

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

23 Jul 2024



Factory Information

FLA Affiliates	Reformation
Country	United States of America
Number of Workers	58

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
Child Labor (CL)	1
Compensation (C)	1
Employment Relationship (ER)	20
Freedom Of Association And Collective Bargaining (FOA)	1
Harassment Or Abuse (H/A)	1
Health, Safety And Environment (HSE)	28
Hours Of Work (HOW)	2
Nondiscrimination (ND)	1

Assessment Information

Assessor	Rodriguez Compliance Group
Assessment Date	23 Jul 2024
Assessment Purpose	

ASSESSMENT RESULTS

Child Labor (CL)

Benchmark ID	CL.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning the prohibition of child labor.
Finding Details	The factory has not taken any proactive actions to prevent child labor. The company has posted a child labor policy which prohibits hiring under the age of 16. The policy is posted on the bulletin board, in Spanish and English, but the company does not provide training on this policy. In addition, the factory has not included the communication regarding written policy and practices related to child labor, such as in an Employee Handbook. In practical, the factory has not required the applicant to provide the date of birth in the I-9 form to verify the identity and authorization of individuals for employment (Employment Eligibility Verification). The sample review of the I-9 documents of ten (10) employees showed that the applicants did not submit the information regarding their date of birth to be validated by the factory. According to factory management, the owner thinks it is an illegal or improper practice to ask the date of birth of an applicant. However, the factory will make copies of the government issued identification document, which are required for the I-9 process.
Recommendation for Immediate Action	Ensure that the applicant fills in their date of birth on the Employment Eligibility Verification form (I-9), and the employer signs the first date of hire in the Employer Review and Verification section.
Compliance Classifications	Immediate Action Required
Local Law	

Compensation (C)

Benchmark ID	C.22
Benchmark Details	Employers must establish a system through which workers can dispute compensation and receive clarifications in this respect in a timely manner.
Finding Details	The factory has not established a system with specific procedures for workers to submit grievances or questions about wage payments and benefits. There is no employee handbook, policy and procedure established to communicate to workers how to file a grievance. Based on workers interview, there is no concern related to compensation and if there is any complaint, they can speak directly to supervisors or employer.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

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	REVIEW ER.17.1 1. The Site management does not communicate through an employee handbook any written policies and practices which enables workers to consult with and provide input to management. 2. Management has not provided an effective channel such as a suggestion box for workers to use whenever a worker has a need or question. The owner who is responsible for administrative duties advised that he had placed a suggestion box, an unlabeled black box without instructions on the factory floor, but workers took the paper and pencils. During interviews, workers stated they communicate any concerns initially to the floor supervisor who speaks Spanish, or they approach the owners.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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 has not provided training on all FLA's Code elements and Employment Functions to all workers. There are no qualified staff responsible for administration of human resources and social compliance issues at the workplace to ensure workers at all levels receive communication and training about existing policies and procedures.
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	REVIEW ER.18.1 The management did not demonstrate familiarity of the disciplinary system.
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 company did not provide evidence of training given to managers or supervisors to know, understand and apply national laws, workplace regulations, and the FLA Code, workplace grievance systems, and the appropriate practices to ensure compliance.
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>1. The Site management does not communicate through an employee handbook any written policies and practices which enables workers to consult with and provide input to management. 2. Management has not provided an effective channel such as a suggestion box for workers to use whenever a worker has a need or question. The owner who is responsible for administrative duties advised that he had placed a suggestion box, an unlabeled black box without instructions on the factory floor, but workers took the paper and pencils. During interviews, workers stated they communicate any concerns initially to the floor supervisor who speaks Spanish, or they approach the owners.</p>
<p>Recommendation for Immediate Action</p>	<p>Ensure that an efficient grievance system is in place within the facility by providing relevant training to all workers.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	
<p>Benchmark ID</p>	<p>ER.1.1</p>
<p>Benchmark Details</p>	<p>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.</p>
<p>Finding Details</p>	<p>1. The Site management does not communicate through an employee handbook, any 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. 2. A review of the company bulletin identified a few policies displayed; however, the policies are not discussed with the workers, and the documents are not posted in both languages (English and Spanish). 3. The company does not provide evidence of new hire orientation and/or annual refreshers for the workforce to know and understand the policies.</p>

