

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

26 Jul 2022



Factory Information

FLA Affiliates	Colosseum Athletic Corporation
Country	United States of America
Number of Workers	

Understanding this Report

Companies that join the FLA agree to uphold the FLA Workplace Code of Conduct throughout their entire supply chain. The Code of Conduct is based on International Labour Organization (ILO) standards, and defines labor standards that aim to achieve decent and humane working conditions.

FLA Code Element

Number of Violations

FLA Code Element	Number of Violations
Employment Relationship (ER)	20
Forced Labor (F)	1
Freedom Of Association And Collective Bargaining (FOA)	1
Harassment Or Abuse (H/A)	4
Health, Safety And Environment (HSE)	6
Hours Of Work (HOW)	3

Assessment Information

Assessor	Rodriguez Compliance Group
----------	----------------------------

Assessment Date	26 Jul 2022
Assessment Purpose	Factory Assessment (In-Person)

ASSESSMENT RESULTS

Employment Relationship (ER)

Benchmark ID	ER.17.5
Benchmark Details	Employers shall have in place procedures to track the number, types, and timing and resolution of grievances, and to communicate the resolution of grievances to the workforce.
Finding Details	None of the workers interviewed have formally submitted a grievance in writing or used the grievance form or suggestion box. Workers indicated that they expressed complaints about the Production Manager in one meeting some months ago (they could not recall the specific date). Other workers and supervisors who were present at the meeting said nothing was done to address the issue. When asked about grievances received through the suggestion box, the CFO indicated that only one suggestion was received. Workers requested a visible clock to be placed on one wall of the production area. However, there is no documentation of when and how this suggestion was filed, received, and handled.
Recommendation for Immediate Action	Provide an effective procedure for grievance mechanism: (1) Identify the type of mechanism to be used. At least one mechanism should be in place that supports anonymous reporting. (2) Define the type or scope of grievances acceptable, for example work related issues or complaints. (3) Identify the key or senior manager responsible to manage or oversee the process. (4) Identify the location of the grievance mechanism (not a manager's office) and how often it is to be reviewed. (5) Define steps for the review of each grievance – what happens with grievance received and how they are reviewed, investigated and response to complainant. (6) Provide for managers, supervisors, and employees on the grievance mechanism. Considerate language needs of the training, both at new hire orientation and annual refresher. (7) Define a process to document all grievances received. Analyze and review the types of grievances received and resolved. (8) Report out on the grievances metrics to workforce. (9) Provide training on company's non retaliation policy.

Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	ER.1.2
Benchmark Details	Employers shall assign responsibility for the administration of human resources to a clearly defined and adequately qualified staff member or staff members and ensure workers at all levels receive communication and training about existing policies and procedures or any revisions.
Finding Details	The factory does not provide ongoing training on all the elements of the workplace code of conduct. The only ongoing training provided is related to health and safety.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.2
Benchmark Details	Employers shall ensure managers and supervisors are fully familiar with the workplace disciplinary system and in applying appropriate disciplinary practices.
Finding Details	There is no evidence that the Production Manager who imposes and signs disciplinary action, or any other manager or supervisor, has received training on the application of disciplinary actions. One of the disciplinary actions written by the Production Manager referred to previous "verbal warnings," but there is no evidence that these previous warnings were issued formally.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.5.1
Benchmark Details	Employers shall ensure that all supervisors are trained in national laws, workplace regulations, and the FLA Code, workplace grievance systems, and the appropriate practices to ensure compliance.
Finding Details	The factory does not provide specific training to the supervisors and managers that includes all elements of the workplace code of conduct. The only training provided is related to Health and Safety.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.17.1
Benchmark Details	Employers shall have a clear and transparent system of worker and management communication that enables workers to consult with and provide input to management. This might include suggestion boxes, worker committees, designated spaces for worker meetings, union representatives, and meetings between management and workers' representatives.

