assessment reports, a discussion of the off-site interview reports will be undertaken in Par. 8.

Interviews in advance?	No significant differences	Significant differences	Coaching?
Y/Y1 no	y	Y1	Y1: yes
X yes	x		X no
W + subcontractors: yes	W+sc		In-site interviews of limited value
U no	U		U no
V yes	<i>Not mentioned</i>		
Z no			Z: yes

Summary of assessment reports (edited but directly quoted, italics added by ss).

Y	<p>Worker interviews</p> <p>Off-site interviews were conducted by a separate assessment team and were conducted after the onsite interviews</p> <p>It has not been reported who was in the Off-site team.</p> <p>Total no. interviewed onsite (Y): 6 (11% of workers, 2 female and 4 male)</p>
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<sup>12</sup> Factory Z is certified to SA8000, so full certification audits are conducted there every 3 years and surveillance audits every six months. The first surveillance audit is unannounced, but this is a fairly recent requirement and had not been applied by the auditing body during the time frame preceding the JO-IN assessments. The audit bodies accredited to conduct SA8000 by SAAS (the accreditation body which accredits audit groups for SAI) has conducted accreditation audits at factory Z, but these were not requested by SAI as their purpose is accreditation of the auditors rather than factory certification. They are rather detailed and specific to audit quality and to the elements in the JOIN code.

Total no. interviewed onsite (Y1): 15 (15% of workers, 10 female and 5 male)

Total no. interviewed offsite (Y): 2

Total no. interviewed offsite (Y1): 5

Selections related to the onsite interviews were made during the pre-assessment meeting by selecting 5 persons from the lists and during the site tour from different departments. Worker representatives in Y & Y1 were also interviewed. Group interviews, consisting of 2-3 individuals were also conducted along with one-to-one interviews. Two assessors conducted interviews with both male and female employees of Y & Y1. The interviews took approximately 30-45 minutes. The venue for the interviews were the dining units separately existing for both companies. Worker interview forms were used. In group interviews, free-style interviews were also conducted, without sticking to the question list. The employees were very comfortable during the interview and gave explicit answers to the questions.

Offsite interviews were conducted in separate venues and on different times. 3 Workers from Y1 said that the company management told them that the company will be audited and the workplace will receive a certificate, therefore the workers should not provide real information about the practices in the workplace, but the pre-informed information. The workers said that this *coaching* was announced to the employees in the form of a distributed written paper. It was observed that these workers were nervous because of not speaking as they are told to. These 3 workers said that they are under a serious employer pressure. Due to the promise made to these employees, the gender ratios and the departments they work were not indicated in this report. It is thought that the other two workers from Y1 had replied to the questions in line with the coaching by the employer.

For company Y, no significant differences were found between the findings of onsite and offsite interviews. But for company Y1, significant contradictions surfaced during offsite interviews.

One of the workers at Y1 claimed that some workers, including apprentices, receive lower than the legal minimum wage. But no evidence was found supporting this claim in onsite interviews and in the examined records.

Furthermore, 2 of the workers claimed that there are many uninsured workers in the workplace, that newly recruited workers were employed uninsured for a few months, and that before the Jo-In assessment most of them were insured. One of the workers said that there were 3 immigrant women without work permits among the uninsured workers, and that workers whose insurance procedures could not be completed, together with the 3 immigrant workers, were sent to work in N, which is owned by the owner of Y1, and insured workers were brought from N instead of them. During onsite interviews, newly insured workers were particularly questioned and personnel records were examined, but no evidence was found indicating that these newly insured workers were in fact employed in the factory for a long time.

2 of the workers said that OT was compulsory, and that workers who declined to OT were threatened with firing. Because, during onsite interviews, all the workers said that they do not do OT at all, such a compulsion was not mentioned. The employment contract contains a provision that OT will be decided on with the mutual agreement between the employer and the employee.

3 of the workers at Y1 said that there is OT on 3 days a week from 19:00 to 22:00 or to 00:00 hours; that the working day on Saturdays extends to 19:00 hours and that this is

	<p>counted as regular working hours; that, when the work intense, there is OT until 22:00 or 00:00 on Saturdays, and when the work is still intense they work on Sundays as well. These workers said that there are two record books, one showing the real working hours, and the other showing the hours to be submitted to the assessors.</p> <p>During onsite interviews, one worker said that they did OT on one Saturday this month, while one worker at the final control department said that those working in shipment department do OT sometimes. The assessors tried to verify these claims by interviewing other workers and by examining the personnel records, but no indications of OT were found. Statements obtained in offsite interviews and the findings in onsite interviews makes it likely that there was coaching on the issue of OT and that the records were pre-arranged.</p> <p>In offsite interviews, it was said that rest breaks were 15 minutes for tea breaks and 45 minutes for lunch break. The workers said that during Jo-In's assessment days, workers at Y1 used also their rest breaks (tea breaks for half an hour and lunch break for one hour) together with Y's workers. During onsite interviews the workers told that they have tea breaks for half an hour and lunch break for one hour.</p> <p>Management cooperation</p> <p>Before the assessment, Y &amp; Y1's upper managements provided most of the information on the employees and their wages to Jo-In Turkey Coordinator.</p> <p>Y &amp; Y1's upper managements assisted the assessment team during every phase of the assessment, provided explanatory answers to the questions of the team and the requested information in a short time. They did exhibit no attitude which could restrict the worker interviews.</p> <p>Pre-audit investigation</p> <p>Before the assessment, Y &amp; Y1's personnel list and wage lists were provided to the assessment team by the Jo-In Project's Turkey Coordinator. Apart from that, no research on company Y was done by the Jo-In assessment team. There are no other data on company Y collected from other sources.</p>
X	<p>Worker interviews</p> <p>Both the preassessment data as well as workers' contact information were provided sufficiently before the on-site assessment, thus the off-site interviews be conducted timely.</p> <p>Total no. interviewed on-site: 29 (6% of workers, 17 female and 12 male)</p> <p>Total no. interviewed off-site: 7 (1,5% of workers, 4 female and 3 male)</p> <p>Although a detailed list of workers was provided by X, assessors preferred to select interviewees during short contacts made while touring the production area. Additionally, the undersigned lead assessor could meet five of the worker representatives not included in above figures, separately and had a chance to discuss the issues raised during other worker interviews.</p> <p>In general, small groups of 2-3 workers from different jobs/lines were preferred to interview with some individual interviews in between as well, the reason being to keep the production lines as less unattended as possible. The time spent per interview, group or individual, was kept just about 30 minutes, owing to areas of improvement to focus during interviews being quite obvious, such as productivity bonuses and grievance mechanisms. For the very same reason, the questionnaires were seldom used</p>

in their entirety, and free discussions preferred instead. The area used for interviews by both assessors was the staff cafeteria open during the day. Workers were generally literate and interestingly “experienced” in being interviewed, since buyer audits by especially adidas, Reebok and Nike have been continuing for quite a while in X and thus workers have got highly used to it. This presented an unexpected problem of avalanche of demands from some of the workers; in fact, when selected prior to an interview, workers were apparently approached by their colleagues to pass their expectations on wages, etc. such as a representative. It thus seemed that although the advantages of buyer auditors and monitoring NGOs leaving their contact information to workers for further complaints to be able to make anonymously are obvious, it also creates a methodology which workers tend to duplicate per se in every similar occasion. The distribution of Jo-In information sheets among workers by the help of management apparently enhanced the said environment.

No major difference has been observed between information gathered during on and off-site interviews.

#### Management cooperation

Factory management was represented mainly by HR and the Production Planning managers during the opening meeting. The General Manager, who was initially absent due to business liaisons, met the Jo-In Team in the course of the assessment and during the closing meeting as well. The factory’s well-established worker representation system revealed itself by participation in both the opening and closing by two and three reps, respectively.

The assessors found an upper management ready to spare as much time and data as possible, but at the same time sensitive to issues that had already been brought to attention by other assessors upon complaints of workers, such as food quality or shuttle delays.

Other issues demanded by workers and haphazardly pointed out at closing meeting, as said above, such as need for areas to smoke, were not readily accepted by the management probably owing to chronic arguments on them by other assessors (that is: from other brands) as well.

A total of five worker representatives were also present at the opening and closing meetings while the assessment findings were being openly discussed which also turned out to be a little awkward in X where workers regard assessors as their natural representatives. Given the circumstances, management had nothing, in the presence of their employees, but to defend themselves in areas where workers were obviously exploiting the situation, which created a rather tense atmosphere where the workers only had to watch.

#### ▪ Background Information:

Unlike other factories assessed as per Trial Project, there has been rather interesting findings in the background research report prepared by Jo-In. First of all, some of the data found probably in the net search were obviously not updated, e.g. X’s other factory in Q closed about 2 years ago, the one in T not mentioned at all and H is cited as a partner dyeing company, which X simply mentioned as a supplier. Interesting comments allegedly by an X worker were also mentioned after an internet scan, in which X is accused of terrible working conditions concerning especially overtime hours, which the assessors could not even find a tendency. Consequently, either the research revealed some of the former issues already recovered or changed, or else X has showed a substantial progress but workers still expect more, and most probably both.