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	<p>1. The Site management does not communicate through an employee handbook any written policies and practices related to progressive discipline, or behaviors that would merit a disciplinary action. A review of personnel files did not identify any record of disciplinary actions. There is no evidence of an appeal process, or a third-party witness during the imposition of a disciplinary action. None of the workers interviewed could explain the disciplinary policy.</p> <p>2. The site management has posted on the bulletin board a “non-retaliation policy” in English, while the Spanish translation makes a reference to “la venganza” [revenge] which is not an accurate translation of the concept of “non-retaliation”. However, site management did not provide evidence of training workers on the policy.</p>
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
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	The site management did not provide evidence 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.
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 site management did not present evidence of 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. A review of personnel files did not produce any evidence of performance reviews documented for any worker, and interviewed workers could not validate if performance reviews are conducted by management.
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 site management did not provide any evidence of 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.
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 site management did not present evidence of written policies and procedures 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. Management did not provide evidence of new hire orientation or of annual refreshers, and interviewed workers could not confirm attending such training.
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 factory has not posted written workplace standards that relevant with the company (brand) standard, FLA Workplace Code and required laws.
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 company did not provide evidence of new hire orientation and/or annual refreshers for the workforce to know and understand the company policies or legal requirements. A review of the company bulletin identified a few policies; however, the policies are not discussed with workers, and the documents which are posted, are not posted in both languages (English and Spanish).
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 has not implemented 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.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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	Review ER 18.1 1. The Site management does not communicate through an employee handbook any written policies and practices related to progressive discipline, or behaviors that would merit a disciplinary action. A review of personnel files did not identify any record of disciplinary actions. There is no evidence of an appeal process, or a third-party witness during the imposition of a disciplinary action. None of the workers interviewed could explain the disciplinary policy. 2. The site management has posted on the bulletin board a “non-retaliation policy” in English, while the Spanish translation makes a reference to “la venganza” [revenge] which is not an accurate translation of the concept of “non-retaliation”. However, site management did not provide evidence of training workers on the policy.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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	Review ER.18.1. The Site management does not communicate through an employee handbook any written policies and practices related to progressive discipline, or behaviors that would merit a disciplinary action. A review of personnel files did not identify any record of disciplinary actions. There is no evidence of an appeal process, or a third-party witness during the imposition of a disciplinary action. None of the workers interviewed could explain the disciplinary policy. The site management has posted on the bulletin board a “non-retaliation policy” in English, while the Spanish translation makes a reference to “la venganza” [revenge] which is not an accurate translation of the concept of “non-retaliation”. However, site management did not provide evidence of training workers on the policy.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.3.2
Benchmark Details	Workers have the right to participate and be heard in any disciplinary procedure against them.
Finding Details	REVIEW ER.18.1. The Site management does not communicate through an employee handbook any written policies and practices related to progressive discipline, or behaviors that would merit a disciplinary action. A review of personnel files did not identify any record of disciplinary actions. There is no evidence of an appeal process, or a third-party witness during the imposition of a disciplinary action. None of the workers interviewed could explain the disciplinary policy. The site management has posted on the bulletin board a “non-retaliation policy” in English, while the Spanish translation makes a reference to “la venganza” [revenge] which is not an accurate translation of the concept of “non-retaliation”. However, site management did not provide evidence of training workers on the policy.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.3.1
Benchmark Details	Workers must be informed when a disciplinary procedure has been initiated against them.
Finding Details	<p>REVIEW ER.18.1. The Site management does not communicate through an employee handbook any written policies and practices related to progressive discipline, or behaviors that would merit a disciplinary action. A review of personnel files did not identify any record of disciplinary actions. There is no evidence of an appeal process, or a third-party witness during the imposition of a disciplinary action. None of the workers interviewed could explain the disciplinary policy. The site management has posted on the bulletin board a "non-retaliation policy" in English, while the Spanish translation makes a reference to "la venganza" [revenge] which is not an accurate translation of the concept of "non-retaliation". However, site management did not provide evidence of training workers on the policy.</p>
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.3.3
Benchmark Details	Workers must sign all written records of disciplinary action against them.

