

Cluster	Compliance Point	Question	Sub-question	Legal Reference
<b>Key Strengths and Process Integrity</b>	<Fact-Gathering Questions>	1	Number of assessment visits prior to STAR Cycle 1:	
		2	Good Practices/Progress Made or Key strengths:	
		3	How many person days were spent on the assessment visit?	
		4	Provide the titles of the management staff interviewed.	
		5	Briefly describe the interviews with workers/ union leaders/ shop stewards:	
		6	Describe any significant concerns about process integrity.	
		7	Are there any issues of concern not addressed elsewhere in the report?	
		8	Was the assessor's access to the enterprise unreasonably restricted?	
		9	Were documents provided in a timely manner?	
<b>Child Labour</b>	<b>Child Labourers</b>	10	Have you found any workers under the age of 15?	C138; LL Art. 177(1, 4); Prakas 307/07
	<b>Hazardous Work and other Worst Forms</b>	11	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)?	Do workers who are under age 18 perform work that is hazardous by nature? C138, R190, C182; LL Arts. 173, 175-177; Prakas 106/04, Prakas 307/07
		12		Are any workers who are under age 18 working at night, or working more than 8 hours per day (including overtime)?

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<b>Child Labour</b>	<b>Hazardous Work and other Worst Forms</b>	13 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)?	Does the employer subject any workers under age 18 to the unconditional worst forms of child labour?	C182
		14 Does the employer reliably verify the age of workers prior to hiring?		C138, R146; Notice 11/03.
	<b>Documentation and Protection of Young Workers</b>	15 Does the employer keep a register and get consent from the guardians of workers under 18 years of age?		C138, R146; LL Arts. 179, 181; Notice 11/03,
<b>Discrimination</b>	<b>Race and Origin</b>	16 Is race, colour or origin a factor in hiring, employment, or termination?	Do recruitment materials such as job announcements or job application forms refer to the applicant's race, colour or origin?	C111; LL Art. 12
		17	Is an applicant's race, colour or origin a factor in hiring decisions?	C111; LL Art. 12
		18	Is race, colour or origin a factor in decisions regarding conditions of work?	C111; LL Art. 12
		19	Is race, colour or origin a factor in decisions regarding pay?	C111; LL Art. 12
		20	Is race, colour or origin a factor in decisions regarding opportunities for promotion or access to training?	C111; LL Art. 12
		21	Is there harassment of workers on the basis of race, colour or origin?	C111; LL Art. 12
		22	Is race, colour or origin a factor in the employer's decisions regarding termination or retirement of workers?	C111
		<b>Religion and Political Opinion</b>	23 Is religion or political opinion a factor in hiring, employment, or termination?	Do recruitment materials such as job announcements or job application forms refer to the applicant's religion or political opinion?
	24	Is an applicant's religion or political opinion a factor in hiring decisions?	C111; LL Art. 12	

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<b>Discrimination</b>	<b>Religion and Political Opinion</b>	25	Is religion or political opinion a factor in hiring, employment, or termination?	Is religion or political opinion a factor in decisions regarding conditions of work?	C111; LL Art. 12
		26		Is religion or political opinion a factor in decisions regarding pay?	C111; LL Art. 12
		27		Is religion or political opinion a factor in decisions regarding opportunities for promotion or access to training?	C111; LL Art. 12
		28		Is there harassment of workers on the basis of religion or political opinion?	C111; LL Art. 12
		29		Is religion or political opinion a factor in the employer's decisions regarding termination or retirement of workers?	C111; LL Art. 12
	<b>Gender</b>	30	Is there sexual harassment of workers in the workplace?		C111, C100. LL Art. 12
		31	Is gender a factor in hiring, employment, or termination?	Do job announcements refer to the applicant's gender?	C111, C100. LL Art. 12
		32		Is an applicant's gender a factor in hiring decisions?	C111, C100. LL Art. 12
		33		Is gender a factor in decisions regarding conditions of work?	C111, C100. LL Art. 12
		34		Is gender a factor in decisions regarding pay?	C111, C100. LL Art. 12
		35		Is gender a factor in decisions regarding opportunities for promotion or access to training?	C111, C100. LL Art. 12
		36		Is gender a factor in the employer's decisions regarding termination or retirement of workers?	C111, C100. LL Art. 12
		37	Are workers subject to discrimination based on pregnancy?	Does the employer require pregnancy tests or the use of contraceptives as a condition of employment?	C111, C100; LL Art. 12
		38		Does the employer change the employment status, position, wages, benefits or seniority of workers during maternity leave?	LL Arts. 12, 169, 182
		39		Is maternity leave excluded from workers' period of continuous service?	LL Arts. 12, 169, 182