	There was no information available from other sources on X.												
W	<p>Worker interviews</p> <p>Total no. interviewed on-site: 22 (15% of workers, 12 female and 10 male)</p> <p>Total no. interviewed off-site: 6 (5% of workers, 5 female and 2 male)</p> <p>Off-site interviews were conducted before the factory assessment, some via individual meetings and two group interviews. Appointments were made via telephone and 2-3 hours were spent per interview. Workers of subcontractor companies generally complained about the conditions and wages provided, as well as individual issues such as attitude of supervisors and managers. The assessment team could find time to meet just before the visit to discuss the interview findings.</p> <p>Distribution of on-site interviews among in-house companies was:</p> <table border="1"> <thead> <tr> <th>Name of Co.</th> <th>W</th> <th>A</th> <th>E</th> <th>F</th> <th>I</th> </tr> </thead> <tbody> <tr> <td>No. of Worker</td> <td>5</td> <td>3</td> <td>2</td> <td>6</td> <td>6</td> </tr> </tbody> </table> <p>Above differences in distribution arose from the fact that some of the in-house firms were having a few more critical issues than others such as e.g. access to former records or delays in payments etc. Thus more workers had to be interviewed from F and I. Also included among above interviews were 3 school trainees, but still contributing to work like a normal worker, as well as a representative from W.</p> <p>Type of work could not be given the same significance as in other factories, owing to the fact that workers from 5 companies have to be selected with several difficulties of interference with the flow of work. Although none of a resistance felt from vendor companies, the fact that the assessment was primarily on the conditions in W was respected when interrupting operations by interviews. Each assessor interviewed workers from their own gender, and interviewees were selected both during the factory tour as well as from the staff list, considering vendor and gender distribution. Group interviews were not preferred, though a few 2-person interviews were made, again because of the fact that assessors did not want to create suffering by heavy interruptions. The time spent per interview thus also differed from 15 minutes to 45 depending on the necessity of interviewees for the flow of work. The questionnaires were generally used as assessment tools, not always in their entirety, and sometimes a free discussion preferred owing to time and issues focused. The choice of interview rooms was limited to the infirmary and a showroom, the latter of which revealed a few difficulties to feel comfortable due to unintended interruptions. Furthermore, the cultural environment where the workforce came from, as well as a few recent encounters, dismissals and company changes in which the workers lived, made it very difficult in some cases for the assessors to be able to communicate. While some workers complained a lot on wages and other issues, some others hesitated even to stay with the assessors long enough to be identified as an informer. Assessors on the other hand, did not want to risk workers' jobs or conditions and thus kept such interviews as short as possible with more emphasis on record inspections and management interviews, which already revealed a number of non-compliance issues anyway. Still, the team thinks that a recheck of the workers' situation after the assessment is highly recommendable.</p> <p>No major difference has been observed between information gathered during on and</p>	Name of Co.	W	A	E	F	I	No. of Worker	5	3	2	6	6
Name of Co.	W	A	E	F	I								
No. of Worker	5	3	2	6	6								

	<p>off-site interviews.</p> <p>Management cooperation</p> <p>The management of W submitted data needed by the assessors, i.e. preassessment data and workers' contact information prior to the factory visit.</p> <p>The factory management was co-operative, transparent and supportive, and has taken all comments made during and after the assessment seriously with care. They admit the risks of working via subcontractor companies but also with a willingness to be understood that the market requirements force them to do so.</p> <p>A substantial representation of factory management joined the team during opening, including a worker representative from but only W. The General Manager, who was busy during first and second days, met the Jo-In Team in the closing meeting.</p> <p>It is difficult to claim that the work environment was adequate to carry out the assessment as planned. Checking records of quite a few in-house vendors and arranging interviews from thus different groups were among difficulties the team underwent.</p> <p>The fact that there were four other companies, though under the supervision of W, meant that there were four other managers to communicate and four different cultures to communicate.</p> <p>Background Information: The general background research issued by Jo-In is not competitive for a case like W operating through subcontractors. The internet search on the factory, on the other hand, is broader in the sense that it refers to market qualities of the group, a producer of organic cotton and yarn, rather than specifics such as subcontractors, thus again not very competitive.</p> <p>Other Data: There was no information available other than above on W or its in-house vendors.</p>
U	<p>Worker interviews</p> <p>The off-site interviews were conducted following the on-site assessment. The assessment team met before the visit to discuss the findings cited in a recent buyer audit report and agree on the tactical issues regarding the interviews and record assessment.</p> <p>Total no. interviewed on-site: 25 (15% of workers, 19 female and 6 male)</p> <p>Total no. interviewed off-site: 6 (4% of workers, 5 female and 1 male)</p> <p>All production departments were included in on-site interviews, as well as apprentices and a worker representative. Interviewees were selected both during the factory tour as well as from the staff list. Groups made up of 2-5 workers were formed, but individual worker interviews were also conducted. The time spent per interview thus differed from 30 minutes to 1 hour depending on the number of interviewees. The questionnaires were generally used as assessment tools, not always in their entirety, and sometimes a free discussion preferred owing to time and issues focused. A number of on-site but isolated spaces were utilized for interviews, such as the apprentice classrooms and unused offices, which didn't present difficulties for the workers to access and feel free to speak. Nevertheless, the cultural environment where the majority of the workforce came from made it quite difficult for the assessors to be able to communicate on issues such as trade unions and wage calculations. Owing to gender distribution weighed heavily towards female population, the male lead assessor</p>

	<p>also selected female workers to interview. Workers had little opinion as to assessment processes, but were all candid and not coached beforehand, though some workers hesitated to talk about issues such as excessive overtime.</p> <p>Off-site interviews were conducted following the factory assessment owing to the fact that the management disagreed to provide workers' contact information beforehand as they were sensitive about the cultural environment workers lived in. Their permission was obtained to receive the contact information individually from workers themselves during on-site visit, thus 6 workers, five female and one male were interviewed by the off-site team later on 25-26 November, mostly via individual meetings at public places and one group interview. Appointments were made via telephone and 2-3 hours were spent per interview. Except discussions on apprenticeship and freedom of association, all workers interviewed were also candid and open. No major difference has been observed between information gathered during on and off-site interviews.</p> <p>Management cooperation</p> <p>The management representative of the factory submitted preassessment data together with the wage summary prior to the factory visit. Factory management was generally cooperative in organizing the assessment phases and the company owner supported the process, except that the cost and production figures were denied to be disclosed.</p> <p>Background Information:</p> <p>The general background research issued by Jo-In matches with the findings at U, e.g false apprenticeship scheme implemented at garment industry. The internet search on the factory is general and presents unchanged commercial data, except that the number of workers is apparently lower (165 vs 228) with a corresponding decrease in capacity. There was no information available other than above on U.</p>
V	<p>Worker interviews</p> <p>Off-site interviews could be conducted before the factory assessment as the management did not object to providing Jo-In with workers' contact information, thus 5 workers had already been interviewed by the off-site team, all via individual meetings at public places.</p> <ul style="list-style-type: none"> <li>▪ Worker Interviews:</li> </ul> <p>Total no. interviewed on-site: 31 (7% of workers, 24 female and 7 male)</p> <p>Total no. interviewed off-site: 5 (1% of workers, 3 female and 2 male)</p> <p>On-site included two line supervisors, one temporary and one foreign worker, and two worker representatives. Informal chats with warehouse and storage staff are excluded from above figures. Interviewees were selected during the factory tour but mostly from the staff list. In general, individual workers were preferred to interview with a few exception of group interviews made up of 2-3 workers. The time spent per interview was kept about 30 minutes, or less, due to strict balance in production, which the assessment team did not want to affect adversely. The questionnaires were generally used but in conjunction also with free discussions. Two main areas were used for interviews, namely the seminar room and the staff lounge, both kept away from interruptions during interviews. Workers were generally literate and educated enough to communicate the issues focused, and they all seemed to have sufficiently high self-esteem for free discussion with a few exceptions. Owing to gender distribution weighed heavily towards female population, the male lead assessor also selected female workers to interview.</p> <p>Since the off-site interviews were conducted long before the on-site assessment, the</p>

	<p>assessment team could meet before the visit to discuss the interview findings as well as those in a recent 3<sup>rd</sup> party audit report, only to envisage that an outstandingly well-operated facility was going to be visited.</p> <p>No major difference has been observed between information gathered during on and off-site interviews.</p> <p>Management cooperation</p> <p>Management submitted everything needed by the assessors, i.e. pre-assessment data and workers' contact information prior to the factory visit and presented a highly co-operative and supportive standing.</p> <p>Factory management was embarrassingly cooperative in organizing the assessment phases, including their provision of data in all matters concerning the Jo-In project. The assessment team agreed to conclude that the participation of V in the project would rather serve to exemplify the best practices on social accountability.</p> <p>Right from the entrance to the premises and the opening meeting, the assessors realized that V was a highly developed company and thus difficult to assess. (Why should a more efficient and well organized company be more difficult to assess?). The management was prepared to provide all information needed for the assessment, provided that it is clearly defined, which sometimes presented difficulty for the team since the project was a trial one and not based on proven experience, regarding especially cost and productivity areas. Therefore, if the current report is vague or missing certain data, it's not because the management could not provide them, but simply because of the lack of skill.<sup>13</sup> On the other hand, for the same reason and also owing to workers' freedom to talk, the picture on three areas of concern could be well-taken.</p> <p>It is worth noting that two of the worker representatives, one floor supervisor and a sewing worker were also present at the closing meeting while the assessment findings were being openly discussed with the management staff.</p> <p>Background Information:  Since V has joined the project only recently, there is no data specific to it in the general background research issued by Jo-In. On the other hand, some of the issues related to garment industry in general, such as general perception of unions and overtime work exceeding legal limits match with the observations at V.</p> <p>Other Data: There was no information available from other sources on V.</p>
Z	<p>Worker Interviews:</p> <p>Total no. interviewed on-site: 53 (2% of workers, 32 female and 21 male)</p> <p>Total no. interviewed off-site: 7 (5 female and 2 male)</p> <p>Off-site interviews could not be conducted before the factory assessment as the management objected to submit workers' contact information. Z objected to supplying this information, on the grounds that it was, first of all, not right (impinged on workers right to privacy) and that secondly, its workforce could speak freely on anything during an on-site visit.</p> <p>The off-site interviewers, when trying to contact workers by phone, were informed that the personnel manager warned workers that they should not have talked to strangers about their company outside. Thus, since the workers felt intimidated, the interviewers could only meet a limited number, mostly from former, dismissed workers. The information they gathered, therefore, does not exactly reflect the</p>

<sup>13</sup> Note that this was the 6<sup>th</sup> assessment.

current situation and is not highly dependable.