<p>Finding Details</p>	<p>Page 15 of the employee handbook describes 3 grievance mechanisms: (1) A formal process (verbal or written complaints) directed to the supervisors, HR Manager, Production Manager, President, or CFO. (2) Informal discussions of complaints at any time with supervisors or managers. (3) A suggestion box that can be used anonymously. However, the policy only describes the process that will be followed for formal grievances. There is no description of the procedures for informal discussions or the suggestion box. There is no evidence that formal grievances are documented. The facility has blank grievance forms available. According to the formal process described in the handbook, it is not necessary to use these forms. However, management indicates these forms have not been used and there is no evidence of other documents where grievances have been documented or submitted by workers. The Production Manager indicated that there have not been major complaints and any issues brought by workers are solved by talking to them directly and verbally. There is no documentation of these verbal conversations. The auditor noted that the blank grievance forms are kept at the Production Manager's desk. Workers must ask the Production Manager for the form if they want to utilize it.</p>
<p>Recommendation for Immediate Action</p>	<p>Provide an effective procedure for grievance mechanism: (1) Identify the type of mechanism to be used. At least one mechanism should be in place that supports anonymous reporting. (2) Define the type or scope of grievances acceptable, for example work related issues or complaints. (3) Identify the key or senior manager responsible to manage or oversee the process. (4) Identify the location of the grievance mechanism (not a manager's office) and how often it is to be reviewed. (5) Define steps for the review of each grievance – what happens with grievance received and how they are reviewed, investigated and response to complainant. (6) Provide for managers, supervisors, and employees on the grievance mechanism. Considerate language needs of the training, both at new hire orientation and annual refresher. (7) Define a process to document all grievances received. Analyze and review the types of grievances received and resolved. (8) Report out on the grievances metrics to workforce. (9) Provide training on company's non retaliation policy.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>

Local Law	
Benchmark ID	ER.1.1
Benchmark Details	Employers shall have in place written policies and practices and maintain proper and accurate records governing all aspects of employment from recruitment, hiring and probation, including written terms and conditions of employment, job descriptions, administration of compensation, and working hours for all positions, through to retrenchment and termination processes.
Finding Details	<p>1. There is no policy in the employee handbook or in any other document which explains the rights of nursing mothers. Georgia House Bill 1090 (codified at O.C.G.A. § 34-1-6) requires employers to provide break time to mothers who desire to express breast milk at their worksite during working hours. This law applies to employers with one or more employees and requires that nursing mothers be provided a location, other than a restroom, where they can express milk in private. It also requires that the lactation breaks be paid at the employee's regular rate. Management indicates that they are in the process of providing adequate private space in the facility for lactation, before the 2 workers who are currently pregnant return to work after their leave. The factory does not have a written policy on forced labor.</p> <p>2. Examples of some systems in place to prevent forced labor include at-will employment policy, use of employment applications, use of job descriptions, no hiring or recruitment fees, no loans provided to employees, and freedom of movement in the workplace.</p> <p>3. The facility does not have a policy on child labor, a definition of the minimum hiring age, or remediation procedures in case a minor is detected. Management indicates that the facility does not hire workers below 18 years old. Examples of practices to avoid hiring workers below 18 years old include requiring applicants to provide valid forms of ID to complete the employment eligibility verification form (I-9) such as passport, driver's license, residency card, birth certificate, work permit, etc.</p> <p>4. The separation policy on page 13 of the employee handbook discusses resignations (voluntary resignation) and termination or layoffs. It then provides examples of causes of termination. However, this policy does not define the criteria and the procedures for retrenchment (layoffs). The factory was affected by the Covid-19 pandemic. Ownership indicated that they had to lay off workers in 2020.</p>

<p>Recommendation for Immediate Action</p>	<p>1. Factory should develop policies and procedures to comply with GA Breastfeeding Law O.C.G.A. § 34-1-6, provide training to managers and employees on the right to accommodate the need, and identify the appropriate room for the employee who wishes to nurse. Ensure the non-retaliation policy is in effect for employees requesting accommodation. 2. Facility should review policies on child labor and retrenchment and align with FLA Code requirements. Once the policy is developed and approved, provide communication and training, as well as inclusion in the employee handbook, onboarding, annual refresher, and other company documents as needed.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>GA Breastfeeding Law O.C.G.A. § 34-1-6</p>
<p>Benchmark ID</p>	<p>ER.18.1</p>
<p>Benchmark Details</p>	<p>Employers shall have written disciplinary rules, procedures and practices that embody a system of progressive discipline (e.g. a system of maintaining discipline through the application of escalating disciplinary action moving from verbal warnings to written warnings to suspension and finally to termination).</p>

