

# Fair Labor Association: Independent External Factory Assessment

Assessment Date :

**21 Aug 2023**



## Factory Information

FLA Affiliates	Burton Snowboards
Country	United States of America
Number of Workers	24

## 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

Employment Relationship (ER)	4
Freedom Of Association And Collective Bargaining (FOA)	1

## Assessment Information

Assessor	Rodriguez Compliance Group
Assessment Date	21 Aug 2023
Assessment Purpose	Factory Assessment (In-Person)

## ASSESSMENT RESULTS

### Employment Relationship (ER)

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	The factory does not have a written policy that governs all aspects of termination such as voluntary, involuntary termination or layoffs.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.1
Benchmark Details	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).
Finding Details	While the factory records or documents disciplinary actions and follows a progressive system in practice, the current employee handbook does not communicate a policy on progressive discipline which includes an appeal process and a third-party witness.

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	Three (3) out of ten (10) employment eligibility verification forms (I-9s) of workers in the sample, had the following deficiencies: - One I-9 was not completed within 3 days of employment. The first day of employment was 2/13/2023 but the I-9 was signed by the employer on 2/27/2023. -Section 2 (Employer Review and Verification) of one I-9 was not completed. -Section 2 (Employer Review and Verification) of one I-9 was incomplete - the certification section was not filled.
Recommendation for Immediate Action	The facility shall conduct and audit of all of the documents related to I-9s to ensure accurate submission or completion, as legally required. The corrections shall be made according to the guidelines of the US Citizenship and Immigration Services.
Compliance Classifications	Immediate Action Required
Local Law	The Immigration Reform and Control Act of 1986 Section 274A (b) of the Immigration and Nationality Act
Benchmark ID	ER.17.2
Benchmark Details	There shall be a mechanism that allows workers to report harassment and grievances confidentially, including any concerns or problems they may be experiencing around legally owed payments during a retrenchment process.

Finding Details	While the factory has a grievance policy and system that allows workers to report complaints directly to management or to Human Resources, there is not an anonymous complaint mechanism.
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 factory does not have a written Freedom of Association policy (or statement) as part of the Code of Conduct or employee handbook.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