Selection of workers for on-site interview was a difficult process because of the size. The list of workers per shift with job definitions as well as date of employment and birth was provided by the management and the team tried to distribute their selection as evenly as possible. The assessors could meet four of the worker representatives. Finally, 3 school trainees were also shortly interviewed by one of the assessors, as well as two union representatives.

In order to cover the distribution aimed, the interviews had generally to be conducted in groups of 3-4, with a few exceptions of individual discussions. The time spent per interview was kept about 30-45 minutes, and there has been no obvious problem with the production interference. The questionnaires were generally used for all three issues in focus, but free discussions were also attempted. The areas used for interviews changed according to workers' work areas, namely training rooms or free office spaces in garment, knitting and dyeing sections. Illiteracy was not a problem, but workers generally showed no or little interest as to discussion of social issues, especially in non-garment areas, probably due to the fact that SA8000 implementations had mostly been addressed in the garment production. Indeed, the management often questioned why the assessment did not only focus on garment workers to be able to compare Z with other factories fairly. Though workers accepted the fact that issues such as excessive overtime had been eliminated by buyer involvement, they were not highly enthusiastic when it came to other areas such as better wages and union's role.

#### Management cooperation

The pre-assessment data have been provided by Z in a timely manner before the assessment, but the workers' contact information was not.

Although no obvious hostility was felt during the assessment and the General Manager expressed his support for the project, Z's CSR representative especially criticized the totality of the Trial Project heavily and with the intention that it should be reported herein. Notwithstanding this standing, they tried to share most of the information needed by the assessors, if not all, especially concerning the financial figures.

Factory was represented by most of the top management, namely the General Manager, Production Coordinator, who was a foreigner, Garment Production Manager, HR Manager and the Quality and CSR Manager during the opening meeting. The General Manager wanted to express his thoughts about the project as well as his organization right after the opening, and the CSR Manager gave a one-hour presentation on Z's SA8000 implementations afterwards. The head representative of the union was also present in both the opening, as well as closing meetings. Although the General Manager had to leave before closing, a briefing was made to him by the lead assessor just before.

Z, because of its size, complexity and standing against Jo-In, also created a difficult environment to assess.<sup>14</sup>

Management demanded to highlight its distinguishing aspects of social compliance. Therefore, it was not up to their expectations that off-site interviews will be insisted upon and considerable time be devoted to on-site worker interviews, record check and visual observances, instead of visiting e.g. the nursery.

All in above have obviously created a little tension during the assessment, but not allowed to be grown further and the assessment could be peacefully completed.

Head union representative was present in both opening and closing meetings, and responded to assessors' comment on more involvement with workers' problems and

<sup>14</sup> The SA8000 certification audits of Z take considerably more auditor days than provided in the JO-IN process.

communication by complaining that they have limited resources.

Background Information:

The background research conducted by Jo-In revealed that Z had been the recipient of WRAP (Worldwide Responsible Apparel Production) and SA8000. There was no information available from other sources on Z.

e. Role of unions and NGO's

As already noted unions that were visited in the preparatory research said they could not give information unless they had the names of the companies, but JOIN staff could not give this to them. Where they existed, plant union reps or worker reps were present at exit discussion.

f. Role of assessment teams

All assessment were done by a team of three in-site and 2 off-site assessors. All factory visits lasted three days, which is much more than code audits usually take, except for the assessments that WRC undertakes and SAI certification audits in larger factories. Also certification audits vary in length by the number of workers, and last weeks for a very large facility.

There have been some suggestions made about lack of teamwork, especially with regard to taking in the work of the off-site interviewers by the lead assessor. It has been said that there was a too dominant position of the lead assessors vis-a-vis workers interviewers. Although from the beginning onwards the need for team work was stressed, and although none of the assessors possessed all the necessary skill in one person, how to plan and manage the team seem hardly to have been a part of the training. Just how far this seriously hampered the process can only be shown by systematically reviewing the factory reports and the of-site interview reports (see 8 below).

8. Evaluation of the worker interview protocol

The fact that in only one Assessment report it was noted that there were important differences were between the outcomes of the off-site interviews and in-site assessment had raised major doubt that actually triggered this 'Assessment of the assessments' reports as noted in the introduction, whether the off-site worker interview findings accurately reflected in these assessment reports and in the synthesis report that Mike circulated.

a. On methodology:

- the on-site interviews seem to have been largely shaped by the amount of time/space management was willing to provide, the assessment team being reluctant to interrupt production. This resulted in varieties of length from 15 minutes to one hour, and varying methods (one on one, small group, big group). Sometimes the decision to cut interview length seems to have been made very arbitrarily: the on site interviews for factory X for example were cut short because according to the lead assessor 'improvements' were clear in two areas (grievance and bonus). In clear contradiction to this it is further onwards reported that the same workers presented the interviewers with an 'avalanche of demands' since they apparently have been used to buyer audits, and other workers had asked to pass these on.
- In none of the on-site interviews the questionnaire has not been followed - despite agreement as noted on page 14. (*Off-site assessment team introduced the questionnaire with open ended questions which they prepared in a daily and simple language for the workers to make the questions more understandable. It*

*was decided to work on this questionnaire and develop this to be used both, in and out of the factory as guidance for the assessors).*

It seems that the on-site assessors considered the off-site interview data to be 'claims', while the on-site interview data are 'evidence'. For Y1 it states that workers 'claimed' below legal pay for apprentices but no 'evidence' was found in onsite interviews, similar suggestive language is used in other reports. Why would the off-site data be claims that would need to be verified, and not the other way around? The issue of coaching also does not seem to have been taken very seriously, for example in the case of Y and Y1 management it is stated that "They did exhibit no attitude which could restrict the worker interviews". Coaching however IS an attitude that restricts worker interviews.

- For three factories it is mentioned that the team leader of the first round of assessments himself undertook interviewing of the female workers, due to the 'gender composition' of the workforce. This is in contradiction to the protocol, and could have been foreseen upfront.
- Another contradiction to the protocol: 2 out of 6 could only have the worker interviews after the site visit, and for factory Z off-site worker interviews were restricted following managements' communication to workers not to cooperate.

b. On the conclusion off their 'being no difference in the findings':

- There is no structural reporting back in the Assessment reports on the outcomes of the worker interviews, under some issues they are cited, under others it is not clear if the findings are coming out of the off-site or the on-site worker interviews (it just says 'according to some of the workers' or from another source. Combined with many personal observations of the lead assessor this makes it difficult to do a structural comparison to find out if indeed the conclusion that there are no 'major differences between onsite and offsite interviews' can be upheld for four out of the five. What can be determined is that in a number of the Assessment reports (X, Y (as well as Y1 and W and Z), it seems that information written down in the off-site worker interview reports did not make it into the factory assessment reports, so this would warrant a change in the conclusion that there are no different findings, but also we should question as to why this it in the full report?

- For factory X the Assessment report claims there is well established/well advanced worker representation system. According to the WIR: Worker representatives are elected from every department. The workers said that they elected the representatives by themselves. But Workers X2-3-4 agreed that the worker representatives are generally of no use.

Also for X the WIR mentions that: "Everyone in the facility receives the legal minimum wage. It is possible to say that this fact is the most fundamental issue of complaint in the facility. Almost all the workers do not find it fair that a worker working for 1 day and a worker working for 10 years should receive the same wage. Furthermore, a premium between 15-30 YTL is paid based on productivity. Since the facility has line production method, productivity is tied to the line and this leads to the workers to claim that they work productively, but could not receive their premium because premium is tied to the line. Even worker X2 claims that a premium was shown on her payroll, but she actually did not receive any."

None of this is found back in the full report, and apparently workers during the interviews did not mention this (other than in the 'avalanche' of demands where it does state 'wage problems'.

The Assessment report states that internet complaints were made “concerning especially overtime hours, which the assessors could not even find a tendency.”<sup>15</sup> The WIR states that OT recently has been significantly decreased, but that there are different statements as to the current situation. While the Assessment report states: “No evidence gathered concerning mandatory overtime and workers’ written agreement on overtime has been received.” The WIR states: What can be said on the compulsory nature of OT is that the workers feel themselves forced to do OT. Some workers started their speech by saying that “no, it is not compulsory”, and went on by saying that “an excuse should be provided”, and end up with saying that “we must not stubbornly oppose”. When there are production orders, the compulsory aspect of OT becomes more salient. Particularly, worker X2 highlighted the compulsory nature under any circumstances. Worker X4 also said that OT is compulsory, that they receive warnings when they do not do OT and as a result of 3 warnings they are fired. Group X5 summarized the situation as “it is impossible to not stay for overtime work”, but said that he has good relations with the chief and therefore he can sometimes not stay for OT by stating an excuse.

- For factory W the Assessment report concludes no evidence was gathered concerning mandatory overtime. The off-site report states: At Contractor E, OT is not compulsory in principle, but in practice, the employees say that they are forced to do OT, and cannot refuse it unless they could provide an excuse. Sometimes pregnant and breastfeeding workers stay also for OT until 20:00.

At Contractor D,F, the main issues the workers complain about are that OT is not voluntary, and that there is OT everyday except Mondays. The employees said that when they are not willing to stay for OT, their demands are refused and they are forced to work, and if they still would not work they are told that “the door is over there”. The employees told that pregnant workers are also forced to OT. The employees compensate for the lost time due to late arrival of service buses by working until 14:30 on Saturdays without payment. They say that the delays of the service buses are not their fault, but they bear the associated costs.

At Contractor A, it is announced in advance that there will be OT and the employees said initially that there was no involuntary OT. But as their wages are not enough, they are naturally forced to stay for OT. Then, they told that it will create problems to say no to OT.

