



**BetterWork**  
Viet Nam

BETTER WORK VIET NAM

▶ **COMPLIANCE  
ASSESSMENT TOOL**

Updated 31 December 2023



International  
Labour  
Organization



**IFC**

International  
Finance Corporation  
WORLD BANK GROUP

*Creating Markets, Creating Opportunities*

Cluster	Compliance Point	Questions	Citation/Reference
Key strengths and process integrity	Key strengths and process integrity	Was the assessor's access to the enterprise unreasonably restricted? [public reporting issue]	
Key strengths and process integrity	Key strengths and process integrity	How many person days were spent on the assessment visit?	
Key strengths and process integrity	Key strengths and process integrity	Were documents provided in a timely manner?	
Key strengths and process integrity	Key strengths and process integrity	Provide the titles of the management staff interviewed	
Key strengths and process integrity	Key strengths and process integrity	How many workers/ union executive committee members/ union group leaders were interviewed?	
Key strengths and process integrity	Key strengths and process integrity	Briefly describe the interviews with workers, union executive committee members, and union group leaders	
Key strengths and process integrity	Key strengths and process integrity	Any significant issues not addressed elsewhere in the report	

Cluster	Compliance Point	Questions	Citation/Reference
Learning	Learning	Has management consulted with elected worker representatives, including trade unions (if present) in determining the training to be offered to workers and their representatives? [pre-stage 2 question]	

Cluster	Compliance Point	Questions	Citation/Reference
Compensation	Minimum Wages/ Piece Rate Wages	Does the employer pay at least the legal minimum wage for ordinary hours of work to regular full time workers who perform the simple work under normal conditions?	Labour Code, Art. 91(1); Decree 38/2022/ND-CP; Decree 145/2020/ND-CP, Arts. 54(1), 55(1)
Compensation	Minimum Wages/ Piece Rate Wages	Does the employer pay piece rate workers correctly for ordinary hours of work when their piece rate earnings exceed minimum wage?	Labour Code, Art. 96(1); Decree 145/2020/ND-CP, Art. 54(1)(b), 58
Compensation	Minimum Wages/ Piece Rate Wages	Does the employer pay apprentices the wage agreed to by the parties?	Labour Code, Art. 61(5)
Compensation	Minimum Wages/ Piece Rate Wages	Does the employer pay at least 85% of the wage paid to other workers for the same job for ordinary hours of work to probationary workers?	Labour Code, Art. 26
Compensation	Overtime Wages	<i>Parenting question:</i> <i>Does the employer pay any workers incorrectly for overtime?</i>	
Compensation	Overtime Wages	Does the employer pay workers correctly for all ordinary overtime hours worked?	Labour Code, Art. 98(1)(a); Decree 145/2020/ND-CP, Art. 55(1, 2)
Compensation	Overtime Wages	Does the employer pay workers correctly for all overtime hours worked at night?	Labour Code, Arts. 98(3), 106; Decree 145/2020/ND-CP, Art. 57
Compensation	Overtime Wages	Does the employer pay workers correctly for all overtime hours worked on weekly rest days?	Labour Code, Arts. 98(1)(b), 106; Decree 145/2020/ND-CP, Art. 55
Compensation	Overtime Wages	Does the employer pay workers correctly for all overtime hours worked on public holidays?	Labour Code Arts, 98(1)(c), 106; Decree 145/2020/ND-CP, Art. 55
Compensation	Premium Pay	Does the employer pay workers correctly for regular working hours worked at night?	Labour Code Arts, 98(2), 106
Compensation	Premium Pay	Does the factory incorporate all required allowances and additional payments into the calculation of wage-based benefits (e.g. social insurance payments, overtime, paid leave, etc.)?	Labour Code, Art. 90(1); Decree 145/2020/ND-CP, Art. 55(1)(a); Circular 10/2020/TT-BLDTBXH, Art. 3(5)
Compensation	Method of Payment	Does the employer pay wages on time and pay interest in case of late payment?	Labour Code, Art. 96, 97
Compensation	Wage Information, Use and Deduction of Wages	Does the employer comply with national laws regarding wage deductions?	Labour Code, Arts. 94(2), 102, 129
Compensation	Wage Information, Use and Deduction of Wages	Does the employer keep only one accurate payroll record?	Law on Accounting, Arts. 4(1), 6(3), 14(1), 27(3)
Compensation	Wage Information, Use and Deduction of Wages	Does the employer properly inform workers about wage payments and deductions?	Labour Code, Art. 95(3)
Compensation	Paid leave	<i>Parenting question:</i> <i>Does the employer pay any workers incorrectly for any types of paid time off (breaks or leave)?</i>	
Compensation	Paid leave	Does the employer pay workers for legally mandated paid public holidays?	Labour Code, Art. 112
Compensation	Paid leave	Does the employer pay workers correctly for legally required annual leave?	Labour Code, Art. 113; Decree 145/2020/ND-CP, Arts. 65-67
Compensation	Paid leave	Does the employer pay workers correctly for personal leave?	Labour Code, Art. 115
Compensation	Paid leave	Do workers receive correct payment during sick leave and other types of leave that are covered by social insurance?	Social Insurance Law (2014), Arts. 25-29, 33, 39, 41; Circular 59/2015/TT-BLDTBXH, Arts. 4-7
Compensation	Paid leave	Do entitled workers receive full average monthly wages and maternity allowance of two month's minimum wage?	Labour Code, Art. 139(2); Social Insurance Law (2014), Arts. 31(2), 38, 39; Gender Equality Law (2006), Art. 32; Circular 59/2015/TT-BLDTBXH, Art. 12(1)
Compensation	Paid leave	Do pregnant workers receive correct payment when they take time off for prenatal care?	Labour Code, Art. 141; Social Insurance Law (2014), Arts. 32, 39(1)(a, b)
Compensation	Paid leave	Does the employer pay workers for one hour breastfeeding break per day?	Labour Code, Art. 137(4); Decree 145/2020/ND-CP, Art. 80