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<b>Discrimination</b>	<b>Gender</b>	40 Are workers subject to discrimination based on pregnancy?	Does the employer terminate workers who are pregnant or force them to resign?	LL Arts. 12, 182
		41	Does the employer terminate workers who are on maternity leave or force them to resign?	LL Arts. 12, 182
	<b>Other Grounds</b>	42 Is HIV/AIDS status a factor in hiring, employment, or termination?	Is an applicant's real or perceived HIV/AIDS status a factor in hiring decisions?	Law on the Prevention and Control of HIV/AIDS (2002) (HIV/AIDS Law), Art. 36; Prakas 086/06, Arts. 11, 12(b, f, g)
43		Are HIV/AIDS tests required at hiring or at any time during employment?	HIV/AIDS Law, Art. 20; Prakas 086/06, Arts. 11, 12(f, g)	
44		Is HIV/AIDS status a factor in decisions regarding conditions of work?	HIV/AIDS Law, Art. 36; Prakas 086/06, Arts. 11, 12(b)	
45		Is HIV/AIDS status a factor in decisions regarding pay?	HIV/AIDS Law, Art. 36; Prakas 086/06, Arts. 11, 12(b)	
46		Is HIV/AIDS status a factor in decisions regarding opportunities for promotion or access to training?	HIV/AIDS Law, Art. 36; Prakas 086/06, Arts. 11, 12(b)	
47		Is there harassment of workers on the basis of real or perceived HIV/AIDS status?	HIV/AIDS Law, Art. 36; Prakas 086/06, Arts. 11, 12(b)	
48		Is a worker's real or perceived HIV/AIDS status a factor in the employer's decisions regarding termination or retirement?	HIV/AIDS Law, Art. 36; Prakas 086/06, Arts. 11, 12(b, h)	
49 Is disability a factor in hiring, employment, or termination?		Are disabled persons who apply for work evaluated according to their ability to perform the job?	Law on the Protection and the Promotion of the rights of Persons with Disabilities (2009) (Disabilities Law), Art. 33	
50		Has the employer taken steps to reasonably accommodate physically disabled persons?	Disabilities Law, Art. 38	
51		Is disability a factor in decisions regarding opportunities for promotion or access to training?	Disabilities Law, Art. 33	
52		Is disability a factor in decisions regarding conditions of work?	Disabilities Law, Art. 33	
53	Is disability a factor in decisions regarding pay?	Disabilities Law, Art. 33		

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<b>Discrimination</b>	<b>Other Grounds</b>	54 Is disability a factor in hiring, employment, or termination?	Is there harassment of workers on the basis of disability?	Disabilities Law, Art. 33
		55	Is disability a factor in the employer's decisions regarding termination or retirement?	Disabilities Law, Art. 33
<b>Forced Labour</b>	<b>Coercion</b>	56 Are workers free to terminate their employment with reasonable notice, and to leave their jobs when their contracts expire?		C29
		57 Does the employer restrict workers from leaving the workplace, dormitories or industrial zone?	Does the employer restrict workers from leaving the workplace?	C29
		58	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?	C29
		59 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 c	Does the employer use violence or the threat of violence to intimidate workers?	C29
		60	Does the employer delay or withhold wage payments in order to coerce workers to work?	C29
		61	Does the employer force workers to work to discipline them or as punishment for participation in a strike?	C29, C105
		62	Does the employer deny workers access to their personal documents (such as birth certificates, passports, work permits and ID cards) when workers need them?	C29
63	Does the employer use threats such as deportation, cancellation of visas or reporting to the authorities in order to force workers to stay in their job?	C29		

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<b>Forced Labour</b>	<b>Bonded Labour</b>	64 Can workers who owe debts to the employer and/or a third party freely leave their jobs?		C29, C181
	<b>Forced Labour and Overtime</b>	65 Are workers forced to work overtime under threat of penalty?		C29, C1
	<b>Prison Labour</b>	66 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?		C29
<b>Freedom of Association and Collective Bargaining</b>	<b>&lt;Fact-Gathering Questions&gt;</b>	67 How many active registered unions are there in the factory?		
		68 For each active 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</li> </ul>		
		69 What percentage of workers are union members?		
		70 How many strikes have there been since the last visit?		
		71 For each strike, indicate:- why workers went on strike- whether the strike complied with legal requirements- whether the strike resulted in violence- the number of days workers were on strike- the number of person days workers were on strike-		LL Art. 319, 320, 323, 324
72 How many collective bargaining agreements are in effect in the factory?				