Although no worker from I was interviewed, according to workers employed at the other Contractors, pregnant workers are staying for OT at I.

Also for W:

- Numbers do not fit. WI report states 5 interviews, in total 7 persons, Assessment report mentions 6 workers interviewed.

- Assessment report, page 9: Raises are in parallel with the raises in minimum wage, generally in the beginning of each calendar year, and sometimes in the middle too. WIR, page 1: According to the workers at Contractor A, (...) One of the employees said that they have not received any wage increase for two years.

- Assessment report: there is an H&S rep; WIR: page 8: Other worker representative structures: None.

- Assessment report: makes not a big issue of excessive OT and does not contain a recommendation on it. Table on page 13 contains averages per month over the 3 different subcontractors, that does not make sense; better average over the 4 given month per subcontractor.

For Subcontractor ‘A’: average 25,75 per month, this would result in 309 per year, For ‘E’ 26.25, or average 315 per year, hence do more OT than legally allowed.

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<sup>15</sup> The Report states : ‘Interesting comments allegedly by an X worker were also mentioned after an internet scan, in which X is accused of terrible working conditions concerning especially overtime hours, which the assessors could not even find a tendency.’ The onsite assessors who found this internet comments failed to communicate this to the of-site interviewers so it could not be checked (ss).

The summary report of the worker interviews (WIR) gives figures that are a bit confused, page 2: 'There is a monthly OT of 45-60 hours at Contractor E.' That would amount to at least some 540 hours per year, double what is legally allowed, (but still less than 12 hours OT per week)

- Assessment report page 15: 'Homeworker records must be properly kept and retained for assessment' but none of the reports mentioned home workers.

- For factory U. it is concluded there were no signs of coaching and interviews were candid and open, with the exception of on-site reluctance to talk about excessive OT, and the off-site interviewers marked reluctance to talk about FoA.<sup>16</sup> The off-site interviewers also noted a contradiction regarding workers claim on OT payments, and their understanding of calculation methods, which seems to indicate coaching:

From the off-site: "Workers said that they receive their OT payments in full. OT is maximum 9 hours in the evenings on weekdays. They receive 50% more for OT during weekdays. At weekends and official holidays they receive 100% for OT. Despite providing the general information above, the workers are confused about the calculation method of OT".

If we look at the total amounts of OT going on, and the total amounts of premium paid, there would be reason for coaching workers on this issue:

According the Assessment report: "Overtime work is regularly excessive and above code limitations: Workers work in excess of daily 11-hr limit, and sometimes overnight. Work is regularly done on all Saturdays after regular hours, meaning a regular 2,5-hr OT every week. It is required for most of the Sundays as well as national holidays in high season too, and thus a weekly overtime can reach as much as 30 hours on top of regular 45 hours. The annual legal limit of 270 hrs will thus be exceeded for many." However, only 7% of total wages going to OT premium, given the amount of OT going on this seems very low. From the full report: "Total cost of overtime premiums to the factory between January and October 2006 is 50,703.- YTL or about 5,000.- YTL/month (about 7% of total wages)".

- For factory Z the Assessment report argues that it's the off-site interviews that are 'not dependable' since mainly dismissed workers'. One could however as easily argue the opposite, namely that the on-site findings are not dependable since management forbid workers to speak during off-site interviews, which calls into doubt how freely workers will have expressed themselves onsite. While not technically 'coaching' it does amount to the same effect: information received could not be verified credibly by workers allowed to freely express themselves. Secondly, The comments under 'observations and findings' of the off-site report are quite worrying, yet only number 2 (first part) has been included in the full report. Copied in in full below:

*'Other Observations and Findings:*

- 1- *There are mass firings in the workplace every year. Workers said that they do not know the reason or basis for the firings. They said that frequent medical reports may be among the reasons for the firings, that newly recruited workers were also fired along with senior workers, and that disciplinary actions do not constitute a reason for firing except for very special cases (such as theft). In some cases, fired senior workers were re-hired with minimum wage.*
- 2- *One of the conspicuous complaints was that the annual leaves could not be used. Although the workers do not use their annual leaves, when they experience a health issue they are forced to get a medical report and frequent medical reports may constitute a reason for getting fired. It was said that breastfeeding leave is used as unpaid leave.*
- 3- *Fired workers are made to sign a document stating that they will receive their severance pay in 10 installments.*

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<sup>16</sup> See also Par. 10 on the re-assessment for further comments on this.

- 4- *All of the workers said that they faced psychological violence (sometimes insults) during baseline studies. Two of the workers said that there are many workers among the workforce who should receive psychological treatment and that this situation may be related to the above-mentioned conditions.*
- 5- *Employees said that they were even unable to take their lunch when there is heavy work and that this is a frequent case.*
- 6- *They said that the factory works with sub-contractors (such as sub-contractors A and B). Even, the home textile department was closed, and all the work of this department was outsourced to sub-contractors and B among these companies employs its own workers in the factory as contracted workers.'*

- For Factory Y the Assessment report concludes that Y does not have any signs of coaching (in contradiction to Y1). But the worker interviewer states that 'it can be assumed that the workers a Y were also coached". Having read the interviews and given that Y1 is on the premises of Y, this seems to be grounded. The answers are far too perfect and similar (they were individual interviews) and also too much similar to the first two of Y1 (who admitted to the coaching). The worker interviewer also notes for two of them (y1 and y2, the persons) that they were nervous and 'could not tell the truth'.

## 9. Reports

In general the reports have followed the structure set out in the protocols.<sup>17</sup>

Many reports contain small recommendations, although this was not planned to be part of the assessments. More serious is the tendency of the author to slip in appraisals and opinions in the factual descriptions. Especially the reports on x and v seem to be meant to compliment the factories: '*X's participation in the Trial Project must serve for the unique purpose of visualizing basic types of production well-managed to get the maximum productivity at the lowest possible cost.*' About V it is said that '*an outstandingly well-operated facility was going to be visited.*

In the report in W, Page 12, a recommendation is given under 10 where only findings should be given.

*Language and a culture of courtesy seem to have been also sometimes an obstacle to clear reporting. For example (u) : "Whether the system of apprenticeship is in accordance with its objective or not is questionable."* whereas actually the information given following this remark makes it clear that it is obviously not and that it is violating the law.

Furthermore, the reports sometimes lack detail. To take the report on W:

- Although the assessment took 3 days apart from the off-site interviews, it is stated '*a full assessment has not been possible*' (page 3-4). On page 3: '*the team thinks that a recheck of the workers' situation after the assessment is highly recommendable.*' It would have been useful to know where the areas of uncertainty lay.
- Page 7: '*Turnover: Not attempted to be measured; but must be expected to be extremely high following the analysis of worker interviews and records of workers who quit, are fired or change jobs frequently.*' Why was it not measured?
- Page 3 '*Furthermore, both the cultural environment where the workforce came from, as well as a few recent encounters, dismissals and company changes in which the workers lived, made it very difficult in some cases for the assessors to be able to communicate*'; these 'encounters' would have been worthwhile to describe in more detail.

<sup>17</sup> Since it was not included in the brief for the first assessors to do recommendations, the fact that their recommendations sometimes fail to pick up crucial issues from the assessment has not been noted here.

Another example of lack of detail or lack of pursuing important clues: (v) “*Workers differ in willingness to work overtime*”, which seems to mean that some workers do not work OT voluntarily, but this is not pursued.

Sometimes information is given in a confused way, for example the Y report mentions double bookkeeping for Y1 but not for Y, but still they show for Y that the company does not pay full taxes and social contributions because of ‘incomplete reporting’. ‘There is no double-bookkeeping practice in the company. The social security contributions are paid over the legal minimum wage and not over the real wage. Real wages are not shown on the payrolls. ‘These workers (from off-site interviews) said that there are two record books, one showing the real working hours, and the other showing the hours to be submitted to the assessors.’

Despite the ‘negative’ appraisal by the SC of the assessment reports, they still seem to have been more comprehensive/thorough than most of the other audits that were done in these factories. It seems a pity that the comparison of the results of the assessment with previous audit reports that was foreseen in the “Trial Project Design” baseline was dropped. This was also foreseen to also involve a follow-up meeting with the relevant auditor(s) to confer with them on the results. That this was dropped is understandable in the light of the focus on remediation that the project had taken, but it would have made possible much more elaborate conclusions on audit methods.

## 10. The Re-Assessments

### a. Selection of the team

The off-site interview team was the same as in the first assessments. The on-site team consisted of one auditor from a big auditing company. He had been recommended by JOIN’s chair, Vic Thorpe, who had shadowed some of his audits. The other on-site team member was a former ‘commercial’ auditor and compliance officer, recommended by FWF who had met him at a SAI training seminar in The Hague.

### b. Preparations

There has not been any special/separate meetings for the off-site re-assessments. It was done together with the on-site assessor meetings, of which there were about three. Doing it his way, the JOIN staff tried to develop the “Team” idea, seeing the on-site and off-sites as interdependent and mutually supporting parts of a holistic enquiry.

Mike drafted a one page summary for the procedure (time schedule) and for each factory a 3-4 page document with general procedures to be followed and questions on the specific areas of enquiry pursued by the Re-Assessors at each supplier, as flowing from the remediations agreements reached earlier in 2007.