Compensation	Paid leave	Does the employer correctly pay female workers who perform hazardous work for the 1 hour of reduced regular working time during pregnancy and until the child reaches 1 year old?	Labour Code, Art. 137(2); Decree 145/2020/ND-CP, Art. 80
Compensation	Paid leave	Does the employer pay women workers for 30 minutes rest per day during their periods?	Labour Code, Art. 137(4); Decree 145/2020/ND-CP, Art. 80
Compensation	Paid leave	Does the employer pay for paternity leave when required?	Social Insurance Law (2014), Arts. 34(2, 4-6), 39; Gender Equality Law (2006), Art. 32; Circular 59/2015/TT-BLDTBXH, Art. 10(2), Circular 06/2021/TT-BLDTBXH
Compensation	Paid leave	Does the employer pay workers during work stoppages as required by law?	Labour Code, Art. 99
Compensation	Social Security and Other Benefits	Does the employer collect and forward workers' contributions and pay the legally required employer contributions to social, health and unemployment insurance funds on time?	Labour Code, Art. 6(2)(d); Social Insurance Law, Arts. 2(1)(a, b), 21, 39(2), 85, 86(1)(a, c); Adjusted Law on Health Insurance, Art. 1(6, 7); Employment Law, Arts. 43, 57; OSH Law, Art. 44(1); Decree 146/2018/ND-CP, Art. 7(1)(a); Circular 59/2015/TT-BLDTBXH, Art. 12(1)(c); Decree 58/2020/ND-CP, Art. 4(1)
Compensation	Social Security and Other Benefits	Does the employer pay workers who are not covered by compulsory social insurance the employer's contribution for social, health and unemployment insurance?	Labour Code, Arts. 6(2)(d), 168(3); Social Insurance Law, Arts. 2(1)(a, b), 2(3), 21, 86(1)(a, c), 123(9), 124(1); Adjusted Law on Health Insurance, Art. 1(6, 7); Employment Law, Arts. 43, 57; OSH Law, Art. 44(1); Decree 146/2018/ND-CP, Art. 7(1)(a)
Compensation	Social Security and Other Benefits	Does the employer comply with requirements when workers have occupational accidents and diseases?	OSH Law, Arts. 38, 39; Circular 28/2021/TT-BLDTBXH, Arts. 5 (2b), 7
Compensation	Social Security and Other Benefits	Does the employer submit claims for sick leave and maternity leave to the social insurance agency within 10 days?	Social Insurance Law (2014), Arts. 102, 103
Compensation	Termination	<i>Parenting question:</i> <i>Does the employer fail to comply with any requirements when terminating or dismissing workers (valid reasons, workers' opportunity to defend, prior notice, termination payments, unused annual leave, and/or reinstatement orders)?</i>	
Compensation	Termination	Does the employer comply with requirements regarding severance pay and job-loss allowance?	Labour Code, Arts. 34, 42, 46, 47; Decree 145/2020/ND-CP, Art. 8; Decree 28/2015/ND-CP, Art.
Compensation	Termination	Does the employer compensate workers for unused paid annual leave when they resign or are terminated?	Labour Code, Art. 113; Decree 145/2020/ND-CP, Arts. 66, 67
Compensation	Termination	Do resigned or terminated workers receive correct wage for all days worked and other termination benefits required by law?	Labour Code, Art. 48
Compensation	Termination	Does the employer settle all the payments within 14 working days after termination of the labour contract?	Labour Code, Art. 48(1)

Cluster	Compliance point	Questions	Citation/Reference
Contracts and Human resources	Information	How many total workers are employed by the factory?	
Contracts and Human resources	Information	How many of the workers are men?	
Contracts and Human resources	Information	How many regular workers are employed by the factory?	
Contracts and Human resources	Information	How many of the regular workers are men?	
Contracts and Human resources	Information	How many probationary workers are employed by the factory?	
Contracts and Human resources	Information	How many of the probationary workers are men?	
Contracts and Human resources	Information	How many training/apprentice workers are employed by the factory?	
Contracts and Human resources	Information	How many training/apprentice workers are men?	
Contracts and Human resources	Information	How many temporary workers are employed by the factory?	
Contracts and Human resources	Information	How many of the temporary workers are men?	
Contracts and Human resources	Information	How many of the total workforce are migrant workers?	
Contracts and Human resources	Information	How many of the migrant workers are men?	
Contracts and Human resources	Information	How many supervisors are employed by the factory?	
Contracts and Human resources	Information	How many of the supervisors are men?	
Contracts and Human resources	Information	How many workers have indefinite labour contracts?	
Contracts and Human resources	Information	How many male workers have indefinite labour contracts?	
Contracts and Human resources	Information	How many workers with disabilities are employed by the factory?	
Contracts and Human resources	Information	How many of the workers with disabilities are men?	
Contracts and Human resources	Information	Does the factory use any homeworkers? If so, please provide details.	
Contracts and Human resources	Information	Does the factory use subcontractors to complete all or part of the production process? If yes, please provide the name of those subcontractor(s).	
Contracts and Human resources	Information	Does the factory use contractors to provide services at the factory that are not part of the production process? If yes, please provide the name of those contractor(s).	

Contracts and Human resources	Information	Does the factory have a valid business license?	
Contracts and Human resources	Information	Has the factory received any notices of non-compliance from the labour ministry during the last 12 months?	
Contracts and Human resources	Mangement system	Is there an adequate HR policy that is signed by top management with a clear commitment to meet all legal requirements?	
Contracts and Human resources	Mangement system	Does the employer have an adequate recruitment procedure?	
Contracts and Human resources	Mangement system	Does the employer have adequate disciplinary and termination procedures?	
Contracts and Human resources	Mangement system	Does the employer have adequate grievance handling and dispute resolution procedures?	
Contracts and Human resources	Mangement system	Does the employer adequately assign accountability to management for following factory policies and procedures relating to HR management and performance?	
Contracts and Human resources	Mangement system	Does the employer adequately communicate and implement HR policies and procedures?	
Contracts and Human resources	Mangement system	Does the employer adequately investigate performance under HR policies and procedures to identify weaknesses and make necessary adjustments?	
Contracts and Human resources	Information	Did workers freely choose their representatives on the PICC, and do workers know who their representatives are? [pre-stage 2 question]	
Contracts and Human resources	Information	Has there been any retaliation against worker representatives due to their activity on the PICC? [pre-stage 2 question]	
Contracts and Human resources	Information	Where there is a union in the factory, does management maintain open communication channels with trade unions, and do trade union representatives have the opportunity to join the PICC? [pre-stage 2 question]	
Contracts and Human resources	Information	Is the PICC used as an alternative to a trade union? [pre-stage 2 question]	
Contracts and Human resources	Information	Was the grievance mechanism developed through social dialogue between workers/ unions and managers, and are workers aware of the grievance mechanism in the factory? [pre-stage 2 question]	
Contracts and Human resources	Employment Contracts	Do the employment contracts specify the terms and conditions of employment?	
Contracts and Human resources			
Contracts and Human resources	Employment Contracts	Do the contracts comply with the labour law, collective agreement and work rules?	
Contracts and Human resources	Employment Contracts	Do workers understand the terms and conditions of employment?	
Contracts and Human resources	Employment Contracts	Do all persons who perform work for the factory, both on the premises and offsite, have a contract?	Labour Code, Arts. 3(1), 13, 14
Contracts and Human resources	Employment Contracts	Do the internal work rules comply with national law?	Labour Code, Arts. 118(2), 119(2), 121; Decree 145/2020/ND-CP, Art. 69(2)
Contracts and Human resources	Contracting Procedures	Does the employer comply with limits on the period of employment for probationary workers?	Labour Code, Arts. 24(3), 25