<p>Finding Details</p>	<p>The following deficiencies were noted in the facility's disciplinary system: (1) The handbook lacks a general policy on progressive discipline for any violations which may occur. Page 8 of the employee handbook describes a policy specifically for workers who leave the premises without clocking out (written warning, suspension without pay and termination). While page 5 and page 7 describe the steps for discrimination and harassment issues respectively (counseling, warning, suspension, and termination), disciplinary actions for other violations of company policy (i.e., attendance, tardiness, safety etc.) are not described. (2) During the review of disciplinary actions in personnel files, the auditor noted that one form is used to document the 1st warning, 2nd warning and final warning, but does not list "counseling" or "suspension" which are the steps described in other policies in the handbook (such as the discrimination and harassment policies). (3) A disciplinary action issued to an employee in the sample group stated the employee had received several verbal warnings. However, those previous verbal warnings were not documented and not stored in the personnel file. When the auditor interviewed the Production Manager, he indicated that not all verbal warnings were recorded but, in some cases, he had sent an email to HR notifying them that he has issued a verbal warning. This action was confirmed by HR manager who provided an example of such an email. However, this email is a notification and not a formal, documented verbal warning filed in the employee's personnel files. Moreover, this email or notification is not signed by the worker.</p>
<p>Recommendation for Immediate Action</p>	<p>Provide an effective procedure for grievance mechanism: (1) Update and revise the policy of progressive discipline to address other negative behaviors. (2) Identify the progressive steps such as coaching, verbal, 1st written, 2nd written, suspension, termination. (3) Revise and update the progressive disciplinary policy to include the appeal process, and the inclusion of 3rd party witness if requested by the employee. (4) Identify the key or senior manager responsible to manage or oversee the process. (5) Training for managers, supervisors, and employee, and considerate language needs of the training. (6) Update and align the disciplinary action form with the progressive steps. (7) Include procedures to document and retain all disciplinary actions. (8) Communication of the new policy, both at onboarding and annual refresher.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>

Local Law	
Benchmark ID	ER.6.1
Benchmark Details	Employers shall have written policies and procedures and implement practices that encourage ongoing training of all categories of workers with the goal of raising or broadening skills in order to advance in their careers within the factory or beyond.
Finding Details	There are no policies and procedures on personnel development and training. During the review of personnel files, the auditor noted that the majority of documented disciplinary actions are for quality issues. There is no documented evidence that workers are formally trained during the probationary period and no evidence of performance evaluations after the probationary period and regularly, at least every year.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.7.1
Benchmark Details	Employers shall have written policies and procedures with regard to performance reviews that outline the review steps and process, demonstrate linkages to job grading, prohibit discrimination, are provided in writing and seek feedback and agreement/disagreement from employees in writing, and that follow all local legal requirements.

Finding Details	The "work review" policy on page 10 of the employee handbook, which covers performance reviews, does not include the following: (1) Linkages to job grading. (2) Nondiscrimination statement. The factory does not conduct formal performance reviews after the conclusion of the probationary period or annually. Management indicates that workers are provided with feedback verbally but not in a formal, consistent manner. Page 10 of the employee handbook contains a policy titled "work review" which talks about annual, formal performance reviews conducted by supervisors, but these have not been implemented. All workers interviewed also confirmed that they have not received formal performance reviews.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.8
Benchmark Details	Employers shall have written policies and procedures with regard to promotion, demotion, and job reassignment that outline the criteria, demonstrate linkages to job grading, and prohibit discrimination or use of demotion or job reassignment as a form of penalty or punishment, are provided in writing and seek feedback from employees in writing, and follow all local legal requirements.
Finding Details	The factory does not have a written policy or procedures on promotion, demotion, and job reassignment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.4