As he wrote in an email (22-2-2008): *‘For the lead-up to re-assessments the JOIN staff could built on learnings (including those arising from earlier mistakes), there was much more management continuity over 10 months, plus lots of discussions with suppliers/unions/ngos/brands regarding the remediations. There were also feedbacks pouring in from the commissioned research.*

*The JOIN staff could choose the re-assessment team without any confusion, and with SC help. Developing a Team and proper Teamwork in these circumstances was much easier. The process of drawing up the re-assessment questions was:*

- 1. re-scan the original reports, noting areas of concern. (Mike, cross-checking with Ayse)*
- 2. factor-in information obtained (i.e. deeper or new, or reflecting changes) from the remediation process discussions (especially the agreements reached with suppliers 1 x 1 as*

*to what they should specifically try to do to remediate), and draft the "2-pager" focus questions (see "background" folder) (Mike)*

*3. discuss with re-assessor team, also asking for their comments/insights, and asking them to crosscheck against the original reports as they scanned these in prep for the re-assessment (Mike and team)*

*4. finalising the focus areas/questions with the re-assessors, following their feedback from 3. (Team & Mike)*

*5. re-assessors producing a template for their assessments, incorporating the 2-pager focus areas listing. (Team, crosschecking with Mike)*

*6. on-site assessors incorporating into their on-site questions the results of the off-site interviews, and cross-checking with the off-site assessor.*

*7. refinement of questions as the re-assessment process continued (i.e. we held team meetings during the re-assessments to reflect on what was emerging, and to adjust our process/methods etc where needed)*

*The Re-Assessors were tasked, while focusing on the specific questions, with also being alert to the general situation at each factory.*

This process also led to a high level of trust development between the re-assessors and the JOIN staff. The staff was very clear and open to the re-assessors what the strategic objectives of the task were, and they felt trusted, involved, and free to make suggestions about how best to do things. The consequence was that they "opened up" about what their own, very broad, experiences in Turkey have taught them. In this way. According to Mike it seems that the opportunity to do this at the first assessments was missed. The part that was not attended to enough during the first round of assessments was trust-development.

#### *c. Off-site workers interviews*

The same workers were asked for interviews the 2<sup>nd</sup> as in the 1<sup>st</sup> round. But some of them had left or the remaining ones could not give enough information so also new workers have been interviewed.

They were glad to be contacted, to have the idea that someone is following up on their situation although they did not feel that much had improved.

Interviewers left their tel. nr. but only one worker called back after the first assessments and none (yet) after the re-assessments. This worker had been fired recently and wanted to talk about the labour conditions in the factory. He/she had not been interviewed but was given the tel. nr. by one of the interviewees.

It was noted by both the workers interviewer as the in-site assessors that the off-site interviews gave crucial information without which it would never have been detected:

- That workers had been coached at 'Y' (during the factory audit that took place *before* the offsite worker interviews this had not been discovered).
- that workers at 'X' are very angry at not getting tea
- that workers at 'X' have tried to get organised in a union
- that work pressure is a big problem at 'Z'

The team agreed that offsite Worker interviews have most value if they are done before the audit, to inform the on site inspectors, but only if the on-site auditors take enough time to take notice of the results and discuss them with the interviewers.

This was done the second time but not the first time. In the first round of audits the lead auditor said he could not read the long reports produced and asked for a summary. This summary was never discussed between the on site and off site assessors. Hence for instance the issue of high targets and large work pressure in 'Z' that was mentioned in the off-site interviews report<sup>18</sup> was not taken up in the final report.

It was also noted that a certain level of trust is a pre-requisite for these interviews to be successful. This existed in all factories but 'U'. 'U' is a special case. The owner deliberately chose to locate this factory in Sultanbeyli, a settlement of Islamists and known for its conservative climate.

The shouting at workers in this factory was uncovered by the onsite interviews. Whereas the first Assessment had reported:

'Workers ... were all candid and not coached beforehand, though some workers hesitated to talk about issues such as excessive overtime. Except discussions on apprenticeship and freedom of association, all workers interviewed were also candid and open'

The re-assessors, both of-site and on-site were unanimous in their opinion that interviews were very difficult to do here, something that was strangely enough also noted cryptically in the first Assessment Report:

'Nevertheless, the cultural environment where the majority of the workforce came from made it quite difficult for the assessors to be able to communicate on issues such as trade unions and wage calculations.'

On the other hand both on and off-site interviewers did not agree to the remark in the first Assessment report on 'W': *"Furthermore, both the cultural environment where the workforce came from, as well as a few recent encounters, dismissals and company changes in which the workers lived, made it very difficult in some cases for the assessors to be able to communicate. While some workers complained a lot on wages and other issues, some others hesitated even to stay with the assessors long enough to be identified as an informer."* They found the workers to be quite open. Maybe the reported situation referred to a specific subcontractor that was not part of the re-assessment, but the report does not specify this (W stopped working with 2 assessed SCs over 2007)

In the 2<sup>nd</sup> round it did not seem as if 'Z' workers were warned or coached like the first time.

In both the assessments and the re-assessments, off-site interviewers used, when provided, lists of workers from the factories to call them to make appointments for the interviews. This seemed to work well. As far as they could judge there have been no 'pre-selection' of the employers leaving out the names of the more critical workers.

Below is a summary of aspects relating to the worker interviews:

	Remarks on worker interview methods
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<sup>18</sup>'All of the workers said that they faced psychological violence (sometimes insults) during baseline studies. Two of the workers said that there are many workers among the workforce who should receive psychological treatment and that this situation may be related to the above-mentioned conditions. Employees said that they were even unable to take their lunch when there is heavy work and that this is a frequent case.' And 'All the workers complained that the expected productivity does not consider the difficulties of the models and the expectations are high (and usually impossible to meet). In the presence of people doing a study, the workers could not even go to the lavatories, and when the productivity is low they are facing reactions amounting to insults, and it is a reason for disciplinary action. The first assessment report notes however 'a recent Nike audit, in which Z's supplier category was temporarily dropped from A to C, owing to workers' collective complaint of unreasonably high production targets, which case was later remedied by Z and objective evidences supplied to Nike.' It seems strange that the onsite assessors did not pay more attention to this issue.

‘Y’	<p>1<sup>st</sup> Assessment Report: offsite interviews after inspection. Offsite interviews disclosed coaching; this was not found out during inspection.</p> <p>Workers seemed coached (again), during lunch discussion assessors found out workers were afraid of something, and this led them on the track to find the existence of a 3<sup>rd</sup> set of records. Also a very strict pattern of answers emerged during the formal interviews.</p> <p>Work floor interviews proved to give false information on OT. Workers seemed to be coached. Lunchtime interviews and offsite interviews gave the right information as was later corroborated by a 3<sup>rd</sup> set of payroll and time records given at the end of the audit.</p> <p>RA team suggest to surveil the factory in evening to discover OT since outcomes could not be checked by interviews (OT seem to occur on fixed weekdays).</p> <p>Also informal chatting seemed to produce reliable results as compared to work floor interviews.</p> <p>Interviews with the ‘elected’ worker committee members produced similar coached information as the work floor interviews.</p>
‘V’	<p>During the employee interviews, there were reports of working until 8:30pm. The time records provided verified the employee’s testimonies.</p>
‘W’	<p>No specific findings</p>
‘X’	<p>First assessment report: management provided the requested information and data to contact workers.</p> <p>Re-assessment report: Management gave no permission for worker interviews. But report states 1.5 hours for interviews during lunch, meetings with committees members and off-site interviews.</p> <p>Workers were coached for the formal interviews.</p> <p>HR manager not present at Re- assessment.</p>
‘U’ (U)	<p>Due to conservative climate all workers were very closed.</p> <p>No allowance for informal interviews in the factory.</p>
‘Z’ (z)	<p>The first assessment report: the off-site interviewers, when trying to contact workers by phone, were informed that the personnel manager warned workers that they should not have talked to strangers about their company outside. Thus, since the workers felt intimidated, the interviewers could only meet a limited number, mostly from former, dismissed workers.</p> <p>Re-assessment report: no mentioning of this.</p>

#### d. Reports

The Re-assessment reports in general contain better information, e.g. more concrete details, on the focus issues. Hence they give more insight although the editing is rudimentary. Since there was no template for the report it was agreed with Mike to use the questions he had listed as a template.

The clarity of the reports is greatly helped by their shortness, crucial information is not drowned in a lot of text, and information is given more straightforward, without diplomatic or ‘nice’ words to fudge critical remarks.

e. Findings

The first impression of the JOIN SC that the second round of assessments was of higher quality seems to get confirmation by a comparison of the findings. However some care have to be taken when drawing conclusions since:

- it has not been checked if any of the reported findings are correct,
- the first assessment team have not been given the chance to react
- the comparison has only been done in a one way direction; since the re-assessors were not asked to do a full assessment, finding elements in the first assessment report that do not (re-)appear in the re-assessment report does not make sense.

And, although this will be dealt with later, it is only fair to say at this stage already that the circumstances in which the 2<sup>nd</sup> round could be performed were more favourable towards good results than during the 1<sup>st</sup> round.

The table below gives new and different findings in the re-assessment reports<sup>19</sup> compared to the first assessment reports.

First Assessment report	Major New Findings in Re-Assessment (RA) Report
‘Y’	
In first Assessment Report no mention of (lacking or not) pay slips, ‘There are employment contracts of indefinite terms signed with the employees. ‘	In the RA report it is made clear that no pay slips were issued and workers did not receive a copy of the ‘working agreement’. Article in contract regarding exceptional leave is illegal.
The first assessment report: ‘During offsite interviews, one of the workers said that there were workers receiving lower than the legal minimum wage; and the same worker told that apprentices also receive lower than the legal minimum wage. No indications were found in examination of the records during onsite assessment which could support this claim.’	RA report found proof for this. 14 workers below Legal MW.  Wage system (pay differentials) more critically analysed, no clear conclusions though. Workers did not dare to discuss this openly.
During onsite interviews, one worker at the ironing department said that they did OT on one Saturday this month, while one worker at the final control department said that those working in shipment department do OT sometimes. The assessors tried to verify these claims by interviewing other workers and by examining the personnel records, but no indications of OT were found. Statements obtained in offsite interviews and the findings in onsite interviews makes it likely that there was coaching on the issue of OT and that the records were pre-arranged.	Third set of books given at the end of the RA report since the auditors had found out that it must exist by checking meal and transportation bills that showed work on a national holiday that was not recorded in the 2 <sup>nd</sup> set of tie records. In the RA management only gave the 2 <sup>nd</sup> set. It showed OT records not correct for all workers.
	Serious problem with supervisor and overall climate in factory detected, that was not mentioned at all in first Assessment report.