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<b>Freedom of Association and Collective Bargaining</b>	<Fact-Gathering Questions>	73 For each CBA, indicate:- the parties- the % of the workforce covered- the duration of the agreement- an overview of the issues covered		
	<b>Freedom to Associate</b>	74 Can the union(s) freely form and join federations and confederations of their choice?		C87; LL Art. 275; Prakas 305/01(5)
		75 Can workers freely form and join a union?		C87; LL Art. 266, 271.
		76 Does the employer require workers to join a union?		C87; LL Art. 273
	<b>Union Operations</b>	77 Does the employer deduct union dues from wages when workers request this in writing?		C87, C98, C135, R143; LL Art. 129; Prakas 305/01, Art. 5; AC 49/07 (union must be registered for dues to be deducted)
		78 Do union representatives have access to workers in the workplace?		C87, C135, R143; Prakas 305/01
		79 Does the employer provide a place to post the names, positions, and activities of the union leaders?		C87, C98, C135, R143; Prakas 305/01; Circular 40/98; AC 106/06 (employer must provide place for union to post union leaders' names, photos, positions, and activities; does not have to provide meeting room for union leaders)
	<b>Interference and Discrimination</b>	80 Does the employer provide incentives to workers to keep them from joining a union or engaging in union activities?		C98; LL Arts. 12, 279
		81 Is a job applicant's union membership or union activities a factor in hiring decisions?		C98; LL Arts. 12, 279

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<b>Freedom of Association and Collective Bargaining</b>	<b>Interference and Discrimination</b>	82	Has the employer terminated a union official without getting permission from the Ministry?	C98; LL Arts. 282, 293; Prakas 305/01(3-5); AC 28/07, 112/06 (employer must be informed who is protected); AC 53/06 (protection does not apply to non-renewal of FDC)
		83	Are workers free to meet without management present?	C98; LL Art. 280
		84	Does the employer interfere with workers or unions when they draw up their constitutions and rules, hold elections, or organize their activities, administration or finances?	C98, C135; LL Art. 277, 280; Prakas 305/01 (5,8,9)
		85	Has the employer taken steps to bring the union(s) under its control?	LL 280, C.87, Art.2
<b>Collective Bargaining</b>		86	Does the employer punish, terminate, threaten, intimidate, or harass workers for joining a union or engaging in union activities?	Does the employer punish workers for joining a union or engaging in union activities? C98; LL Arts. 12, 279
		87		Does the employer threaten, intimidate, or harass workers who join a union or engage in union activities? C98; LL Arts. 12, 279
		88		Has the employer terminated any worker or not renewed their contract due to the worker's union membership or activities? C98, C135, C158; LL Arts. 12, 279
		89	Does the employer consult with unions where legally required?	C98; LL Art. 288
		90	Does the employer refuse to bargain collectively or refuse to bargain in good faith with the union, shop stewards, union federations or	C98, C154, LL Arts. 96, 277, 278; Prakas 305/01(9)
		91	Is there a collective bargaining agreement?	If there is a collective bargaining agreement, are the provisions at least as favorable for workers as the law? C98; LL Art. 98