Benchmark Details	Employers shall inform workers about workplace rules, environmental protection systems, health and safety information, and laws regarding workers' rights with respect to freedom of association, compensation, working hours, and any other legally required information, and the FLA Code through appropriate means, including posted in local language(s) throughout the workplace's common areas.
Finding Details	The factory has not provided any regular communication to workers on the elements of the workplace code.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.19.1
Benchmark Details	Employers shall maintain on file all documentation needed to demonstrate compliance with the FLA Workplace Code and required laws.
Finding Details	The Colosseum Athletics Code of Conduct is posted throughout the facility. However, workers are not aware of the Code.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.3.1

Benchmark Details	Employers shall provide an orientation to new employees at the time of hiring, which includes explanations of the employers' rules, compensation package and policies for human resources, grievance systems, industrial relations, including respect of the right to freedom of association, workers' rights and responsibilities, FLA Code of Conduct, health and safety, and environmental protection.
Finding Details	The factory does not provide orientation training on all the FLA Code of Conduct elements and Employment Functions. Workers receive a copy of the employee handbook and sign to acknowledge receipt. The only orientation training provided includes health and safety.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.14.2
Benchmark Details	Employers shall use standard contract language with employment agencies or intermediaries that specifically prohibits practices that restrict any worker's freedom of movement or ability to terminate their own employment.
Finding Details	The facility does not have formal policies and procedures to assess risk and monitor compliance of temporary labor agencies. The facility is currently utilizing the services of a temporary labor agency. There are currently two workers employed as temps. The auditor requested payroll records for these workers; the agency provided a payroll history showing hours worked, gross payment, total taxes, and form of payment. The form of payment was listed as "pay card". The auditor searched for the payment processing company associated with the pay card in question and noted that one of the FAQs about the card states "Certain transaction and service fees and costs may be associated with the use of this feature". It is unknown if workers are paying a fee for the use of the pay card to collect their wages, which would be contrary to FLA benchmarks.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.1.3
Benchmark Details	Employers should implement an annual, review process with input from workers of all policies, procedures and their implementation to ensure they meet legal requirements and the FLA Workplace Code.
Finding Details	The factory does not have channels to consult with workers on policy and procedure updates. There is no health and safety committee, worker committee, surveys, or other forms to gather employee feedback.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.12
Benchmark Details	For any contract/contingent/temporary worker who becomes a permanent employee, seniority and other fringe benefits eligibility must be dated from the first date as a contract/contingent/temporary worker and not from the first day of permanent employment.
Finding Details	The company does not have a policy to govern cases of contract/contingent/temporary workers who have become permanent employees and to calculate seniority and fringe benefits from those workers' first day as a contract/contingent/temporary worker. The company has recently utilized the services of a temporary labor agency.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.3.4
Benchmark Details	Records of disciplinary action must be maintained in the worker's personnel file.
Finding Details	At times, verbal warnings are issued to workers without being documented.
Recommendation for Immediate Action	Provide an effective procedure for grievance mechanism: (1) Update and revise the policy of progressive discipline to address other negative behaviors. (2) Identify the progressive steps such as coaching, verbal, 1st written, 2nd written, suspension, termination. (3) Revise and update the progressive disciplinary policy to include the appeal process, and the inclusion of 3rd party witness if requested by the employee. (4) Identity the key or senior manager responsible to manage or oversee the process. (5) Training for managers, supervisors, and employee, and considerate language needs of the training. (6) Update and align the disciplinary action form with the progressive steps. (7) Include procedures to document and retain all disciplinary actions. (8) Communication of the new policy, both at onboarding and annual refresher.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	ER.18.1.1
Benchmark Details	The disciplinary system shall be applied in a fair and nondiscriminatory manner and include a management review of the actions by someone senior to the manager who imposed the disciplinary action.