<sup>19</sup> The Re-Assessors have drawn to the attention of the SC that there has been no formal "after-assessment" meeting between them and the supplier company management, at which they could present the findings and have their factual correctness acknowledged and recorded.

The Re-Assessors have noted that certain of their findings are likely to be challenged/denied by the suppliers' management, and for this reason they believe it is essential that they be present when the suppliers receive their findings, in order to short-circuit possible arguments as to whether the findings are accurate or not. In anticipation of such challenges/denials (which they note as occurring frequently, in their experience, in the Turkish context) they have taken the trouble to assemble adequate evidence (including photographic and video evidence).

	<p>This has been recorded in reports of the worker committee. (Installed after initial assessment most likely since before there was no formal committee?)</p> <p>Production figures for last six months in detail (which contains subcontractor details) were asked but it was not provided because of the responsible manager were out. It was noted by the management to send afterwards, but up to now no information provided.</p> <p>FoA documents are too general.</p> <p>Additional OHS issues.</p> <p>No annual leave committee</p>
'V'	
FOA: No policy	RA report: now involved in management training. Word union not mentioned in FOA policy.
4 approved SC's these 4 take 90% of Sc production).	More subcontractors found than the 4 mentioned in the first assessment report.
<p>Unpaid leave if no production is generally compensated for by changing the weekly days off or complementary work as per labour law.</p> <p>V's overtime premiums are in line with legal requirements, i.e. 50%. When worked on weekly day off, that is Sunday, payment is 2,5 times the hourly wage owing to paid holiday already on payroll.</p>	<p>Sunday work found not paid with the legal premium.</p> <p>Sundays or overtime on weekdays to compensate the hours not worked. The management confirmed the employee's testimonies; therefore it was advised to make sure that employee's consent is gathered before using this system as mandated by the labour law.</p>
<p><i>Best Practices on Hours of Work:</i> Juvenile workers aged under 18 work a regular week of 40 hrs and with no overtime.</p>	Young and pregnant workers do OT
<p>A daily overtime policy up to 2-2,5 hrs is implemented after 9-hr work together with half of Saturdays and some workers exceed the annual limit of 270 hrs. During high weeks, overtime reaches 19 hrs/wk and 70-120 hrs/month on the average for a sample size of 38 workers studied, thus above code limits. For a limited number of workers at cutting, OT reached to 400-500 hr/year.</p> <p>No evidence gathered concerning mandatory overtime and workers' written agreement on overtime has been received, except that workers should be informed sufficiently in</p>	<p>Clear report of how OT records are not enough (page 4; company only reports if over 60 hours a month)</p> <p>OT not voluntary: 'OT for all' system</p> <p>In working contract there is a illegal article on OT.</p>

<p>advance. Workers differ in willingness to work overtime, but the general response is to accept it owing to company needs</p> <p>Overtime limits should be monitored and decreased for especially certain operations and workers be informed on overtime well in advance.</p>	
<p>There is a Health &amp; Safety Committee, and the representation of workers in it is highly active. Despite their functioning as intended, the level of awareness among co-workers is not as high and was suggested to be improved.</p>	<p>The trainings given to the OHS Committee appears to be not adequate as there are several OHS concerns detected during the facility walkthrough which were not noticed by the OHS Committee members.</p>
	<p>No annual leave committee</p> <p>Management refused to give sample for the calculation of targets.</p> <p>Several OHS issues</p> <p><i>Strict disciplinary rules mentioned but not elaborated because their were no written forms but the complaint seem to del wit the OT for all system.</i></p> <p>The management and the worker representatives reported that they meet at each month's first Monday, however it was noted that the meetings were not conducted in several months. The agenda of the committee is too limited and too general.</p> <p>On the other hand worker representatives interviewed have complained about the below issues:</p> <ul style="list-style-type: none"> <li>• Awareness of FoA is low within the factory, no training given by the management</li> <li>• No special training for the worker representatives</li> <li>• Swapping of holidays for compensation work</li> <li>• Mandatory overtime issue</li> </ul>
<p>'W'</p>	
<p>Voluntary aspects of OT not noted a problem in AP</p>	<p>RA report: 'not completely free'</p>
	<p>'OT for all' system</p> <p>No working license and work permit for subcontractor companies</p>

	<p>Several OHS problems</p> <p>Annual leave records are missing signatures in main company and the two inspected inhouse SC's.</p> <p>Additional OHS issues.</p> <p>Restricted visits to restrooms.</p> <p>(Conclusion in this company: no main differences)</p>
<p>'X'</p>	
<p>The dilemma of excessive overtime hours seemed to be eliminated in X as a result of continual findings, but also mostly due to enhancement of productivity by lean production.</p>	<p>There were excessive overtime reported by the employees in June and July 2007. Management gave the assessors documentation provided for the brand that indicates that 559 workers worked 61-72 hours in a week (week 18-43), 8 worked more than 72 hours! Violation of daily working hours (&gt;11).</p> <p>Some workers that had to work Sundays clearly indicated that this was done against their will. In Committee questions have been asked about high number of OT hours. According to worker interviews workers who reach the 270 hours limit do not do any more OT. OT payment correct in records, but lack of interviews renders conclusion impossible.</p>
<p>Workers interviewed generally respond that they received legal minimum wage, and they know very little about how their productivity bonuses are calculated. On the other hand, the maximum level of bonuses is very difficult to achieve as it depends on full monthly attendance, high line performance and even general profit level of the company</p>	<p>New bonus system since Jan. 07, same problem of lack of understanding by workers and worker reps. Unrealistic low standard times. The decision on the experience level of the operator's parameter to calculate the bonus is completely up to supervisors and management. System is working in favour the employer rather than the employees.</p>
<p>It can be concluded that, though fear or abuses are not among factors retarding the social dialogue, there are still emotional barriers shadowing the efforts among all parties, driven by external sources. It is therefore, in fact doubtful whether the management really wish to improve communication and break barriers.</p> <p>Workers did not seem to put it in their agendas, although some mentioned a few dismissals back in <b>2003</b> owing to unionization, which information</p>	<p>The "atmosphere" in the workplace is fearful whenever FoA subject comes in. It's partially because of the one incident took place on <b>2005</b> as there were two workers tried to join the union, however terminated by the facility according to two interviewed employees. During the worker interviews, these employees stated that it would be good to join a union but this is impossible for them as they do not want to lose their jobs.</p>

needs to be verified.	Of-site interviews: 'The employees reported verbal abuse practice by one of the supervisors . whenever they cannot reach to daily quota.
	<p>- One employee who wanted to leave the company was not let go with severance pay -  -- There were reports of working on break times whenever there is urgent shipment. However, the other employees interviewed reported using their breaks after the shipments. Need clarification...</p> <p>No health checks every 6 months for shift workers.</p> <p>FoA document is too general, no mentioning of 'Union'.</p> <p>Policy not communicated to the workers.</p> <p>No annual leave committee.</p> <p>Several OHS issues.</p> <p>(correction: RA Report page 3 mentions 5766 workers (+559+8), meant to be worker days.</p>
'U'	
	Not in report: management very secretive about SC's hence the difference in number of SC between the first assessment report and Re-assessment report.
offsite interviews: apprentices do not work OT the first assessment report: they do (shows difficulties with interviews in this factory-ss)	<p>apprentices work OT (as also noted in the first assessment report).</p> <p>Some irregularities with the apprentice scheme (no class room license, 2 instead of three masters).</p>
Legally mandated health and safety training activities, such as on first aid and firefighting, have been provided.	OHS committee discussed that fire drills should be conducted. Also mentioned need to check first aid kits and health check for young workers.
	<p>Follow up on worker rep. election that was decided after the first assessment. But no meetings between reps and the workers have taken place. They did not receive training.</p> <p>Management refused to give sample for the calculation of targets.</p> <p>Some supervisors (2 out of 8)shout at workers. (note: according to the in-site interviewer this was only mentioned by a few workers, most said nothing at all)</p>

	Additional OHS issues
<p>'Z'</p> <p>Z operates through many subcontractors, especially in garment production, about 22 of which (see attached list) are formally approved by customers. Therefore, the control of subcontractors is a fundamental element in social compliance both for Z and the brands it is producing for.'</p> <p>'They have created a classification in which there are three groups: The first one includes 20-22 plants, used generally for Nike and GAP orders, are closely controlled and monitored by independent monitors, and some of them are group owned factories (see attached list). The second group consists of another 20 or so non-approved facilities, producing products at expected quality, still with prices similar to former group. The third group is only occasionally used for more cheaply priced products, such as for Inditex Group (Zara et al), where the control over social compliance is little or none.</p>	<p>In general the assessors got very limited information from management. No list of SC's was provided. Management said they already did so in the first assessment and did not want to go over the job of compiling such a list again.</p> <p>According to provided information by the facility, there are nearly 40 subcontractors used for the client's productions and nearly half of them were approved by the brands. The other half is being used for the brands which aren't asking for any social compliance condition for their production. The main reason for shifting the production to the subcontractors is the price pressure from brands according to management.</p>
<p>There are at the moment, only a couple of workers exceeding 60 hr. overtime per month and 4 workers will probably work in excess of 270 hr. legal annual limit.</p> <p>workers accepted the fact that issues such as excessive overtime had been eliminated by brand involvement,</p> <p>They were not highly enthusiastic when it came to other areas such as better wages and union's role. Jo-In information sheets were apparently impossible to distribute around.</p>	<p>According to the documentation provided by the management:</p> <ul style="list-style-type: none"> <li>- 3 employees exceeded the 270 hours yearly limit by the 14<sup>th</sup> of November is</li> <li>- 135 employees <i>worked seven consecutive days in a week</i> in (w/o one day weekend rest) September 2007; and 335 workers in October 2007.</li> <li>- Working hours exceeded 11 hours per day for 35 employees on September 2007 and for 204 employees on October 2007 as these employees worked 2 shifts consecutively.</li> <li>- 91 employees in October 2007 worked more than 7.5 hours at night hours and changed shifts before receiving 11 hours of rest period between shifts.</li> </ul> <p><i>These records have not been mentioned in the first assessment report</i></p> <p>Work contract contains clause that mandates OT whenever employer requires.</p>
<p>'The formula suggested by SAI in SA8000 Guidance Document yield a living wage of 687-988 YTL in accordance with above assumptions, while the SAI-recommended 40% expenditure on food yields an</p>	<p>The company has SA8000 certificate which is given by the ITS. It was observed that the facility provides above LMW but it's still questionable is this a living wage or not.<sup>20</sup></p>