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<b>Freedom of Association and Collective Bargaining</b>	<b>Collective Bargaining</b>	92 Is there a collective bargaining agreement?	Does the employer provide workers access to the collective bargaining agreements?	C98; Prakas 287/01; Circular 40/98
		93	Has the employer failed to implement any of the provisions of the collective bargaining agreement(s) in force?	C98; LL Art. 96; Prakas 287/01(3); Prakas 305/01(13)
	<b>Strikes</b>	94 Is there any noncompliance relating to strikes?	Has the employer tried to prevent any workers from participating in a strike?	C98; LL Art. 319, 320
		95	Has the employer hired new workers to replace striking workers during a strike?	C98; LL Art. 334; AC 04/03, 08/04, 15/04
		96	Has the employer punished any workers for participating in a strike?	C98; LL Arts. 332, 333; AC 58/06, 80/06
		97	Were security guards, the police or armed forces called by the employer to break up a peaceful strike or arrest striking workers?	LL Art.330; C98; CC Art 37
<b>Compensation</b>	<b>Minimum Wages/Piece Rate Wages</b>	98 Does the employer pay at least minimum wage for all types of workers other than regular workers?		LL Arts. 10, 104; Prakas No. 283/14
		99 Does the employer pay regular workers at least minimum wage for ordinary hours of work?		LL Art. 104; Prakas No. 317/13; Prakas No.283/14
		100 Is the piece rate set at a level that permits workers of average ability working normal hours to earn minimum wage?		LL Arts. 104, 108; AC 81/05 (rate should be set based on average ability); Prakas No. 317/13; Prakas No.283/14
		101 Are piece-rate workers paid correctly for ordinary hours of work?		LL Art. 104; Prakas No. 317/13; Prakas No.283/14
	<b>Overtime Wages</b>	102 Does the employer pay workers double their normal wage for all hours worked on weekly rest days?		LL Art. 139; AC 82/06
		103 Does the employer pay any workers incorrectly for overtime?	Does the employer pay workers 150% of their normal wage for all ordinary overtime hours worked?	LL Art. 139; Prakas 80/99; AC 78/04

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<b>Compensation</b>	<b>Overtime Wages</b>	104	Does the employer pay any workers incorrectly for overtime?	Does the employer pay workers double their normal wage for all overtime hours worked at night?	LL Arts. 139; Prakas 80/99
		105		Does the employer pay all workers correctly for work on public holidays?	LL Art. 164; Prakas 10/99; AC 82/06
		106		Does the employer pay all workers the correct meal allowance or give them a reasonable free meal when they work overtime?	Notices 041/11, 017/00, 745/06; AC 51/07 (full meal allowance is required regardless of the number of OT hours worked); AC 141/09 (meal allowance for Sunday and public holiday work)
	<b>Premium Pay</b>	107	Does the employer pay workers 130% of their normal wage for regular working hours worked at night?		LL Art. 144
	<b>Method of Payment</b>	108	Are workers' full wages paid in the manner required (in cash, during working hours, at the workplace, and directly to workers)?		LL Arts. 113,115.
		109	Are workers paid on time, twice per month, or as otherwise agreed by worker representatives?		LL Art. 116; Circular 1903/08 (requiring payments twice per month, unless negotiated otherwise with the union); AC 126/09 (pay wages twice per month) and AC05/07
<b>Wage Information, Use and Deduction</b>	110	Has the employer made any unauthorized deductions from wages?		LL Arts. 28, 44, 126, 127, 129; see also R. 85	
	111	Does the employer properly inform workers about wage payments and deductions?		LL Arts. 109, 112; AC 23/08 (employer should provide workers with payslip written in Khmer)	
	112	Does the employer keep only one accurate payroll record?		LL Arts. 39-41; Prakas 269/01; see also R. 85	
<b>Paid Leave</b>	113	Does the employer pay workers correctly for annual leave?		LL Arts. 166, 168; AC 27/04	

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<b>Compensation</b>	<b>Paid Leave</b>	114	Does the employer pay workers correctly during special leave?	LL Art 171; Prakas 267/01
		115	Does the employer pay workers correctly for maternity leave?	LL Arts. 182, 183; AC 66/06 (calculation of payment during maternity leave)
		116	Does the employer pay workers correctly for paid public holidays?	LL Art. 162; AC 92/06
		117	Does the employer provide paid sick leave as required by the factory's Internal Regulations, or if there are no Internal Regulations, according to the Ministry's practice?	LL Art. 166; Factory Internal Regulations; Labour Ministry Practice
		118	Does the employer provide workers one hour of paid time off per day for breast-feeding?	LL Arts. 184, 185
		119	Does the employer pay workers correctly during suspensions of work?	LL Art. 72; AC 01/07 (payment for accommodation only required if it was already being paid prior to the suspension); AC 15/06, 31/07 (if workers are required to punch in, work is not suspended and workers should be paid in full)
	<b>Social Security and Other Benefits</b>	120	Does the employer provide transport home or a place to sleep for workers who finish work between 22:00 and 05:00?	LL Art. 144; Prakas 80/99
		121	Does the employer pay all workers the correct mandatory wage supplements (including transportation and housing allowances)?	Prakas 317/13 and Guideline 01/14
		122	Does the employer pay workers the correct seniority bonus?	Prakas 317/13 and Guideline 01/14; AC 62/07