Contracts and Human resources	Contracting Procedures	Does the employer sign more than two consecutive fixed term contracts with workers?	Labour Code, Arts. 20(2)(c), 22(2), 149(1), 151(2), 177(4)
Contracts and Human resources	Contracting Procedures	Does the employer comply with national law concerning dispatched workers at the workplace?	Labour Code, Arts. 52, 53; Decree 145/2020/ND-CP
Contracts and Human resources	Contracting Procedures	Does the employer comply with requirements for temporary transfers of workers to new work?	Labour Code, Art. 29
Contracts and Human resources	Contracting Procedures	Does the employer comply with requirements for apprentices?	Labour Code, Arts. 60(2), 61, 62; Decree 139/2006/ND-CP, Arts. 10(3), 16, 17; Law on Vocational Education, Arts. 33, 39
Contracts and Human resources	Contracting Procedures	Have you found non-compliance with legal requirements for compensation, contracts, OSH, and/or working time pertaining to non-production workers and/or sub-contracted workers?	
Contracts and Human resources	Termination	<i>Parenting question: Does the employer fail to comply with any requirements when terminating or dismissing workers (valid reasons, workers' opportunity to defend, prior notice, termination payments, unused annual leave, and/or reinstatement orders)?</i>	
Contracts and Human resources	Termination	Does the employer unilaterally terminate workers for reasons that are not allowed by law?	Labour Code, Arts. 3(8), 8, 36, 37, 137(3), 175(1), 208(4)
Contracts and Human resources	Termination	Does the employer dismiss workers for reasons that are not allowed by law?	Labour Code, Arts. 125, 137
Contracts and Human resources	Termination	Do workers have an opportunity to defend themselves before they are terminated based on their conduct or performance?	Labour Code, Art. 122(1); Decree 145/2020/ND-CP, Art. 70
Contracts and Human resources	Termination	Does the employer provide workers proper notice of termination?	Labour Code, Art. 36(2, 3), 45(1)
Contracts and Human resources	Termination	Does the employer comply with legal requirements before reducing the size of the workforce or suspending workers' contracts due to changes in structure, technology or economic reasons?	Labour Code, Arts. 42, 44
Contracts and Human	Dialogue, Discipline and	Do disciplinary measures comply with legal requirements?	Labour Code, Arts. 122, 124; Decree 145/2020/ND-CP, Art. 70
Contracts and Human resources	Termination	Have any workers been bullied, harassed or subject to humiliating treatment?	Labour Code, Arts. 6(2)(a), 8(2, 3)
Contracts and Human resources	Dialogue, Discipline and Disputes	Did the employer resolve grievances and disputes in compliance with legal requirements?	Labour Code, Arts. 180, 182, 188-197; Decree 145/2020/ND-CP, Art. 86(1)(c)
Contracts and Human	Dialogue, Discipline and	Does dialogue at the workplace take place in compliance with legal requirement?	Labour Code, Arts. 63, 64; Decree 145/2020/ND-CP, Arts. 37-41, 48
Contracts and Human resources	Dialogue, Discipline and Disputes	Has the employer communicated and disseminated laws and regulations on prevention and control of sexual harassment at the workplace to workers?	Decree 145/2020/ND-CP, Art. 86(1)



Cluster	Compliance Point	Questions	Citation/Reference
Working time	Regular Hours	Do regular working hours exceed 10 hours per day, or 48 hours per week?	Labour Code, Art. 105
Working time	Regular Hours	Does the employer comply with shift work requirements?	Labour Code, Art. 109(1), 110; Decree 145/2020/ND-CP, Art. 63, 64
Working time	Regular Hours	Do the working time records reflect the hours actually worked?	Civil Code (2015), Art. 3(3); Law on Accounting (2015), Arts. 3(8), 5(3), 13(1), 26(3); Decree 145/2020/ND-CP, Art. 58(6), (9).
Working time	Regular Hours	Does the employer comply with daily break periods?	Labour Code, Art. 109; Decree 145/2020/ND-CP, Arts. 63, 64
Working time	Regular Hours	Does the employer give workers at least one day off per week? (conditional mandatory)	Labour Code, Art. 111
Working time	Overtime	Does the employer comply with daily limits on overtime hours worked?	Labour Code, Art. 107; Decree 145/2020/ND-CP, Art. 60
Working time	Overtime	Does the employer comply with monthly limits on overtime hours worked?	Labour Code, Art. 107; Decree 145/2020/ND-CP, Art. 60, Art 80(3)
Working time	Overtime	Does the employer comply with yearly limits on overtime hours worked?	Labour Code, Art. 107; Decree 145/2020/ND-CP, Art. 60, Art 80(3)
Working time	Overtime	Is overtime work voluntary?	Labour Code, Arts. 107, 108; Decree 145/2020/ND-CP, Art. 59
Working time	Leave	<i>Parenting question:</i> <i>Does the employer fail to provide workers time off for any required breaks or types of leave?</i>	
Working time	Leave	Does the employer provide required annual leave to workers?	Labour Code, Arts.113, 114; Decree 145/2020/ND-CP, Arts. 65, 66.
Working time	Leave	Does the employer provide required leave for personal reasons?	Labour Code, Art. 115
Working time	Leave	Does the employer comply with the entitlement to sick leave and other types of leave that are covered by social insurance?	Social Insurance Law, Arts. 25-27, 29, 33, 34, 37, 41
Working time	Leave	Are pregnant workers provided with time off for prenatal visits?	Social Insurance Law, Art. 32
Working time	Leave	Does the employer comply with the entitlement to maternity leave?	
Working time	Leave	Does the employer provide required time off for breastfeeding breaks?	Labour Code, Art. 137(1, 4); Decree 145/2020/ND-CP, Art. 80
Working time	Leave	Does the employer allow workers to take 30 minutes rest during their period?	Labour Code, Art. 137; Decree 145/2020/ND-CP, Art. 80
Working time	Leave	Does the employer comply with the entitlement to paternity leave?	Social Insurance Law, Art. 34