Finding Details	Worker interviews revealed that the inconsistent application of the progressive discipline system (described in finding ER.18.1) results in perceived unfairly different treatment of workers.
Recommendation for Immediate Action	Provide an effective procedure for grievance mechanism: (1) Update and revise the policy of progressive discipline to address other negative behaviors. (2) Identify the progressive steps such as coaching, verbal, 1st written, 2nd written, suspension, termination. (3) Revise and update the progressive disciplinary policy to include the appeal process, and the inclusion of 3rd party witness if requested by the employee. (4) Identity the key or senior manager responsible to manage or oversee the process. (5) Training for managers, supervisors, and employee, and considerate language needs of the training. (6) Update and align the disciplinary action form with the progressive steps. (7) Include procedures to document and retain all disciplinary actions. (8) Communication of the new policy, both at onboarding and annual refresher.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	ER.18.6
Benchmark Details	The workplace shall commit to non-retaliation for all steps of the disciplinary process, including for a worker requesting a witness and filing an appeal of disciplinary action.
Finding Details	The facility does not have a policy that includes the process for workers to request a third-party witness during the imposition of disciplinary action and no process to describe an appeal in case of disagreement with the disciplinary action imposed. Moreover, the disciplinary action form does not include a space for worker comments. The form includes a space for the signature of a witness but this is only for cases where a worker refuses to sign the form.

<p>Recommendation for Immediate Action</p>	<p>Provide an effective procedure for grievance mechanism: (1) Update and revise the policy of progressive discipline to address other negative behaviors. (2) Identify the progressive steps such as coaching, verbal, 1st written, 2nd written, suspension, termination. (3) Revise and update the progressive disciplinary policy to include the appeal process, and the inclusion of 3rd party witness if requested by the employee. (4) Identity the key or senior manager responsible to manage or oversee the process. (5) Training for managers, supervisors, and employee, and considerate language needs of the training. (6) Update and align the disciplinary action form with the progressive steps. (7) Include procedures to document and retain all disciplinary actions. (8) Communication of the new policy, both at onboarding and annual refresher.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	
<p>Benchmark ID</p>	<p>ER.18.3.1</p>
<p>Benchmark Details</p>	<p>Workers must be informed when a disciplinary procedure has been initiated against them.</p>
<p>Finding Details</p>	<p>During the assessment's review of disciplinary actions, it was noted that all forms were written in English. The auditor interviewed at least 6 workers who do not speak English and noted that at least 2 of them have received written disciplinary warnings for quality issues. When the auditor interviewed the Production Manager, the Production Manager indicated that a bilingual worker helped to verbally translate the warning to the worker affected. However, although the worker receiving the warning must sign the form, there is no evidence or indication in this form of the name of the translator or his/her signature, and no evidence to ascertain that the translation was accurate.</p>

Recommendation for Immediate Action	Provide an effective procedure for grievance mechanism: (1) Update and revise the policy of progressive discipline to address other negative behaviors. (2) Identify the progressive steps such as coaching, verbal, 1st written, 2nd written, suspension, termination. (3) Revise and update the progressive disciplinary policy to include the appeal process, and the inclusion of 3rd party witness if requested by the employee. (4) Identity the key or senior manager responsible to manage or oversee the process. (5) Training for managers, supervisors, and employee, and considerate language needs of the training. (6) Update and align the disciplinary action form with the progressive steps. (7) Include procedures to document and retain all disciplinary actions. (8) Communication of the new policy, both at onboarding and annual refresher.
Compliance Classifications	Immediate Action Required
Local Law	
Forced Labor (F)	
Benchmark ID	F.1.1
Benchmark Details	Employers, employment agencies, and intermediaries shall comply with all national laws, regulations and procedures concerning the prohibition of forced labor and human trafficking.
Finding Details	The factory does not have a written policy on forced labor. Furthermore, the company penalizes workers for not working overtime, and the company lacks an opt-out process for overtime work (See finding HOW.8.2 for full details). However, the company has implemented the following practices: an at-will employment policy, the use of employment applications, and the use of job descriptions to prevent forced labor; no hiring or recruitment fees, no loans to employees, and no restrictions on freedom of movement in the workplace.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	

Freedom Of Association And Collective Bargaining (FOA)

Benchmark ID	FOA.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning freedom of association and collective bargaining. national laws, rules, and procedures protecting the rights of workers to organize and bargain collectively. Where local laws and FLA standards differ, the employer is expected to follow the highest applicable standard.
Finding Details	The facility does not have policies and procedures on Freedom of Association.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Harassment Or Abuse (H/A)

Benchmark ID	H/A.8.1
Benchmark Details	Employers shall ensure that the workplace and all workplace facilities (such as employer- provided transportation or dormitories) are free from any type of violence, harassment or abuse, be it physical, sexual, psychological, verbal, or otherwise.