Finding Details	REVIEW ER.18.1. The Site management does not communicate through an employee handbook any written policies and practices related to progressive discipline, or behaviors that would merit a disciplinary action. A review of personnel files did not identify any record of disciplinary actions. There is no evidence of an appeal process, or a third-party witness during the imposition of a disciplinary action. None of the workers interviewed could explain the disciplinary policy. The site management has posted on the bulletin board a "non-retaliation policy" in English, while the Spanish translation makes a reference to "la venganza" [revenge] which is not an accurate translation of the concept of "non-retaliation". However, site management did not provide evidence of training workers on the policy.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.3.3
Benchmark Details	Workers should be provided with written documentation that substantiates all the issues covered in orientation briefings.
Finding Details	The site management did not present evidence of written policies and procedures provided to workers. The company does not utilize an employee handbook. Management did not provide evidence of new hire orientation or of annual refreshers. None of the workers interviewed could validate such training whether at orientation nor participation in an annual refresher.
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 site management did not provide evidence of a policy, or procedures related to freedom of association and collective bargaining. national laws, rules, and procedures protecting the rights of workers to organize and bargain collectively. A review of bulletin board did not identify such a policy, or procedure and the company does not utilize an employee handbook to communicate such a policy.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Harassment Or Abuse (H/A)

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 site management did not provide evidence of policy and procedures for eliminating the risk of violence, harassment, and abuse in the workplace. A review of bulletin board did not identify such a policy, or procedure and the company does not utilize an employee handbook to communicate such a policy and does not provide new hire orientation. Site management advised the use of training video on prevention of sexual harassment in the workplace, however, the awareness by workers was very low, as some workers could not remember when the training occurred. Furthermore, per state law, the training for individuals identified as supervisors requires a 2-hour session as opposed to the one hour session for regular employees, and state law requires that such training be lead by a trained HR professional, and the company does not have such an trained individual.
Recommendation for Immediate Action	1. Review the CA Sexual Harassment Prevention requirements 2, Revise the policy and procedures to address deficiencies. 3. Communicate with Senior management 4. Provide training to all level of employees. in the language of the worker. Identify a trained professional to lead the training efforts. 5. Review Policy on a periodic basis
Compliance Classifications	Immediate Action Required
Local Law	CA Sexual Harassment Prevention

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	The site management has not developed nor communicated 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. The company has not met the requirements of the state of California's Injury and Illnesses Prevention Program which is an important written workplace safety program, and requires involve and awareness of employees, and effective training to be provided by the employer.
Recommendation for Immediate Action	1. Develop a policy or procedure on health, safety, and environmental policies. 2. Provide written documentation of the policy and procedures. 3. Provide training at new hire orientation and annual refresher. 4. Conduct periodic review of policies and procedures and update or revise as necessary whether to meet legal or customer requirements.
Compliance Classifications	Immediate Action Required
Local Law	Injury and Illnesses Prevention Program, Title 8, Section 3203
Benchmark ID	HSE.6.2
Benchmark Details	A sufficient number of workers shall be trained in first aid and firefighting techniques. Training shall be upon hire and with periodic refresher training.
Finding Details	The site management did not present evidence of training of production workers on the use of fire extinguishers or in first aid. During worker interviews, none of the nine (9) workers confirmed any type of training on the use of fire extinguishers or in first aid. The site management did not provide evidence of actual training given to workers. The training materials provided on first aid listed the name of owners as trained individual. Furthermore, the first aid kits do not list the names of workers trained on first aid.
Recommendation for Immediate Action	1. Provide training to workers, both men and women, on the use of fire extinguishers and first aid. 2. Communicate the names of trained first aiders. 3. Ensure training is on a periodic schedule.