Cluster	Compliance Point	Questions	Citation/Reference
OSH	Management System	Is there an adequate OSH Policy that is signed by top management?	
OSH	Management System	Is there an adequate emergency preparedness procedure?	
OSH	Management System	Is there an adequate hazard/risk management and control procedure?	
OSH	Management System	Is there an adequate accident investigation procedure?	
OSH	Management System	Does the employer adequately assign accountability to management for carrying out OSH responsibilities?	
OSH	Management System	Does the employer adequately communicate and implement OSH policies and procedures?	
OSH	Management System	Does the employer adequately investigate, monitor and measure OSH issues to identify root causes and make necessary adjustments to prevent recurrence?	
OSH	Information	How many work-related accidents have there been in the factory in the last 12 months?	
OSH	Information	Does the employer have legally required construction/building permits?	Construction Law (2014), Arts. 12(4), 89; Amended Construction Law (2020), Art. 1, item 30 (e, g); TCVN 9381:2012; Decree 06/2021/ND-CP, Arts. 23(3), 26, 40
OSH	Information	Does the employer develop an OSH plan annually?	Labour Code, Art. 132; OSH Law, Art. 76
OSH	Information	Does the employer conduct risk assessment?	OSH Law, Arts. 16(4), 18, 77; Decree 39/2016/ND-CP, Arts. 3-7; Circular 07/2016/TT-BLDTBXH, Arts. 3-7
OSH	Information	Does the employer regularly inspect and maintain machines, equipment, buildings and stores?	OSH Law, Arts. 16(5), 18, 77; Decree 39/2016/ND-CP, Arts. 3-7; Circular 07/2016/TT-BLDTBXH, Art. 9(3)
OSH	Information	Does the employer inspect and measure the environmental conditions in the workplace on an annual basis?	OSH Law, Arts. 16(1), 18(2), 24; Decree 44/2016/ND-CP, Arts. 34(4), 35-38; Circular 24/2022/TT-BLDTBXH; Arts. 3, 4, 6(1); Circular 19/2016/TT-BYT, Arts. 1, 2
OSH	Information	Has the employer set up a properly functioning Unit in charge of OSH and/or OSH Council?	OSH Law, Arts. 14(1), 72, 75; Decree 39/2016/ND-CP, Arts. 36, 38; Decree 44/2016/ND-CP, Arts. 17(2), 18(2),
OSH	Information	Has the employer set up a properly functioning OSH collaborators network?	OSH Law, Arts. 14(1), 74; Decree 44/2016/ND-CP, Arts. 17(6), 18(6), 21(1), 24(1), 25, Decree 140/2018/ND-CP, Art. 1(5)
OSH	Information	Does the employer keep updated records of work-related accidents and diseases?	OSH Law, Arts. 34-36; Decree 39/2016/ND-CP, Arts. 9, 10, 13, 16, 18, 24(1); Circular 07/2016/TT-BLDTBXH, Arts. 10, 11; Circular 13/2020/TT-BLDTBXH, Arts. 3 (1)(a), 4(1)
OSH	Chemicals and Hazardous Substances	<i>Parenting questions:</i> Does the employer fail to comply with any requirements regarding chemicals and hazardous substances?	Law on Chemicals, Art. 4(4, 5)
OSH	Chemicals and Hazardous Substances	Does the employer keep an inventory of hazardous chemicals used in the workplace?	Law on Chemicals, Art. 53
OSH	Chemicals and Hazardous Substances	Are chemicals and hazardous substances properly labelled?	Law on Chemicals, Art. 27; Decree 113/2017/ND-CP, Art. 5(3)(b); Circular 32/2017/TT-BCT, Art. 6(3), Appendix 8; Circular 17/2022/TT-BCT, Art. 1(4)(a)
OSH	Chemicals and Hazardous Substances	Are chemicals and hazardous substances properly stored?	Law on Chemicals, Arts. 21, 34; Decree 113/2017/ND-CP, Arts. 4, 6; Circular 48/2020/TT-BCT; QCVN 05:2020/BCT, Arts. 5, 8
OSH	Chemicals and Hazardous Substances	Does the employer keep chemical safety records for the hazardous chemicals used in the workplace?	Law on Chemicals, Arts. 29-31; Decree 113/2017/ND-CP, Art. 24; Circular 32/2017/TT-BCT, Art. 7, Appendix 9; Circular 17/2022/TT-BCT, Art. 1(5)
OSH	Chemicals and Hazardous Substances	Has the employer taken actions to effectively assess, monitor, prevent and/or limit workers' exposure to hazardous chemicals?	Labour Code, Art. 134; Decree 113/2017/ND-CP; Art. 23(II); Circular 04/2014/TT-BLDTBXH, Art. 5(1), Decree 82/2022/ND-CP, Art. 1(12),(13)
OSH	Chemicals and Hazardous Substances	Has the employer effectively trained workers and supervisors who work with or are responsible for hazardous chemicals?	Law on Chemicals, Art. 30; Decree 44/2016/ND-CP; Arts. 18(3), 21(1), 25; Decree 140/2018/ND-CP Art 1(5); Decree 113/2017/ND-CP, Section VI; Circular 06/2020/TT-BLDTBXH; Decree 82/2022/ND-CP, Art. 1(16),(17)(a)(b)
OSH	Chemicals and Hazardous Substances	Does the employer provide adequate washing facilities and cleansing materials in the event of exposure to hazardous chemicals?	Circular 19/2016/TT-BYT, Art. 5(2); Circular 48/2020/TT-BCT; QCVN 05:2020/BCT
OSH	Worker Protection	Does the employer force workers to continue working when they have refused to work due to clear imminent and serious danger to their life or health?	OSH Law, Arts. 6(1)(dd), 7(2)(c)
OSH	Worker Protection	Does the employer provide workers with all necessary personal protective clothing and equipment?	OSH Law, Arts. 16(3), 23; Circular 25/2022/TT-BLDTBXH, Arts. 3, 5, 8

OSH	Worker Protection	Are workers effectively trained on occupational health and safety?	OSH Law, Arts. 14(4), 16(7); Decree 44/2016/ND-CP, Arts. 18(4), 21(2, 3), 29, and Appendix IV, Section 4, Decree 140/2018/ND-CP, Art. 1(5), (7), (14)
OSH	Worker Protection	Do workers use the personal protective equipment that is provided?	OSH Law, Arts. 14(4), 16(7); Decree 44/2016/ND-CP, Arts. 17(4), 18(4), 21(2, 3), 22, 29, and Appendix IV, Section 4; Circular 25/2022/TT-BLDTBXH
OSH	Worker Protection	Does the employer comply with ergonomic requirements?	ILO OSH Recommendation 164(3)(f); Welfare Facilities Recommendation 102(16) (1, 2); Ergonomic Checkpoints: Practical and easy-to-implement solutions for improving safety, health and working conditions, 2d ed. ILO (2010), Checkpoints 6, 9, 54, 58, 59
OSH	Worker Protection	Are proper guards installed and maintained on all dangerous machines and equipment?	Labour Code, Art. 134; OSH Law, Art. 16(2-4)
OSH	Worker Protection	Do workers use the machines and equipment in a safe manner?	OSH Law, Art. 16(2); QCVN: 01-2008/BLDTBXH of Decision 64/2008/QĐ-BLDTBXH, Art. 5(1)(5), 5(2)(1, 4, 5)
OSH	Worker Protection	Does the employer comply with legal requirements related to machines and equipment subject to strict occupational safety requirements?	OSH Law, Arts. 12(3), 30, 31; Decree 44/2016/ND-CP, Art. 16; Circular 36/2019/TT-BLDTBXH; QCVN: 01-2008/BLDTBXH of Decision 64/2008/QĐ-BLDTBXH, Arts. 5(1)(2), 6; Decision 2486/QĐ-BKHCN; TCVN 12728:2019, Art. 6(1)(2)(2); TCVN 6158:1996
OSH	Worker Protection	Does the employer comply with legal requirements related to work subject to strict occupational safety requirements?	OSH Law, Art. 14(2); Decree 44/2016/ND-CP, Arts. 17(3), 18(3), 21(1), 24(2), 25; Circular 36/2019/TT-BLDTBXH; Circular 06/2020/TT-BLDTBXH; QCVN: 01-2008/BLDTBXH of Decision 64/2008/QĐ-BLDTBXH, Art. 8(1)(3)
OSH	Worker Protection	Are electrical wires, cables, switches, plugs and equipment (e.g. transformer, generator, electrical panel, circuit breakers) properly installed, grounded (for equipment), and maintained?	Law on Fire Prevention and Fire Fighting (2001), Art. 5; Law on Electricity, Art. 57; 11 TCN 19-2006; TCXD 394:2007, Arts. 3(2)(2), 4(1)(5)(1); TCVN 9208:2012, Art. 4(2)
OSH	Worker Protection	Are there appropriate safety warnings posted in the workplace?	Labour Code, Arts. 6(2)(d), 134; OSH Law, Art. 16(6)
OSH	Worker Protection	Are workers protected against falls from heights?	Labour Code, Arts. 6(2)(d), 134; Circular 06/2020/TT-BLDTBXH item 7; QCVN 18: 2021/BXD, Art. 2.7.1.1; QCVN 01:2020/BCT, Art 3(13);
OSH	Working Environment	<i>Parenting question: Is the workplace temperature, ventilation, noise, lighting and/or cleanliness unacceptable?</i>	
OSH	Working Environment	Is the temperature in the workplace acceptable?	Labour Code, Art. 134(1); OSH Law, Art. 16(1); QCVN 26:2016/BYT of Circular 26/2016/TT-BYT
OSH	Working Environment	Is the workplace adequately ventilated?	Labour Code, Art. 134(1); OSH Law, Art. 16(1); QCVN 26:2016/BYT of Circular 26/2016/TT-BYT
OSH	Working Environment	Is the noise level in the workplace acceptable?	Labour Code, Art. 134(1); OSH Law, Art. 16(1); QCVN 24:2016/BYT of Circular 24/2016/TT-BYT
OSH	Working Environment	Is the workplace adequately lit?	Labour Code, Art. 134(1); OSH Law, Art. 16(1); QCVN 22:2016/BYT of Circular 22/2016/TT-BYT
OSH	Working Environment	Is the workplace clean and tidy?	Labour Code, Art. 134(1); OSH Law, Art. 16(1, 2)
OSH	Welfare Facilities	Does the workplace have adequate accessible toilets?	Labour Code, Art. 136(3); OSH Law, Art. 16(1); Circular 19/2016/TT-BYT, Appendix 1; Circular 27/2011/TT-BYT;
OSH	Welfare Facilities	Does the workplace have adequate hand washing taps?	Circular 19/2016/TT-BYT, Appendix1; Circular 25/2017/TT-BYT, Art. 2
OSH	Welfare Facilities	Does the employer provide workers enough free safe drinking water?	Circular 19/2016/TT-BYT, Appendix 1; QCVN 01-1:2018/BYT of Circular 41/2018/TT-BYT
OSH	Welfare Facilities	Does the employer comply with requirements regarding canteen?	Food Safety Law, Art. 28, 30 & 37; Decree 15/2018/ND-CP, Art. 12(1)(h); Decree 155/2018/ND-CP, Art. (5)(2); Decision 1246/QĐ-BYT, Art. 8; Circular 41/2018/TT-BYT; Dispatch 5845/BCT-KHCN, item 11
OSH	Welfare Facilities	Does the workplace provide all workers a place to store their clothes?	Circular 19/2016/TT-BYT, Appendix 1
OSH	Welfare Facilities	Does the employer comply with legal requirements on child care facility?	TCVN 3907:2011
OSH	Welfare Facilities	Does the employer comply with legal requirements on lactation room?	Arts. 76, 80, Decree 145/2020/ND-CP; Decision 5175/QĐ-BYT
OSH	Health Services and	Do workers receive free periodic health checks as required by law?	OSH Law, Art. 21(1, 2); Circular 14/2013/TT-BYT, Art. 6(3); Circular 11/2020/TT-BLDTBXH; Circular 09/2023/TT-BYT, Art 1(2), Appendix 3b
OSH	Health Services and	Does the employer adequately protect pregnant or nursing workers against safety and health risks?	Labour Code, Arts. 137, 142; -Circular 10/2020/TT-BLDTBXH
OSH	Health Services and	Does the employer comply with the law on HIV/AIDS Prevention and Control?	Law on HIV/AIDS Prevention and Control, Art. 14(1, 2)