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<b>Compensation</b>	<b>Social Security and Other Benefits</b>	123	Does the employer pay the required employer contribution to the National Social Security Fund?		Prakas 109/08 including Annex 1, 133/09	
		124	Does the employer pay workers their wages for the first day they miss work due to work-related accidents or illnesses?		Law on Social Security Schemes for Persons Covered by the Labour Law, Art. 17	
		125	Does the employer pay all workers who work regularly incorrect attendance bonus per month?	Does the employer pay all workers who work regularly the correct attendance bonus when workers take annual leave?		LL Art. 168; Prakas 317/13 and Guideline 01/14; AC 62/07; AC 106/07 (proportional payment during authorized leave); AC 08/07 (full payment of attendance bonus during annual leave); AC 54/07 (no attendance bonus required when workers have 1/2 day unauthoriz
		126		Does the employer pay all workers who work regularly the correct attendance bonus when workers take sick leave?		LL Art. 168; Prakas 317/13 and Guideline 01/14; AC 62/07 (proportional deduction of attendance bonus during sick leave).
		127	Does the employer pay all workers who work regularly the correct attendance bonus when workers take special leave?		LL Art. 168; Prakas 317/13 and Guideline 01/14; AC 45/05 (no deduction if workers make up the days off; no deduction if special leave is deducted from annual leave).	

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<b>Compensation</b>	<b>Social Security and Other Benefits</b>	128 Does the employer pay all workers who work regularly incorrect attendance bonus per month?	Does the employer pay the correct attendance bonus to all new workers who start after the first of the month and to casual workers who work regularly?	LL Art. 168; Prakas 317/13 and Guideline 01/14; 30/04 (attendance bonus for casual workers); AC 54/07 (no attendance bonus required when workers have 1/2 day unauthorized absence); AC 08/07 (attendance bonus does not have to be paid when workers are late)
<b>Contracts and Human Resources</b>	<Fact-Gathering Questions>	129 How many total workers are employed by the factory?		
		130 How many of the workers are men?		
		131 How many of the total workforce are migrant workers?		C143 Migrant Workers (Supplementary Provisions) Convention, 1975
		132 How many supervisors are employed by the factory?		
		133 How many of the supervisors are men?		
		134 How many of the supervisors are migrants?		
		135 Does the factory use subcontractors to complete all or part of the production process?		
		136 Does the factory use contractors to provide services at the factory that are not part of the production process?		
		137 How many regular workers are employed by the factory?		
		138 How many of the regular workers are men?		
139 How many probationary workers are employed by the factory?				

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Contracts and Human Resources	<Fact-Gathering Questions>	140	How many of the probationary workers are men?		
		141	How many casual workers are employed by the factory?		
		142	How many of the casual workers are men?		
		143	How many workers with disabilities are employed by the factory?		Law on the Protection and the Promotion of the Rights of Persons with Disabilities, Art. 14.
		144	How many of the workers with disabilities are men?		
		145	Does the factory have a valid business license?		
		146	How many of the piece-rate workers are men?		
		147	How many of the migrant workers are men?		
		148	Does the factory have other branches? If yes, please provide the name(s) of the other branch(es).		
		149	Has the factory received any notices of noncompliance from the Labor Ministry since the last visit?		
		150	How many piece-rate workers are employed by the factory?		
		151	Is there an adequate HR policy that is signed by top management with a clear commitment to meet all legal requirements?		
152	Does the employer have an adequate recruitment procedure?				

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<b>Contracts and Human Resources</b>	<b>&lt;Fact-Gathering Questions&gt;</b>	153	Does the employer have adequate disciplinary and termination procedures?	
		154	Does the employer have adequate grievance handling and dispute resolution procedures?	
		155	Does the employer adequately assign accountability to management for following factory policies and procedures relating to Human Resource management and performance?	
		156	Does the employer adequately communicate and implement HR policies and procedures?	
		157	Does the employer adequately investigate performance under HR policies and procedures to identify weaknesses and make necessary adjustments?	
<b>Employment Contracts</b>		158	Do the employment contracts comply with Cambodian labour law and with the factory's internal regulations?	LL Arts. 1, 13, 65
		159	Do the employment contracts specify the terms and conditions of employment?	LL Art. 67
		160	Does management have a system to ensure that workers understand the terms and conditions of employment?	LL 67(4)
		161	Do all persons who perform work for the factory, both on the premises and offsite, have a contract?	LL Art 65
		162	Do the internal regulations comply with legal requirements?	LL Art. 22-25, 29; Notice 14/02 Annex