Compliance Classifications	Immediate Action Required
Local Law	CAL OSHA Title 8, Section 6151 [fire extinguishers] Title 8 of the California Code of Regulations (T8CCR) section 3203 [training of workers]
Benchmark ID	HSE.5.3
Benchmark Details	Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually.
Finding Details	REVIEW HSE.5.1 Site management did not provide details or summary of annual emergency drills. New employees admitted not receiving instructions or overview on evacuation drills.
Recommendation for Immediate Action	Ensure that all workers participate in a full evacuation drill at least annually.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	HSE.5.1.5
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all of the following elements: employee education and training
Finding Details	REVIEW HSE.5.1 There are two (2) doors on the front (south side) of the building, and no exits at the back of the building (north side). The exits are not identified on the exterior and occasionally there are vehicles parked in front of these doors, which may impede egress in the moment of an emergency, or evacuation. Management has not provided clear and easily identifiable marking on the floor, wall, or otherwise, indicating exit routes for each work area Furthermore, the site management did not provide written emergency action plans, nor summaries of any fire drills conducted within the last year.

Recommendation for Immediate Action	1. Identify emergency exits (interior and exterior) signage and indicate the path to exit. 2. Ensure exits are not blocked by equipment, vehicles, or work in process. 3. Train employees in emergency exit procedures. 4. Maintain written emergency action plans and summaries of fire drills.
Compliance Classifications	Immediate Action Required
Local Law	California Code of Regulations, Title 8, Section 3220
Benchmark ID	HSE.5.1
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all of the following elements: posting evacuation plans; the installation and maintenance of fire alarms; the installation and maintenance of emergency lighting; ensuring aisles/exits are not blocked and that workers are not blocked within their workstations; employee education and training; and evacuation procedures and fire drills.
Finding Details	There are two (2) doors on the front (south side) of the building, and no exits at the back of the building (north side). The exits are not identified on the exterior and occasionally vehicles parked in front of these doors, which may impede egress in the moment of an emergency, or evacuation. Management has not provided clear and easily identifiable marking on the floor, wall, or otherwise, indicating exit routes for each work area Furthermore, the site management did not provide written emergency action plans, nor summaries of any fire drills conducted within the last year.
Recommendation for Immediate Action	1. Identify emergency exits (interior and exterior) signage and indicate the path to exit. 2. Ensure exits are not blocked by equipment, vehicles or work in process. 3. Train employees on emergency exit procedures. 4. Maintain written emergency action plans and summaries of fire drills.
Compliance Classifications	Immediate Action Required
Local Law	California Code of Regulations, Title 8, Section 3220

Benchmark ID	HSE.5.1.6
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following elements: evacuation procedures and fire drills
Finding Details	REVIEW HSE.5.1 There are two (2) doors on the front (south side) of the building, and no exits at the back of the building (north side). The exits are not identified on the exterior and occasionally there are vehicles parked in front of these doors, which may impede egress in the moment of an emergency, or evacuation. Management has not provided clear and easily identifiable marking on the floor, wall, or otherwise, indicating exit routes for each work area Furthermore, the site management did not provide written emergency action plans, nor summaries of any fire drills conducted within the last year.
Recommendation for Immediate Action	1. Identity emergency exits (interior and exterior) signage and indicate the path to exit. 2. Ensure exits are not blocked by equipment, vehicles, or work in process. 3. Train employees in emergency exit procedures. 4. Maintain written emergency action plans and summaries of fire drills.
Compliance Classifications	Immediate Action Required
Local Law	California Code of Regulations, Title 8, Section 3220
Benchmark ID	HSE.5.1.3
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following elements: installation and maintenance of emergency lighting
Finding Details	During the physical review of the facility, the auditor tested two of the six (6) emergency lights placed over the doorways and the two emergency lights failed to function.
Recommendation for Immediate Action	Repair emergency lights and conduct periodic review to ensure functionality.

Compliance Classifications	Immediate Action Required
Local Law	Federal OSHA 29CFR1910.37 State of California, Title 8, Section 2571.16 (Emergency Illumination)
Benchmark ID	HSE.5.1.4
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following: ensuring aisles/exits are not blocked and that workers are not blocked within their workstations
Finding Details	REVIEW HSE.5.1 There are two (2) doors on the front (south side) of the building, and no exits at the back of the building (north side). The exits are not identified on the exterior and occasionally there are vehicles parked in front of these doors, which may impede egress in the moment of an emergency, or evacuation. Management has not provided clear and easily identifiable marking on the floor, wall, or otherwise, indicating exit routes for each work area. Furthermore, the site management did not provide written emergency action plans, nor summaries of any fire drills conducted within the last year.
Recommendation for Immediate Action	1. Identity emergency exits (interior and exterior) signage and indicate the path to exit. 2. Ensure exits are not blocked by equipment, vehicles, or work in process. 3. Train employees in emergency exit procedures. 4. Maintain written emergency action plans and summaries of fire drills.
Compliance Classifications	Immediate Action Required
Local Law	California Code of Regulations, Title 8, Section 3220
Benchmark ID	HSE.2
Benchmark Details	All documents required to be available to workers and management by applicable laws (e.g. health and safety policies, MSDS, environmental emergency plans) shall be made available in the prescribed manner and in the local language or language spoken by the workers, if different from the local language.