OSH	Health Services and	Does the workplace have sufficient onsite medical facilities and staff?	Law on Medical Examination and Treatment, Art. 45; OSH Law, Art. 73; Decree 39/2016/ND-CP, Art. 37(1, 3, 5); Decree 109/2016/ND-CP, Arts.-39; Decree 155/2018/ND-CP, Art. 11(3)(10), 11(7), 11(8); Decree 140/2018/ND-CP, Art. 1(6, 10)
OSH	Health Services and	Has the employer ensured that there are a sufficient number of readily accessible first aid boxes/supplies in the workplace?	
OSH	Health Services and	Has the employer provided first-aid training for workers?	OSH Law, Art. 73(1)(a); Decree 44/2016/ND-CP, Arts. 18(4), 21(2), Appendix IV, Section 4; Decree 140/2018/ND-CP, Arts. 1(5), Circular 19/2016/TT-BYT, Art. 9, 13(2), Appendix VI
OSH	Worker Accommodation	<i>Parenting question:</i> Do workers, supervisors and/or managers stay in dorms on the factory premises, or do workers stay in offsite housing that is managed by the employer?	
OSH	Worker Accommodation	Does worker accommodation comply with legal minimum space requirements?	Circular 20/2016/TT-BXD, Art. 3
OSH	Worker Accommodation	Is the accommodation separate from the workplace (even though it may be in the same compound/industrial park)?	
OSH	Worker Accommodation	Does the accommodation have adequate safe water, toilets, showers, sewage and garbage disposal systems?	ILO Recommendation 115 on Workers' Housing, Art. 25(II)(7)(c), (8)(c,d); Circular 20/2016/TT-BXD, Art. 3; ILO Helpdesk for Business on International Labour Standards, Factsheet No. 6 on Workers' Housing
OSH	Worker Accommodation	Is the accommodation protected against fire?	ILO Recommendation 115 on Workers' Housing, Art. 25(II)(7)(d); Circular 20/2016/TT-BXD, Art. 3; ILO Helpdesk for Business on International Labour Standards, Factsheet No. 6 on Workers' Housing
OSH	Worker Accommodation	Is the accommodation adequately protected against noise, heat, cold or dampness?	ILO Recommendation 115 on Workers' Housing, Art. 25(II)(7)(d), (8)(e); Circular 20/2016/TT-BXD, Art. 3; ILO Helpdesk for Business on International Labour Standards, Factsheet No. 6 on Workers' Housing
OSH	Worker Accommodation	Is the accommodation protected against disease carrying animals or insects?	ILO Recommendation 115 on Workers' Housing, Art. 25(II)(7)(d); ILO Helpdesk for Business on International Labour Standards, Factsheet No. 6 on Workers' Housing
OSH	Worker Accommodation	Is the accommodation adequately ventilated?	ILO Recommendation 115 on Workers' Housing, Art. 25(II)(8)(e); Circular 20/2016/TT-BXD, Art. 3; ILO Helpdesk for Business on International Labour Standards, Factsheet No. 6 on Workers' Housing
OSH	Worker Accommodation	Is the accommodation adequately lit?	ILO Recommendation 115 on Workers' Housing, Art. 25(II)(7)(e); Circular 20/2016/TT-BXD, Art. 3; ILO Helpdesk for Business on International Labour Standards, Factsheet No. 6 on Workers' Housing
OSH	Worker Accommodation	Does the accommodation offer workers adequate privacy?	ILO Recommendation 115 on Workers' Housing, Art. 25(II)(8)(a,b); ILO Helpdesk for Business on International Labour Standards, Factsheet No. 6 on Workers' Housing
OSH	Worker Accommodation	Has the employer adequately prepared for emergencies in the accommodation?	ILO Recommendation 115 on Workers' Housing, Art. 25(II)(7)(d); Circular 20/2016/TT-BXD, Art. 3; TCVN 2622:1995, Art. 7(7); TCVN 3890:2009, Art. 6(1)(3); ILO Helpdesk for Business on International Labour Standards, Factsheet No. 6 on Workers' Housing
OSH	Emergency Preparedness	Does the workplace have a functioning fire detection and alarm system?	Law on Fire Prevention and Fire Fighting (2001); Decree 136/2020/ND-CP, Arts. 5(1)(dd), 20; TCVN 3890:2009,
OSH	Emergency Preparedness	Does the workplace have adequate fire-fighting equipment?	Law on Fire Prevention and Fire Fighting (2001), Art. 20; Decree 136/2020/ND-CP, Art. 5(1)(dd); TCVN 7435-
OSH	Emergency Preparedness	Has the employer trained an appropriate number of workers to use the fire-fighting equipment?	Law on Fire Prevention and Fire Fighting (2001), Art. 44; Decree 136/2020/ND-CP, Art. 30(2), Art. 31, Decree 83/2017/ND-CP, Art. 11
OSH	Emergency Preparedness	Are emergency exits and escape routes clearly marked?	Circular 149/2020/TT-BCA, Art. 5(2, 5); TCVN 3890:2023, Art. 5(7)(1); TCVN 13456:2022, Art. 5(1)(1), 5(2)(1, 9); TCVN 4879:1989, Art. 1(2)
OSH	Emergency Preparedness	Are there at least 2 possible exits for all workers, where required?	Circular 06/2022/TT-BXD;-QCVN 06:2022/BXD, Arts. 3(2)(3-7, 9); TCVN 2622:1995, Art. 7(7)
OSH	Emergency Preparedness	Does the employer comply with size requirements for escape routes?	QCVN 06:2022/BXD, Art. 3.3.6
OSH	Emergency Preparedness	Are any of the emergency exits or escape routes inaccessible, obstructed, or locked during working hours, including overtime?	Decree 144/2021/ND-CP, Art. 40(2a, 5);-QCVN 06:2022/BXD, Art. 3.3.5
OSH	Emergency Preparedness	Does the employer conduct at least one emergency drill per year?	Decree 136/2020/ND-CP, Art. 19(10); Circular 149/2020/TT-BCA, Art. 10(1)
OSH	Emergency Preparedness	Has the employer developed and trained workers on an emergency evacuation plan?	Law on Fire Prevention and Fire Fighting, Art. 20(1)(dd); Decree 136/2020/ND-CP, Arts. 5(1)(c, e), 13