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<b>Contracts and Human Resources</b>	<b>Contracting Procedures</b>	163	Do workers have to pay anyone to get a job?	LL Arts. 126, 260
		164	Does the employer comply with the two-year limit on the use of fixed term contracts?	LL Art. 67; AC 10/03 (after 2 years of continuous employment, workers should be considered to be working under UDCs); 141/08 (acceptable to work beyond 2 years on FDCs if workers freely agree to do so)
		165	Does the employer comply with limits on the period of employment for apprentices and probationary workers?	LL Art. 68 (limits on probation); Prakas 004/00 (2 year maximum on apprenticeship contracts); Notice 06/97 (2 month limit on apprenticeship in garment industry only); AC 27/03 (cutters and sewers are skilled manual workers so should be on probation maximum)
	166	Does the employer include the entire period of continuous employment when determining workers' entitlements to maternity leave, attendance bonus, seniority bonus, and/or annual leave?	LL Arts. 9, 10, 73, 166, 169; Notice 017/00	
	<b>Termination</b>	167	Does the employer comply with legal requirements before suspending workers or reducing the size of the workforce due to changes in operations?	LL Arts. 71, 95, 284; Prakas 313/00; AC 08/07 (ministry should be notified when a section or group of workers is suspended for a short period (1, 2 or 3 days); AC 82/06 (suspensions include short periods (1-2 days) when there is no work)



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<b>Contracts and Human Resources</b>	<b>Termination</b>	168	Does the employer fail to comply with any requirements when terminating workers (valid reasons, workers' opportunity to defend, prior notice, termination payments, unused annual leave, timely payment, and/or reinstatement orders)?	Does the employer pay all outstanding wages and indemnities within 48 hours of termination?	LL Art. 116
		169		Does the employer only terminate workers for valid reasons?	Cambodian Constitution, Art. 46; LL Arts. 12, 71, 73, 74, 182, 279, 333; AC 73/06 (follow internal regulations when disciplining workers)
		170		Does the employer provide workers proper notice, and an opportunity to defend themselves before they are terminated based on their conduct or performance?	LL Arts. 73-77, 82, 284; AC 53/06 (no notice required for probationary workers), Prakas 313/00; Notice 14/02 Annex
		171		Does the employer pay workers the correct severance pay?	LL Arts. 73, 89, 110; AC 09/05 AC 107/04 (severance pay required for probationary workers on FDCs)
		172		Does the employer pay workers their outstanding wages and the correct indemnity for dismissal?	LL Arts. 73, 89, 110; 102; 116 AC 09/05 (no UDC termination payments when workers resign); 86/09 (calculation of UDC indemnity); AC 107/04 (severance pay required for probationary workers on FDCs)
		173		Does the employer compensate workers for unused paid annual leave when they resign or are terminated?	LL Arts. 166, 167
		174		Does the employer pay terminated workers the correct damages when required?	LL Arts. 73, 89, 91, 110
		<b>Dialogue, Discipline and Disputes</b>	175	Are disciplinary measures proportional to the seriousness of workers' misconduct?	

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<b>Contracts and Human Resources</b>	<b>Dialogue, Discipline and Disputes</b>	176	Does the employer comply with requirements regarding shop stewards?		LL Arts. 285, 287, 288; Prakas 286/01	
		177	Have any workers been bullied, harassed, or subjected to humiliating treatment?		LL 172	
		178	Did the employer resolve grievances and disputes in compliance with legal requirements?		LL Arts. 300, 301, 303, 306, 312; Prakas 317/01, 318/01, 099/04	
		179	Has the employer failed to comply with final conciliation agreements, arbitration awards, or court orders arising from individual or collective disputes?	Has the employer complied with final conciliation agreements?		LL Arts. 301, 307, 314; Prakas 317/01, 318/01, 099/04
		180		Has the employer complied with arbitration awards?		LL Arts. 301, 307, 314; Prakas 317/01, 318/01, 099/04
		181		Has the employer complied with court orders arising from individual or collective disputes?	LL Arts. 301, 307, 314; Prakas 317/01, 318/01, 099/04	
<b>Occupational Safety and Health</b>	<b>&lt;Fact-Gathering Questions&gt;</b>	182	How many work-related accidents have there been in the factory in the last 12 months?		LL Art. 248, P155 and R164	
		183	Is there an adequate emergency preparedness procedure?			
		184	Is there an adequate hazard/risk management and control procedure?			
		185	Is there an adequate accident investigation procedure?			
		186	Does the employer adequately assign accountability to management for carrying out health and safety responsibilities?			
		187	Does the employer adequately communicate and implement OSH policies and procedures?			