<sup>20</sup> As the re-assessors explained to me: 'The official amount for Basic Needs Wage is above 1,000 YTL according to the numbers provided from official Statistics Departments. Whenever we calculate the basic needs wage with the formula SAI provides we also calculate it as more than 1000 YTL. The average amount the employees receive in Z is less than that number and there is no remediation plan to higher the wages in future as the calculation of certifying body might be less than ours. The questionable part in here is a standardization of Basic Needs Wage by certifying bodies which would lower the requirements.'

<p>average of 790.- Thus, Z's average wage of 955.- with full benefits (see other benefits below), or even the workers with minimum wage earning of 773.- again with all benefits stays within above figures. The validity of these are further questioned with other benefits mentioned below. '</p>	
<p>It is not easy to arrive at a conclusion regarding level of social dialogue at Z. On one hand, there are ready mechanisms, such as union, worker reps, suggestion boxes, supervisors, managers, etc. all work but to a limited extent, despite their abundance. Union mechanisms obviously work before, during and after agreeing and signing of a collective agreement, although the recent CBA has been compromised by the union especially by a number of protocols, such as those decreasing annual bonuses or extending payment of increments, on written grounds that the factory had run into financial difficulties in 2005. This and other daily issues still remain to be solved, cited else where in the report, apparently decreased the level of trust by workers to their union.</p> <p>Workers were not highly enthusiastic when it came to other areas such as better wages and union's role</p>	<p>The employees reported that they prefer contacting to their supervisors instead of the worker representatives as they cannot solve the problems. It was also reported that the employees are sometimes forced to write some complaints by the supervisors and these forms are collected during the day to show that system works.</p> <p>Despite there's a one-in-all committee exist within the facility (Social Compliance &amp; OHS &amp; Environmental Committee) according to its meeting minutes and employee interviews this committee is for mainly discussing the OHS and Environmental issues rather than social compliance issues. According to employee interviews, supervisors are still the first place to go in case of any kind of problem.</p> <p>There are some topics related with the social issues observed on the Social Responsibility Management System meeting notes which takes place once in a quarter and covers the topics from the complaint boxes. However, it was noted that the issues discussed are mainly not solved and answered with the open &amp; political statements.</p> <p>Employee's opinion about the labour union is very negative<sup>21</sup> so they will not go to the union representatives to find a solution. (according to my discussion with the assessors who can compare 'Z' to other organised factories in other factories, in all factories unions are depending on the support from management but they are in general still functioning somehow to the benefit of the workers, in contrast to the 'Z' union.)</p> <p>Union operates as a closed shop, workers are forced to become member when they join the company. The "closed shop" is experienced by workers interviewed as imposed by the employer.</p> <p>One female employee reported that females do not deal with the union works and male employees are more interested.</p>
	<p>'Z' still owes the government social security</p>

<sup>21</sup> Going into the outcomes of the discussion that took place in the year between the assessment and the re/assessment goes beyond the scope of this report, but it is interesting to cite Mike (email 20-2-2008): *It's worth noting that statements made by the 'Z' union representatives at the 23.08.2008 meeting were cross-checked by the re-assessors, who reported inaccuracies and/or different perceptions by union members, and in one case (compulsory training after hours) took video footage to confirm their findings.*

	<p>payments since 2003.</p> <p>Salary differences decided by Collective Bargaining not being paid since 2005.</p> <p>Verbal abuse</p> <p>Issues of high targets and work pressure come to the fore that were not mentioned in the first assessment report , although somewhat 'low profile' mentioned in worker interviews summary.</p> <p>Management refused to give sample for the calculation of targets.</p> <p>Working during breaks is still mentioned, also mentioned in the first assessment report but not in its final recommendations.</p> <p>Annual leave committee not working properly, workers cannot get leave in the period they want.</p> <p>Several OHS issues</p>
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A few of the new findings are worth discussing to show the serious gaps in the first round of assessments.

- The Re-assessment reports often mention the absence of a leave committee. The leave committee is mandatory since 2004. It is composed of 2- workers and 2 management reps and has to agree to the holiday schemes. Since it may be a crucial stepping stone towards some worker involvement in social affairs it seems that it should have been mentioned in the first assessments too.

- Mike made the re-assessors look into the use of the word 'union' in the FoA policies of X. The original assessment at X noted the vagueness of the posters re FoA policy, so they re-assessors were asked to check this specifically at X but were asked to be alert across all suppliers to problems which were evident at one or other supplier. But more broadly, the original assessments were "thin" on FoA issues, and so in the second assessments (the re-assessments) it was attempted to do more justice to this issue. In addition, the terrain had shifted over the period from assessments to re-assessments: all the suppliers had attended JO-In meetings where FoA was discussed, taken part in remediations discussions re FoA, and 5 of 6 had participated in management training on FoA, so the FoA discussion had deepened considerably. In general the assessors found not much positive improvement, just some symbolic actions and not any significant awareness of what FoA means. So there is clearly an element of "impact study" involved in the "re-assessments".

- Most companies use the 'OT for all' system that makes OT mandatory in fact.

- Compensation work must be based on an agreement that will also settle the payment rate, hence the not having consent for compensating work on holidays with holidays later is a crucial finding since this is the first thing to be solved.

- According to the re-assessors MSI's and brands must really demand full social contribution on the full earnings, not just MMW. A recent change in the pension system calculates pensions on the basis of the average earnings during the working life. Since the costs are tax deductible for the company is cost not as much as it seems. Hence the RA reports are much clearer here in stating where companies pay only social contribution on the basic minimum wage.

- The RA team has been more successful in digging up crucial records:  
 At Z: Management provided documentation that showed excessive and illegal OT. These records have not been mentioned in the first assessment report.  
 At Y: The re-assessment team in the end pushed the management at the end to hand over a third set of books, the first assessment team did not find more than the second set.  
 At X: The RA received OT information that the company prepares for the brand and which showed excessive and illegal OT whereas the first team concluded 'The dilemma of excessive overtime hours seemed to be eliminated in X'.
- A general issue is the almost absolute power supervisors wield over workers.

## 11. Conclusions from comparing the assessments and re-assessments

Looking back at what triggered the need for an assessment of the assessments, the perceived lack of quality on the reports; it seems on re-reading them that the quality was not actually so bad. This is the limitation: we chose to concentrate on remediation. That meant that the assessing stage had to be fairly basic. They served their purpose although sometimes information was only to be found by reading between the lines.

When the SC reflected on the problems with the assessment reports it was initially thought that problems had been caused by insufficient capacity of assessor teams through lack of civil society based organizations with labour focus, which can provide a 'pool' to tap into and to confer with plus lack of experts on the three challenging key issues. Looking back on the process it seems doubtful that this was the main cause. Having in the first round 17 potential candidates to be interviewed is not too bad, when compared to experiences in other countries where MSIs look for civil society based auditors.

The main problem seems to have been (1) a lack of proper report writing skills and of editing and (2) lack of appreciation by the author of the reports for the outcomes of the external worker interviews and thus a lack of serious examination/inclusion of off-site data.

Reading the re-assessment reports and comparing them with the assessment reports of the 1<sup>st</sup> round especially the second issue comes to the fore.

But there also seem to provide ground for the feeling some had already expressed that the first team had a somewhat managerial bias. The 2<sup>nd</sup> round of assessments seems to have been more profound and more critical. As a team the 2<sup>nd</sup> assessment team has cooperated much better. The re-assessments reports are more focused because the re-assessments themselves were more focused by earlier the process and the off-site interviews.

One may find it remarkable that a team of NGO based auditors came up with less critical findings than a team consisting of two 'fulltime auditors' plus the same NGO based interviewers that did the 1<sup>st</sup> round of-site interviews.

But it could be wrong to generalise, the two auditors for the 2<sup>nd</sup> round of in-site assessment were 'hand picked' and known for their qualifications and critical attitude.

This points to a general issue in the auditing industry, the quality of the audits is much depending on the professional skills and attitudes of the persons doing the audits.

Some lack of team training in comparison to what had been planned can also be noted: of the intended 2-3 days training for the assessment team, only some off-site and one in-site assessors went through all 3 meetings, 2 of the in-site assessors only participated in the one day preparatory meeting in November. On the other hand it does not seem that formal training of the second team was much better; it was the pre-audit guidance that had improved, not the formal training.

Added to all this was the issue of confidentiality of supplier names that provided a barrier in consultation of local stakeholders. Unions and NGOs could not report back unless they knew which company was under discussion.

The lack of buyer ownership, as was shown for instance in the negative attitude of some buyers during calibration meeting might account for the assessors being taken less seriously than 'normal' auditors. Also many suppliers did not feel very positive to the project after it became clear that incentives in terms of more orders from the brands were not to be expected.