Finding Details	The deficiencies of the anti-harassment policy in the employee handbook (described in full in finding H/A.8.3), combined with deficiencies in the factory's grievance system, leave workers vulnerable potentially intimidating, hostile or offensive acts.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	H/A.11
Benchmark Details	Employers shall have a system to discipline supervisors, managers or workers who engage in any physical, sexual, psychological or verbal violence, harassment or abuse, through measures such as compulsory counseling, warnings, demotions, and terminations or a combination thereof regardless of whether such action was intended as a means to maintain labor discipline with a view to preventing the reoccurrence of violence and harassment, and facilitating their reintegration into work, where appropriate.
Finding Details	There is no evidence that the Production Manager has been disciplined for cases of verbal abuse reported by workers.
Recommendation for Immediate Action	1. Management should review and identify the acceptable disciplinary action for the allegations of verbal abuse, such as written or final notice- and document in the permanent record of the individual. 2. Provide training on the company's harassment and abuse policy. 3. Identify performance check in for mid- year and year end performance reviews. 4. Review company's non retaliation policy with employee.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	H/A.5

Benchmark Details	Employers shall not use any form of verbal violence, including screaming, yelling, or the use of threatening, demeaning, or insulting language, as a means to maintain labor discipline.
Finding Details	Worker interviews indicate that workers have previously raised concerns at the facility regarding verbally abusive language used by management.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	H/A.8.3
Benchmark Details	Employers, shall develop, implement and monitor policy and procedures for eliminating the risk of violence, harassment, and abuse in the workplace. Policies and procedures shall include a clear statement that violence, harassment, and abuse will not be tolerated, procedures for the investigation of allegations, and measures to protect any complainants, victims, and witnesses.
Finding Details	The anti-harassment policy on page 5 of the employee handbook includes a statement against sexual harassment and other types of discriminatory harassment. However, the policy only defines and provides examples of sexual harassment. Other forms and examples of harassment are not defined, for example, discriminatory harassment based on protected categories and any other verbal, visual, or physical actions or behavior that could create an offensive or hostile work environment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Health, Safety And Environment (HSE)

Benchmark ID	HSE.30.1
Benchmark Details	Employers shall develop, maintain, and regularly review health, safety, and environmental policies to ensure that they comply with all national laws, regulations and the FLA Workplace Code concerning health, safety, and environmental standards, regulations and procedures.
Finding Details	There are no written policies or procedures in place on environmental protection; however, practices are in place to ensure environmental protection.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.9.1
Benchmark Details	All chemicals and hazardous substances shall be properly labeled and stored in secure and ventilated areas and disposed of in a safe and legal manner, in accordance with applicable laws and international standards.
Finding Details	A spot-cleaning spray gun containing the chemical TS-3 (ink remover) was not labeled. Facility management corrected this finding immediately after the tour.
Recommendation for Immediate Action	Establish a program to label all containers, especially chemical containers. Train workers. Provide SDS, as appropriate. Conduct walk-through in work areas to identify or validate proper labeling.
Compliance Classifications	Immediate Action Required
Local Law	