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<b>Occupational Safety and Health</b>	<Fact-Gathering Questions>	188	Does the employer adequately investigate, monitor and measure OSH issues to identify root causes and make necessary adjustments to prevent recurrence?	
		189	Are there any other issues of concern not addressed elsewhere in the report related to workers'/supervisors' accommodation?	R115
	<b>OSH Management Systems</b>	190	Does the factory have a written OSH policy?	R164, LL Arts. 229, 230, 250
191		Has the employer developed mechanisms to ensure cooperation between workers and management on OSH matters?	LL Arts. 229, 230, 250, Prakas 176/13, C155 and R164	
192		Has the employer performed an assessment of general occupational safety and health issues in the factory?	R164, LL Arts. 229, 230, 250	
193		Does the employer record work-related accidents and illnesses and report them to the Ministry?	LL Arts. 248, 257; Prakas 243/02, P155	
194		Does the employer have legally required construction/building permits?	Sub-Decree #86/97, Arts 2, 4, 5	
	<b>Chemicals and Hazardous Substances</b>	195	Has the employer prepared for response, control and cleaning of chemical spills?	LL. Art. 229, 230
196		Are chemical mixing rooms properly equipped and used?	LL. Art. 230	
197		Does the employer fail to comply with any requirements regarding chemicals and hazardous substances?	Does the employer keep an inventory of chemicals and hazardous substances used in the workplace?	C170, LL Art. 229
		198	Are chemicals and hazardous substances properly labelled?	C170, LL Art. 229

Cluster	Compliance Point	Question	Sub-question	Legal Reference	
<b>Occupational Safety and Health</b>	<b>Chemicals and Hazardous Substances</b>	199	Does the employer fail to comply with any requirements regarding chemicals and hazardous substances?	Are chemicals and hazardous substances properly stored?	LL Art. 229, Prakas 307/07
		200		Does the employer have chemical safety data sheets for the hazardous chemicals used in the workplace?	LL Art. 229
		201		Has the employer taken action to prevent and limit workers' exposure to chemicals and hazardous substances?	LL Art. 229, Prakas 125/01, Prakas 307/07
		202		Has the employer effectively trained workers who work with chemicals and hazardous substances?	LL Art. 229, Prakas 307/07
		203		Does the employer provide adequate washing facilities and cleansing materials in the event of exposure to hazardous chemicals?	LL Art. 229
	<b>Worker Protection</b>	204	Are workers punished if they remove themselves from work situations that they believe present an imminent and serious danger to life or health?		LL Arts. 229, 230, C155
		205	Has the factory conducted an assessment of the potential hazards in the workplace?		LL Art. 250
		206	Are workers effectively trained and encouraged to properly use personal protective equipment and machines?		LL Art. 229; Prakas 125/01Prakas 307/07
		207	Are workers protected against falls from heights?		LL Art. 230
		208	Are guards properly installed and maintained on all dangerous moving parts of machines and equipment?		LL Art. 230
		209	Are electrical wires, switches and plugs properly installed, grounded, and maintained?		LL Art. 230
		210	Does the employer comply with ergonomic requirements?		LL Arts. 229, 230; Prakas 053/00, Prakas 124/01

Cluster	Compliance Point	Question	Sub-question	Legal Reference
<b>Occupational Safety and Health</b>	<b>Worker Protection</b>	211	Are appropriate safety warnings posted in the workplace?	LL Art. 230; Prakas 307/07
		212	Does the employer provide workers with all necessary personal protective clothing and equipment?	LL Art. 229; Prakas 125/01, 138/03
		<b>Working Environment</b>	213	Are the temperature and ventilation acceptable?
	214		Are noise levels acceptable?	LL Art. 229; Prakas 138/03; Sub-decree 42/00
	215		Is the workplace adequately lit?	LL Art. 229; Prakas 484/03
	216		Is the workplace clean and tidy?	LL Art. 229; Prakas 307/07
	<b>Welfare Facilities</b>	217	Does the workplace have adequate accessible toilets?	LL Art. 229; Prakas 052/00
		218	Does the workplace have adequate hand washing facilities and adequate soap?	LL Art. 229; Prakas 052/00
		219	Does the employer provide workers enough free safe drinking water?	LL Art. 229; Prakas 054/00; AC 143/09
		220	Does employer provide cups or other sanitary means for drinking water?	LL 229; P.054/00