OSH	Emergency Preparedness	Are flammable materials safely stored?	Law on Fire Prevention and Fire Fighting, Arts. 14, 20; Decree 136/2020/ND-CP, Art. 5, Circular 20/2011/TT-BLDTBXH, QCVN 3:2011/BLDTBXH, Art. 2(1)(5); -Circular 39/2020/TT-BCT, QCVN 01:2020/BCT, Art. 84
OSH	Emergency Preparedness	Are possible sources of ignition appropriately safeguarded?	Law on Fire Prevention and Fire Fighting, Arts. 14, 20; Decree 136/2020/ND-CP, Art. 5, Circular 20/2011/TT-BLDTBXH, QCVN 3:2011/BLDTBXH, Art. 2(1)(5); Circular 39/2020/TT-BCT, QCVN 01:2020/BCT, Art. 84

Cluster	Compliance Point	Questions	Citation/Reference
Child Labour	Child Labourers	Have you found any workers under the age of 15?	ILO Convention 138; Labour Code, Arts. 3, 8, 145; Circular 09/2020/TT-BLDTBXH
Child Labour	Hazardous Work and Other Worst Forms	<i>Parenting question:</i> <i>Does the employer subject any workers under age 18 to the worst forms of child labour (including hazardous work, work at night, or work for long hours)?</i>	ILO Conventions 138, 182; Recommendation 190; Labour Code, Arts. 106, 146
Child Labour	Hazardous Work and Other Worst Forms	Are any workers who are under age 18 doing work that is hazardous by nature?	ILO Conventions 138, 182; Recommendations 146, 190; Labour Code, Arts. 144, 147; Circular 09/2020/TT-BLDTBXH, Appendices 3, 4
Child Labour	Hazardous Work and Other Worst Forms	Do workers who are under age 18 work overtime, at night, or allow to work more hours than allowed by law?	ILO Conventions 90, 138, 171, 182; Recommendation 190; Labour Code, Arts. 106, 146; Circular 09/2020/TT-BLDTBXH
Child Labour	Hazardous Work and Other Worst Forms	Are any workers under age 18 subjected to the unconditional worst forms of child labour?	ILO Convention 182; Labour Code, Art. 147
Child Labour	Documentation and Protection of Young Workers	Does the employer have a reliable system in place to verify the age of workers prior to hiring?	ILO Convention 138; Recommendation 146
Child Labour	Documentation and Protection of Young Workers	Does the employer keep a record of workers under 18 years of age?	ILO Convention 138; Recommendation 146; Labour Code, Art. 144

Cluster	Compliance Point	Questions	Citation/Reference
Discrimination	Race and Origin	<b>Parenting question:</b> Is <b>race, colour or origin</b> a factor in hiring, employment, or termination?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Race and Origin	<b>Hiring</b>	
Discrimination	Race and Origin	Do <b>recruitment materials</b> such as job announcements or job application forms refer to the applicant's race, colour or origin?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Race and Origin	Is an applicant's race, colour or origin a factor in <b>hiring decisions</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Race and Origin	<b>During employment</b>	
Discrimination	Race and Origin	Is race, colour or origin a factor in decisions regarding <b>conditions of work</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Race and Origin	Is race, colour or origin a factor in decisions regarding <b>pay</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Race and Origin	Is race, colour or origin a factor in decisions regarding <b>opportunities for promotion or access to training</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Race and Origin	Are workers <b>harassed</b> on the basis of their race, colour or origin?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Race and Origin	<b>Termination</b>	
Discrimination	Race and Origin	Is race, colour or origin a factor in the employer's decisions regarding <b>termination or retirement</b> of workers?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Religion and Political Opinion	<b>Parenting question:</b> Is <b>religion or political opinion</b> a factor in hiring, employment, or termination?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Religion and Political Opinion	<b>Hiring</b>	
Discrimination	Religion and Political Opinion	Do <b>recruitment materials</b> such as job announcements or job application forms refer to the applicant's religion or political opinion?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Religion and Political Opinion	Is an applicant's religion or political opinion a factor in <b>hiring decisions</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Religion and Political Opinion	<b>During employment</b>	
Discrimination	Religion and Political Opinion	Is religion or political opinion a factor in decisions regarding <b>conditions of work</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Religion and Political Opinion	Is religion or political opinion a factor in decisions regarding <b>pay</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Religion and Political Opinion	Is religion or political opinion a factor in decisions regarding <b>opportunities for promotion or access to training</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Religion and Political Opinion	Are workers <b>harassed</b> on the basis of their religion or political opinion?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Religion and Political Opinion	<b>Termination</b>	
Discrimination	Religion and Political Opinion	Have you found that religion or political opinion is a factor in the employer's decisions regarding <b>termination or retirement</b> of workers?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Gender	<b>Parenting question:</b> Is <b>gender</b> a factor in hiring, employment, or termination?	ILO Conventions 100, 111
Discrimination	Gender	<b>Hiring</b>	