Benchmark ID	HSE.6.1
Benchmark Details	All safety and medical equipment (e.g. fire fighting equipment, first aid kits) shall be available in sufficient numbers throughout the workplace, maintained and stocked as prescribed, and easily accessible to workers.
Finding Details	During the facility tour, it was noted that an eye wash station was missing in the ink area. The facility corrected this finding by replacing the eyewash bottle immediately after the tour.
Recommendation for Immediate Action	Conduct a review of first aid kits, eye wash stations, or any other equipment to be used in the emergency setting. Train workers to report issues. Identify the point person responsible for the review, and establish cadence (daily, weekly, monthly, etc.)
Compliance Classifications	Immediate Action Required
Local Law	OSHA 29 CFR 1910.151(c)
Benchmark ID	HSE.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.
Finding Details	The facility does not have a formal health and safety committee with the participation of workers and management. Management indicates that the owners and the Production Manager meet regularly to discuss health and safety-related issues, updates, training, etc. but there is not currently a structure that includes workers from different areas, regular meetings, etc. During the factory tour, the auditor observed that the door leading to the tool room did not have any labels. This door can be mistaken for an exit. Management corrected this issue immediately after the tour by placing a label reading "tool room".
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
Benchmark ID	HSE.17.2
Benchmark Details	Employers shall train workers in proper lifting techniques, and items such as lifting belts shall be provided.
Finding Details	The facility does not provide any training on ergonomics.
Recommendation for Immediate Action	Conduct an ergonomic assessment, and implement any recommendations. Provide training to employees. Provide necessary equipment or accessory.
Compliance Classifications	Immediate Action Required
Local Law	OSHA 29 CFR Part 1910
Benchmark ID	HSE.17.1
Benchmark Details	Workstations, including seating and standing arrangements and reach required to obtain tools, shall be designed and set-up in such a manner as to minimize bodily strains.
Finding Details	The facility has not conducted an ergonomic assessment to identify the risks of injuries for repetitive motion and incorrect posture in each job position and implement control measures such as adjustable workstations, stretching exercises, automation of manual tasks (i.e lifting weight), rotation of workers exposed in different positions, and training. For example, during the facility tour, it was noted that some workers in standing positions (i.e. heat transfer) did not have an anti-fatigue mat at their workstation. Facility management corrected this during the course of the assessment by providing mats.
Recommendation for Immediate Action	Conduct an ergonomic assessment, and implement any recommendations. Provide training to employees. Provide necessary equipment or accessory, such as ergonomic mats.
Compliance Classifications	Immediate Action Required

Local Law	OSHA 29 CFR Part 1910
Hours Of Work (HOW)	
Benchmark ID	HOW.8.2
Benchmark Details	All overtime work shall be consensual, and employers shall enact a voluntary overtime system, including for overtime utilized in exceptional circumstances*.
Finding Details	Overtime hours at the facility are not voluntary. Page 13 of the employee handbook states that the company has the authority "to discharge employees for refusing to work OT". According to the interviewed workers, the factory notifies them when there will be overtime. For example, if overtime will be required on Saturday, management will give notice on Wednesday. Workers perceive that overtime is expected and mandatory. The workers also confirmed that there is no list to sign up for overtime and there is no formal process to opt out. None of the workers interviewed indicated they were subject to penalties for refusing to work OT.
Recommendation for Immediate Action	Update policy to meet FLA or code requirements. Communicate and train workers. Review production planning to meet requirements. Review time records to identify issues, or root causes if not meeting code requirements.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	HOW.22.1
Benchmark Details	Employers shall have in place policies for managing all working hour, overtime, and leave records in normal and exceptional circumstances.

Finding Details	The overtime policy and hours of work policy found on pages 5 -7 of the employee handbook do not include the following elements required by the FLA Code: limitation of working hours to 60 in one week (including regular plus overtime), no more than 6 consecutive working days, and all overtime work shall be voluntary.
Recommendation for Immediate Action	Update policy to meet FLA or code requirements. Communicate and train workers. Review production planning to meet requirements. Review time records to identify issues, or root causes if not meeting code requirements.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	HOW.12.2
Benchmark Details	The time at which annual leave is taken is determined by employers in consultation with workers, taking into account work requirements and the opportunities for rest and relaxation available to workers.
Finding Details	The facility did not provide a policy or process for workers to request leave.
Recommendation for Immediate Action	Develop policy and communicate the leave calendar. Establish a process to request leave.
Compliance Classifications	Immediate Action Required
Local Law	