<p>Finding Details</p>	<p>The site management has not provided communication or training on health and safety aspects of the workplace. The site management does not use employee handbook to detail health and safety rules. For example, the state of California required document on Illness and Injury Prevention Program is not fully developed nor communicated to workers. The site management does not communicate the OSHA Log outcome for the year. It is recommended that health and safety information should be communicated in the language of the workforce who reads and speak Spanish.</p>
<p>Recommendation for Immediate Action</p>	<p>1. Develop a policy or procedure regarding health and safety policies and legal requirements. 2. Communicate and provide written documentation of the policy and procedures. 3. Provide periodic training to workers in the language of the workers. 4. Conduct periodic review of policies and procedures and update or revise as necessary whether to meet legal or customer requirements.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>Title 8 of the California Code of Regulations (T8CCR), section 3203 from Cal/OSHA. Federal 29 CFR 1904.35(b)(2) [OSHA Log access to workforce]</p>
<p>Benchmark ID</p>	<p>HSE.19</p>
<p>Benchmark Details</p>	<p>All facilities including workplace buildings, toilets, canteens, kitchens, and clinics, shall be kept clean and safe and be in compliance with all applicable laws, including relevant sanitation, medical, and safety and health regulations.</p>
<p>Finding Details</p>	<p>A physical review of the work floor identified the following concerns: 1. Extreme accumulation of lint on overhead light fixtures, on the kit for Bloodborne Pathogens, etc. 2. Trash can without lids Site management did advise a worker arrives early in the workday to clean up the work area.</p>
<p>Recommendation for Immediate Action</p>	<p>1. Identity housekeeping needs, if necessary, provide checklist 2. Identify the individual(s) responsible to keep areas 3. Schedule regular cleaning activities 4. Ensure appropriate cleaning supplies are available</p>

Compliance Classifications	Immediate Action Required
Local Law	OSHA 29CFR 1910.22 {General Housekeeping Requirements] California Title 8, Section 3362 [General Requirements]
Benchmark ID	HSE.13
Benchmark Details	All necessary ventilation, plumbing, electrical, noise and lighting services shall be installed and maintained to conform to applicable laws and to prevent or minimize hazardous conditions to workers in the facility.
Finding Details	Site management did not present evidence of assessments conducted. However, there are fans in use and doors are kept open. A physical review of the workplace identified an excessive amount of lint and dust throughout the facility.
Recommendation for Immediate Action	1. Develop policy and procedures for housekeeping 2. Identify roles and responsibilities 3. Provide materials and supplies, and calendar or schedule of housekeeping activities 4. Provide training if necessary
Compliance Classifications	Immediate Action Required
Local Law	OSHA in 29 CFR 1910.22 (General rules of Housekeeping in the workplace) CAL OSHA - State of California Title 8, Section 1513 (Housekeeping)
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.