Discrimination	Gender	Do <b>job announcements</b> refer to the applicant's gender or marital status?	ILO Convention 111; Labour Code, Arts. 3(8), 8, 135, 136
Discrimination	Gender	Is an applicant's gender or marital status a factor in <b>hiring decisions</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Gender	<b>During employment</b>	
Discrimination	Gender	Is the gender or marital status of a worker a factor in decisions regarding <b>conditions of work</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Gender	Is the gender or marital status of a worker a factor in decisions regarding <b>pay</b> ?	ILO Conventions 100, 111; Labour Code, Arts. 3(8), 8
Discrimination	Gender	Is the gender or marital status of a worker a factor in decisions regarding <b>opportunities for promotion or access to training</b> ?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Gender	<b>Termination</b>	
Discrimination	Gender	Is the gender or marital status of a worker a factor in employer decisions regarding <b>termination or retirement</b> of workers?	ILO Convention 111; Labour Code, Arts. 3(8), 8, 137
Discrimination	Gender	Does the employer require <b>pregnancy tests</b> or use of contraceptives as a condition of employment?	ILO Conventions 111, 183; Labour Code, Arts. 3(8), 8, 16, 142; Circular 10/2020/TT-BLĐTBXH.
Discrimination	Gender	Does the employer change the employment status, position, wages, benefits or seniority of workers during <b>maternity leave</b> ?	ILO Conventions 111, 183; Recommendation 191; Labour Code, Arts. 3(8), 8, 137, 140
Discrimination	Gender	Are periods of <b>maternity leave</b> included in a worker's period of continuous service?	ILO Convention 111; Recommendation 191
Discrimination	Gender	Does the employer terminate workers due to the worker's <b>pregnancy, maternity leave, or nursing</b> of a child under 12 months of age or force them to resign?	ILO Conventions 111, 183; Labour Code, Arts. 3(8), 8, 137
Discrimination	Gender	Are workers subject to <b>sexual harassment</b> ?	ILO Convention 111; Labour Code, Arts. 3(9), 8; Decree 145/2020/ND-CP, Art. 84
Discrimination	Other Grounds - Disability	<b>Parenting question:</b> Is <b>disability</b> a factor in hiring, employment, or termination?	
Discrimination	Other Grounds - Disability	Are disabled workers who apply for work <b>evaluated</b> according to their ability to perform the job?	Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Disability	Is disability a factor in decisions regarding <b>conditions of work</b> ?	Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Disability	Is disability a factor in decisions regarding <b>pay</b> ?	Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Disability	Is disability a factor in decisions regarding <b>opportunities for promotion or access to training</b> ?	Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Disability	Is there <b>harassment</b> of workers on the basis of disability?	Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Disability	Is disability a factor in the employer's decisions regarding <b>termination or retirement</b> ?	Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Disability	Has the employer made <b>required accommodations</b> for physically disabled workers?	Labour Code, Art. 159
Discrimination	Other Grounds - HIV/AIDS Status	<b>Parenting question:</b> Is <b>HIV/AIDS status</b> a factor in hiring, employment, or termination?	
Discrimination	Other Grounds - HIV/AIDS Status	Is an applicant's real or perceived HIV/AIDS status a factor during <b>hiring decisions</b> ?	Labour Code Arts. 3(8), 8; Law on HIV/AIDS Prevention and Control, Art. 14, Clause 2, Item d
Discrimination	Other Grounds - HIV/AIDS Status	Are <b>HIV/AIDS tests</b> required at hiring?	Labour Code Arts. 3(8), 8; Law on HIV/AIDS Prevention and Control, Art. 14, Clause 2, Item d
Discrimination	Other Grounds - HIV/AIDS Status	Is HIV/AIDS status a factor in decisions regarding <b>conditions of work</b> ?	Labour Code Arts. 3(8), 8; Law on HIV/AIDS Prevention and Control, Art. 14, Clause 2, Item b
Discrimination	Other Grounds - HIV/AIDS Status	Is HIV/AIDS status a factor in decisions regarding <b>pay</b> ?	Labour Code Arts. 3(8), 8; Law on HIV/AIDS Prevention and Control, Art. 14, Clause 2, Item c
Discrimination	Other Grounds - HIV/AIDS Status	Is HIV/AIDS status a factor in decisions regarding <b>opportunities for promotion</b> ?	Labour Code Arts. 3(8), 8; Law on HIV/AIDS Prevention and Control, Art. 14, Clause 2, Item c
Discrimination	Other Grounds - HIV/AIDS Status	Are workers <b>harassed</b> on the basis of their basis of real or perceived HIV/AIDS status?	Labour Code Arts. 3(8), 8; Law on HIV/AIDS Prevention and Control, Art. 14, Clause 2, Item a



Discrimination	Other Grounds - HIV/AIDS Status	Has the employer taken all legally required measures to reasonably <b>help workers with AIDS-related illnesses</b> ?	Labour Code Arts. 3(8), 8; Law on HIV/AIDS Prevention and Control, Art. 14, Clause 1, Item a, b, c, d
Discrimination	Other Grounds - HIV/AIDS Status	Is a worker's real or perceived HIV/AIDS status a factor in decisions regarding <b>termination or retirement</b> ?	Labour Code Arts. 3(8), 8; Law on HIV/AIDS Prevention and Control, Art. 14, Clause 2, Item a
Discrimination	Other Grounds - HIV/AIDS Status	Does the employer <b>allow</b> workers with AIDS-related illnesses <b>to work</b> for as long as medically fit in available, appropriate work?	Labour Code Arts. 3(8), 8; Law on HIV/AIDS Prevention and Control, Art. 14, Clause 2, Item b
Discrimination	Other Grounds - Family responsibilities	<b>Hiring</b>	
Discrimination	Other Grounds - Family responsibilities	Do recruitment materials such as job announcements or job application forms refer to the applicant's family responsibilities?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Family responsibilities	Is an applicant's family responsibilities a factor in hiring decisions?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Family responsibilities	<b>During employment</b>	
Discrimination	Other Grounds - Family responsibilities	Are family responsibilities a factor in decisions regarding conditions of work?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Family responsibilities	Are family responsibilities a factor in decisions regarding pay?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Family responsibilities	Are family responsibilities a factor in decisions regarding opportunities for promotion or access to training?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Family responsibilities	Are workers harassed on the basis of their family responsibilities?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Family responsibilities	<b>Termination</b>	
Discrimination	Other Grounds - Family responsibilities	Are a worker's family responsibilities a factor in the employer's decisions regarding termination or retirement of workers?	ILO Convention 111; Labour Code, Arts. 3(8), 8
Discrimination	Other Grounds - Age	Is <b>age</b> a factor in hiring, employment, or termination?	Labour Code, Arts. 3(8), 8