Other possible explanations that have been suggested by Alice revolve around a general /frequent lack of specificity/clarity on steps, activities, criteria and changes in steps/activities criteria agreed, with resultant moving targets. More specifically: the decision to consider these "assessments" rather than audits without a clear idea of what that meant or pre existing tested guidance or training for "assessments", the turnover in both staff and assessors, the long delays throughout the process, the lack of a regular systematic set of procedures and oversight, the absence of a regular training program developed for JOIN assessments, the limited level of expertise in leading audits on the JO-IN staff at crucial times in the project, the differing and extremely high expectations of the SC members<sup>22</sup>, the project's focus on the most difficult aspects of codes to assess, and the lack of a clear agreed research plan to test key questions (e.g. is living wage realistic for the sector, are outside worker interviews needed in all cases?).

## 12. General Conclusions

Initially the SC involved itself in a very detailed level of discussion, but sometimes failed to oversee the assessments in terms of the implementation or to set clear goals. For example since FoA was picked as one of the central goals, methods should have been adjusted to be able to find out what is really going on. The worker interview methods, using an objective random selection of workers were not looking out for 'informal' leaders or other persons who might have some informed views on obstacles to unionisation. Most workers interviewed showed a lack of awareness on FoA, which is something that might be expected in general and does not say much about FoA.

After going first into - on hindsight- unnecessary details, the SC then ceded all control over the process, after Sebastian van der Vegt as successor to Susan Hayter had made clear that the SC should operate more at arms length if it was to retain staff and enable the IPC to deliver the project activities. There was no structured monitoring of the process to gain learning, e.g. the methods that were used were adapted randomly and without proper procedures or record keeping. In 2006 the JOIN SC dropped the idea of using observers or rapporteurs, but never filled in the gap that was left by this.<sup>23</sup> After some discussion, the SC agreed to shift the emphasis from "observing" to "reporting". But also this reporting actually did not take place as envisaged.

Added to this was the fact that there was not enough time and capacity to monitor the assessments while they took place. The MSI's had to stay at a distance in this, the JOIN

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<sup>22</sup> Alice also adds as a possible explanation the lack of an agreed factory management system in the JO-IN code, but it seems to me this could be a relevant aspect if we are looking for 'impact' of the project in the factories, but it seems less related to the process of assessing. A solid factory management system makes assessing and auditing more easy, but even if JOIN had included this in its code, it seems questionable if that would have made a real impact on the factory management system that is in use in the 6 facilities and hence on the process of the assessments.

<sup>23</sup> This was dropped because the expense for the three- or four- person team that the SC had previously identified as project observers was not considered a top priority for allocation of budget. Moreover, it was questionable whether or not the project, already seriously behind schedule, should add another layer to the project.

staff just did not have the time and also the lead assessors were not engaged with the project enough to be able to fill this gap.

In the end, the assessment method seemed in practice to be a poorly managed variant of the usual audit methods, with outside worker interviews added to it but without a thorough understanding of how to build them in. So the project combined civil society based auditing approaches with business expertise but did not organize the exercise in a manner that either pioneered a better integrated method or enabled a persuasive comparison of different methods. Perhaps not enough consideration was given to the logic of civil society auditing or perhaps not enough to the logic of good planning and organization. As Mike points out: *'There was lack of attention<sup>24</sup> to detail in the transfer of the broadly-focused concerns of the SC into the actual mechanics of the original assessment process. The local coordinator, who at the crucial time had to work without the support of the IPC was left with a "half-cooked" situation. She was also confused as to what the SC wanted in terms of selection of assessors. Maybe the SC was itself not very clear what exactly it wanted, or there were conflicting views. Or maybe the various conflicts within the SC reduced the capacity/willingness of the SC to manage the situation.*

The decision to consider these "assessments" rather than audits without a clear idea of what that meant and in the absence of pre-existing tested guidance or training for "assessments" also posed a challenge.

The turnover in both staff and assessors, the long delays throughout the process, the limited level of audit expertise on the JO-IN staff at crucial times in the project, and the differing and extremely high expectations of the SC members exacerbated the problem.

Team work, which is essential to a well planned audit, seems not to have been exhibited by the team members of the 1<sup>st</sup> assessments as completely as it should have been. One way to look at it is to say that this general lack of advance planning and team work was exacerbated by time consumed in reaching agreement among the SC members, with resultant moving targets as Alice commented. It seems however that there has been too much, rather than too little advance planning in general terms (like writing protocols) by the SC, leaving almost no time for the JOIN staff for practical planning and monitoring during the actual processes. The re-assessments were more focussed and guided by the IPM.

Part of this lack of internal cooperation in the team has certainly also been caused by personal choices of the in-site assessment teams, as is shown by the difference with the re-assessments. This points to the general issue in the auditing industry already referred to in the previous paragraph: the quality of the audits is much depending on the professional skills and attitudes of the persons doing the audits.

The first assessment reports also suffered from some inconsistencies, lack of detail and 'fudging' of critical outcomes. The issue of editing and of seeing to it that the reports contain the information that is needed is a general issue in the auditing industry. MSIs which directly commission audits themselves have reported that it takes a lot of sending to and fro before they can accept reports.<sup>25</sup> Mike, in his 10-10-2007 email states *"The other consequence of the work practice of freelance assessors is that they put themselves under severe time pressure re producing reports. The team leader of the first round of assessments worked like crazy over weekends etc to produce the 1<sup>st</sup> 5 of the 6 reports, and what came out was - essentially - a first draft. But there was no possibility*

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<sup>24</sup> What seems to have been missing was a thorough discussion to test the general principles and ideas to local circumstances (e.g. on hiring assessors or selecting factories). Local stakeholders have been consulted partly on this (but not for instance on under which circumstance which factories would join the project), but no subsequent discussion on the outcomes of this have been held.

<sup>25</sup> Alice notes that also the accreditation agency for SAI (SAAS) has a challenging job overseeing the quality of certification audits.

*to discuss/re-draft the reports because to do so would have meant waiting a long time before the assessors once more had free time in their busy agendas. And there were deadlines imposed by planned stakeholder and SC meetings which could not be changed.”* Note that in the contracts with the lead assessors one day dedicated to the writing of the report was mentioned separately.

The second round reports do not suffer from these, but then again these reports are more like rough and basic notes and are not useful to directly sent to the factories

All of this points to the need of closely monitoring the assessment of audit process when this is commissioned to outside parties and critically assessing reports that are sent in before finalising the audit process.<sup>26</sup> Audits do not lead to good reporting unless closely monitored by organisation who commissioned the audit (this is also the FLA, SAI, FWF experience), which makes one wonder how does this work with brands who commission audits to outside contractors?

There is also another problem that is caused by ‘The Logic of the auditing industry’. As Mike notes: *Unless the dynamic of the auditing/assessment industry (in Turkey, and presumably elsewhere) is factored into a critique of the JO-IN assessments, there is the danger that conclusions/recommendations emerge which are impractical.*

*The challenge - when working in this “industry” - is to manage/balance a whole lot of different pressures.*

*A very strong influence on quality is the practice of the industry assessors to hire themselves out intensively, working 5 days a week and weekends too.*

*The jo-in assessments were performed under great time pressure, and reporting was done under the same pressure. Under this pressure, assessors lapse into doing what they know (i.e. they operate out of habit) and this leaves little space for innovation, methodological improvement etc. In this sense, it may be true to say that the jo-in assessments were captured by the industry.<sup>27</sup>*

*There is another - and different - set of questions which I think arises from the JO-IN experience: e.g. to what extent is the process of auditing/assessing (and the process of thinking about it) now held captive by the “industry”?*

*If you really wanted to find out what is going on at a given factory, (and did not have to think of professional auditors/assessors or numbers of their days etc)*

*how would you do it? Is it possible to do this in 3 days, or 4 or 5 days? Is the time it would take such as to make it affordable with paid professional assessors?<sup>28</sup>*

*The jo-in approach to worker interviews (based on a stated % of workers) tended towards volume instead of depth. Getting the right number/% became a chore. Our impression of the general quality of the assessors was/is that they were/are above the average of the audit industry in turkey.*

*However the low level of foa in turkey creates a situation in which workers are very cautious about speaking to outsiders. Auditors Use outspokenness - in certain situations - as an indication of coaching e.g. when workers state very strongly that they don't work overtime it can mean that they were coached to say that.*

It is a pity that the JOIN did not come up with many new learnings on the issue of FoA assessment or doing worker interviews. The JOIN SC meetings could have yielded more results if they had concentrated more on ‘brain storming’ using the tremendous amount of experience and expertise that was available in the SC, in stead of nit-picking over

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<sup>26</sup> Note that this conclusion reflects the conclusions from ETI's report: Getting smarter at auditing (2007).

<sup>27</sup> Alice adds: ‘Or it may be that the assessments were working under reasonably realistic, if unfortunate, constraints on resources.’

<sup>28</sup> But I (ss) would like to add to this that it seems to me that a baseline assessment per definition cannot include things done at various points in time to get a more longitudinal view. “Timing & length” had to be limited. But the other layer of the trials, that what the ‘rapporteurs’ would have been doing, could have contained such like methods. “Rapporteurs” could have played a role similar in some ways to that of shadow auditors.

procedures and principles. The Rut Tufts wage ladder is one example of what could have been possible to develop.

Leaving aside lessons learned at the remediation and the research project that fall beyond the scope of this paper, the only other interesting new element that the assessment process produced is the use of list of workers that the companies provided to enable of-site worker interviews. This proved to be a useful tool.

Conclusions on the worker interviews methods can include that pre-audit of-site interviews by NGO-based persons have proved to be a useful tool in most factories, but that partly due to the very limited sample and partly due to the lack of research design it is not possible to give indicators to decide upfront in what circumstances they are needed, when one can refrain from this time consuming and hard to manage assessment method and what is most important, the NGO type of interviewers of the interviews being informal and outside the factory, or that they these two elements cannot be separated.