Cluster	Compliance Point	Question	Sub-question	Legal Reference
<b>Occupational Safety and Health</b>	<b>Welfare Facilities</b>	221	Does the workplace have a functioning and accessible nursing room, and a functioning day care centre at or near the workplace?	LL Art. 186; AC 96/06 (Employer should set up nursing room and day care centre for women returning from maternity leave, so they can keep their babies at work and breastfeed them until they reach 18 months of age. After a child reaches 18 months, the empl
		222	Does the workplace have a functioning HIV/AIDS Committee?	Prakas 086/06
	<b>Health Services and First Aid</b>	223	Has the employer provided first-aid training for workers?	LL Arts. 229, 230
		224	Does the workplace have an adequately equipped and staffed infirmary?	LL Arts. 242, 244, 247; Prakas 330/00; AC 03/03
		225	Does the employer address safety and health risks to pregnant workers or workers are nursing?	LL Arts. 182, 229, 230; Prakas 124/01 (no lifting over 5 kg);Prakas 307/07
		226	Has the employer ensured that there is a sufficient number of readily accessible first aid boxes/supplies in the workplace?	LL Arts. 229, 230
		227	Do workers undergo a medical examination before being employed?	LL Art. 247; Joint Prakas 09/94
<b>Worker Accommodation</b>	228	Do workers and/or supervisors stay in dorms on the factory premises, or do workers stay in offsite housing that is managed by the employer?	Is the accommodation separate from the workplace (even though it may be in the same compound/industrial park)?	R115
	229		Is the accommodation protected against fire?	R115
	230		Has the employer adequately prepared for emergencies in the accommodation?	R115

Cluster	Compliance Point	Question	Sub-question	Legal Reference	
<b>Occupational Safety and Health</b>	<b>Emergency Preparedness</b>	231	Does the workplace have a fire detection and alarm system?		LL Art. 230
		232	Are emergency exits and escape routes clearly marked and posted in the workplace?		LL Art. 230
		233	Does the workplace have adequate fire-fighting equipment and within easy reach of workers?		LL Art. 230
		234	Are there enough emergency exits?		LL Art. 230Prakas 307/07
		235	Does the employer conduct periodic emergency drills?		LL Art. 230Prakas 307/07
		236	Has the employer trained an appropriate number of workers to use the fire-fighting equipment?		LL Art. 230
		237	Are flammable materials safely stored?		ILO, Fire Risk Management (2012)
		238	Are possible sources of ignition appropriately safeguarded?		ILO, Fire Risk Management (2012)
		239	Are escape routes free of obstruction?		LL Art. 230
		240	Are the emergency exits obstructed, inaccessible, and locked during working hours, including overtime?	Are the emergency exits inaccessible and obstructed during working hours, including overtime?	
		241	Are the emergency exits locked during working hours, including overtime?		LL Art. 230
<b>Working Time</b>	<b>Regular Hours</b>	242	Does the employer provide required weekly rest periods?		LL Art. 145-147
		243	Do the working time records reflect the hours actually worked?		LL Art. 39, 40
		244	Do regular daily or weekly working hours exceed the legal limit?		LL Arts. 137, 141(1)
		<b>Overtime</b>	245	Does the employer get permission from the Labour Inspector before workers work overtime?	

Cluster	Compliance Point	Question	Sub-question	Legal Reference	
<b>Working Time</b>	<b>Overtime</b>	246	Is overtime work limited to two hours per day?	LL Arts. 139, 141(4); Prakas 80/99	
		247	Is overtime voluntary?	Prakas 80/99	
		248	Does the employer get permission from the Labor Inspector before suspending weekly rest days?	LL Art. 160; Prakas 100/02	
	<b>Leave</b>	249	Does the employer fail to provide workers time off for any required breaks or types of leave?	Does the employer give workers at least 18 days of annual leave per year and an extra day of annual leave for every three years of service?	LL Arts. 166-167, 169; Notice 017/00(6);AC 08/07, 71/09
		250		Does the employer give workers up to 7 days of time off for special leave per year?	LL Art. 171; Prakas 267/01
		251		Does the employer provide workers up to six months of time off for sick leave for an illness certified by a qualified doctor?	LL Arts. 71(3), 72
		252		Does the employer provide workers at least 90 days of maternity leave?	LL Art. 182
		253		Does the employer provide workers with paid time off for breast-feeding during working hours as required by law?	LL Art. 184

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