Cluster	Compliance Point	Questions	Citation/Reference
FOA	Information	What percentage of workers are union members?	Labour Code, Art. 3(3)
FOA	Information	How many registered unions are there in the factory?	Labour Code, Art. 3(3)
FOA	Information	For each registered union, provide <ul style="list-style-type: none"> <li>the name of the union,</li> <li>the number of union members,</li> <li>the union's affiliation status (affiliated or non-affiliated with a federation or confederation),</li> <li>the name of the federation or confederation with which it is affiliated, if applicable.</li> </ul>	Labour Code, Art. 3(3)
FOA	Information	If there has been collective bargaining since the last assessment, describe the collective bargaining process that took place as between the employer and the union.	Labour Code, Art. 3(3)
FOA	Information	If there has been collective bargaining since the last assessment, describe the collective bargaining process that took place as between workers and the union.	Labour Code, Art. 3(3)
FOA	Information	How many collective bargaining agreements are in effect in the factory?	Labour Code, Art. 3(3)
FOA	Information	Provide information about the CBA	
FOA	Information	How many strikes have there been since the last visit?	
FOA	Information	For each strike, indicate: <ul style="list-style-type: none"> <li>why workers went on strike</li> <li>whether the strike complied with legal requirements, and if not, which requirements were not complied with</li> <li>whether the strike resulted in violence</li> <li>the number of days workers were on strike</li> <li>the number of person days workers were on strike</li> <li>the outcome of the strike</li> </ul>	Labour Code, Arts. 198-204, 209, 210
FOA	Information	How is the union financed?	
FOA	Union Operation	Does the employer <b>require</b> workers to join a union?	ILO Convention No.87; Labour Code, Arts. 3, 170
FOA	Union Operation	Do union representatives <b>have access to</b> the workers in the workplace?	ILO Conventions 87, 135; Recommendation 143; Labour Code, Art. 176
FOA	Union Operation	Does the employer provide unions with the <b>necessary facilities and time</b> to enable it to carry out its activities?	ILO Conventions 87, 98, 135; Recommendation 143; Labour Code, Arts. 176, 178; Trade Union Law, Art. 24
FOA	Union Operation	Does the employer <b>deduct union dues from wages</b> when the union requests this in accordance with national law?	ILO Conventions 87, 98, 135; Recommendation 143; Labour Code, Arts. 176, 178; Trade Union Law, Art. 9
FOA	Union Operation	Can workers freely form and join the union of their choice?	Labour Code, Arts. 172-174, 189; Trade Union Law, Art. 5; Guidance No. 03/HD-TLD
FOA	Interference and Discrimination	Has the employer been involved in or tried to interfere with, manipulate, or control the union(s)?	ILO Convention 98; Labour Code, Arts. 8, 174(1), 175, 177(1), 190
FOA	Interference and Discrimination	Are workers <b>free to meet</b> without management present?	ILO Convention 98; Labour Code, Arts. 176(1), 177(1)
FOA	Interference and Discrimination	Does the employer consider a job applicant's <b>union membership</b> or union activities when hiring?	ILO Convention 98; Labour Code, Arts. 3(8), 8(1), 175(1)
FOA	Interference and Discrimination	<b>Parent question:</b> <i>Does the employer punish, terminate, threaten, intimidate, or harass workers for joining a union or engaging in union activities?</i>	ILO Conventions 98, 135, 158
FOA	Interference and Discrimination	Does the employer <b>punish</b> workers for joining a union or engaging in union activities?	ILO Convention 98; Labour Code, Arts. 3(8), 8(1), 175(1)
FOA	Interference and Discrimination	Does the employer <b>threaten, intimidate, or harass</b> workers who join a union or engage in union activities?	ILO Convention 98; Labour Code, Arts. 3(8), 8(1), 175(1)

FOA	Interference and Discrimination	Has the employer <b>terminated</b> workers or <b>not renewed their contract</b> due to the worker's union membership or activities?	ILO Conventions 98, 135; Recommendation 143; Labour Code, Arts. 175, 177(4)
FOA	Interference and Discrimination	Has the employer <b>terminated the contract, transferred to a new work, or dismissed a union official</b> without the written agreement of corresponding union management board?	ILO Convention 98; Labour Code, Art. 177(3)
FOA	Interference and Discrimination	If there is more than one union, does the employer treat them equally?	Labour Code, Art. 68
FOA	Collective Bargaining	Does the employer <b>consult with unions</b> where legally required?	ILO Conventions 98, 154; Labour Code, Arts. 68, 70
FOA	Collective Bargaining	Does the employer <b>refuse to bargain</b> collectively in accordance with legal requirements, or refuse to bargain in good faith with the union, workers representation, union federation or confederation?	ILO Convention 98; Labour Code, Arts. 68, 70, 82
FOA	Collective Bargaining	Is the <b>grassroots level union</b> in the factory involved in the bargaining process at the enterprise level?	ILO Convention 98; Labour Code, Arts. 76(1), 82
FOA	Collective Bargaining	Has the collective agreement in force been <b>approved by more than 50% of workers</b> covered?	ILO Convention 98: Labour Code, Art. 75
FOA	Collective Bargaining	If there is a collective bargaining agreement, <b>are the provisions at least as favourable for workers as the law?</b>	ILO Convention 98: Labour Code, Art. 76(6)
FOA	Collective Bargaining	Has the employer made the collective bargaining agreement <b>publically available</b> to all workers?	ILO Convention 98: Labour Code, Art. 78
FOA	Collective Bargaining	Has the employer <b>implemented</b> all provisions of the collective agreement(s) in force?	ILO Convention 98: Labour Code, Art. 78
FOA	<b>Strikes</b>	<b>Parenting question:</b> <i>Is there any noncompliance relating to strikes?</i>	
FOA	<b>Strikes</b>	Has the employer tried to <b>prevent</b> workers from participating in a strike?	ILO Convention 98; Labour Code, Art. 208
FOA	<b>Strikes</b>	Has the employer <b>hired new workers</b> to replace striking workers during a strike?	ILO Convention 98; Labour Code, Art. 53(3)
FOA	<b>Strikes</b>	Has the employer <b>punished</b> any workers for participating in a strike?	ILO Convention 98; Labour Code, Art. 208
FOA	<b>Strikes</b>	Has the employer <b>called security guards, the police or armed forces</b> to break up a peaceful strike or arrest striking workers?	ILO Convention 98

Cluster	Compliance Point	Questions	Citation/Reference
Forced Labour	Coercion	<b>Parenting question:</b> <i>Does the employer restrict workers from leaving the workplace, dormitories or industrial zone?</i>	ILO Convention 29
Forced Labour	Coercion	Does the employer restrict workers from leaving the workplace?	ILO Convention 29
Forced Labour	Coercion	Does the employer restrict workers' freedom to come and go from the dormitories and/or the industrial park or zone in which the factory is located?	ILO Convention 29
Forced Labour	Coercion	<b>Parenting question:</b> <i>Does the employer coerce workers to work or stay on the job through • violence; • withholding of wages; • disciplinary measures; • punishment for participation in a strike; • restricted access to their personal documents; • threats of deportation, visa cancellation, or reporting to the authorities; or • other coercive tactics?</i>	ILO Convention 29
Forced Labour	Coercion	Does the employer use violence or the threat of violence to intimidate workers?	ILO Convention 29
Forced Labour	Coercion	Does the employer delay or withhold wage payments in order to coerce workers to work?	ILO Convention 29
Forced Labour	Coercion	Does the employer force workers to work to discipline them or as punishment for participation in a strike?	ILO Conventions 29, 105
Forced Labour	Coercion	Does the employer deny workers access to their personal documents (such as birth certificates, passports, work permits and ID cards) when they need them?	ILO Convention 29; Labour Code, Art. 17
Forced Labour	Coercion	Does the employer use threats such as deportation, cancellation of visas or reporting to the authorities in order to force workers to stay at the job?	ILO Convention 29
Forced Labour	Coercion	Are workers free to terminate their employment with reasonable notice, and to leave their jobs when their contracts expire?	ILO Convention 29
Forced Labour	Bonded Labour	Can workers who owe debts for recruitment fees to the employer and/or third party freely leave their jobs?	ILO Conventions 29, 181; Labour Code, Art. 17(3)
Forced Labour	Forced Labour and	Are workers forced to work overtime under threat of penalty?	Conventions 1, 29; Labour Code, Art. 107
Forced Labour	Prison Labour		
Forced Labour	Prison Labour	If prison labour is used, have the prisoners freely consented to do the work; do they receive similar treatment to non-prison workers; and is the work carried out under the supervision and control of a public authority?	ILO Convention 29