<p>Finding Details</p>	<p>Site management did not provide policy or procedures related to production machinery, equipment and tools shall be properly guarded and regularly maintained. Site management did not provide evidence of training for workers responsible for the maintenance or repair of equipment. The training materials provided on LOTO procedures identified the name of owners as trained, nonetheless, the name of the plant mechanic or other workers, for example, was not listed as trained on the LOTO process. A review of the physical work area did not identify the Lock out Tag Out procedures (LOTO) nor the LOTO station. During the physical review of the facility, the auditor observed sewing machine operators not using consistently the eye guards on the machines, and a sew machine operator (male worker) wore open toe footwear (sandals) when operating the sewing machine.</p>
<p>Recommendation for Immediate Action</p>	<p>1. Develop a policy or procedure safety program for production machinery, equipment and tools. 2. Communicate and provide written documentation of the policy and procedures. 3. Provide periodic training to workers, as appropriate. Identify who is responsible for LOTO procedures and training. 4. Conduct periodic review of policies and procedures and update or revise as necessary whether to meet legal or customer requirements.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>Federal OSHA29 CFR 1910 LOTO State of California Code of Regulations in Title 8 (TCCR 3314)</p>
<p>Benchmark ID</p>	<p>HSE.6.1</p>
<p>Benchmark Details</p>	<p>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.</p>

<p>Finding Details</p>	<p>A physical review of the work floor identified the following: 1) a fire extinguisher blocked by shelving unit in the production area, 2) a fire extinguisher blocked by work in process, 3) fire extinguishers (6) which lack monthly inspection, 4) the secondary eyewash station (wall unit) to be obstructed by equipment or work in process (WIP), 5) the saline bottle for the secondary eyewash lacks the date of expiry. The factory has two (2) first aid kits, but the contents do not conform to local requirements, as per described in Title 8, Section 1512 which states that kits for a workplace with 16 to 200 workers contain the following: gauzes, tape roll, dressing, bandages, tweezers & scissors, safety pin, etc. Furthermore, the list of employees trained on first aid is published (whether by name or picture).</p>
<p>Recommendation for Immediate Action</p>	<p>1. Fire extinguishers require both annual and monthly inspections. 2. Fire extinguishers should be easily accessible and not be obstructed or blocked by machinery or work in process. 3. Secondary eyewash should be accessible, and the saline solution should list the expiry dates. 4. Review the legal requirements for first aid kit, and conduct periodic review of the first aid kits.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>Federal OSHA 29CFR1910.157 [fire extinguishers] CAL OSHA Title 8, Section 6151 [fire extinguishers], and Section 1512 (first aid kit) ANSI Z358.1-1981 [secondary eyewash station]</p>
<p>Benchmark ID</p>	<p>HSE.4.1</p>
<p>Benchmark Details</p>	<p>Employers shall at all times be in possession of all legally required and valid permits and certificates related to health, safety, and environmental issues, such as: Purchase and storage of chemicals; Fire safety inspections; Machinery inspections; Waste disposal; Environmental licenses/permits; Sanitation permits, including those required for canteens; and Vehicle inspection and driver permits for all employer provided transportation.</p>
<p>Finding Details</p>	<p>Not all required permits related to health, safety and environment are updated. One health permit that issued by the City of Vernon has been expired since June 30, 2024, and it has not been updated to local authority.</p>

Recommendation for Immediate Action	Management should submit to local authorities the documentation necessary to obtain a current health permit.
Compliance Classifications	Immediate Action Required
Local Law	City of Vernon Health Permit https://www.cityofvernon.org/government/finance-treasury/licenses-permits
Benchmark ID	HSE.14.3
Benchmark Details	Employers shall ensure safety instructions are either displayed or posted near all machinery or are readily accessible to the workers in language(s) spoken by workers.
Finding Details	Site management did not provide policy or procedures related to production machinery, equipment and tools shall be properly guarded and regularly maintained. The site management has not posted safety instructions are either displayed or posted near all machinery or are readily accessible to the workers in language(s) spoken by workers.
Recommendation for Immediate Action	Ensure safety instructions are displayed or posted near all machinery or are readily accessible to the workers in language(s) spoken by workers.
Compliance Classifications	Immediate Action Required
Local Law	California Occupational Safety and Health Act of 1973 and Title 8 of the California Code of Regulations.
Benchmark ID	HSE.12
Benchmark Details	Employers shall ensure that women are not engaged in work that constitutes a substantial risk to their reproductive health.

Finding Details	REVIEW HSE10.1 A physical review of the work area did not identify the SDS station, and management did not provide any evidence of SDS materials available on site for any of the chemicals present in the workplace. The interviewed workers did not recognize the concept of SDS, nor demonstrated awareness of SDS documents for chemicals. The female workers interviewed are not aware of the workplace hazards which may affect reproductive health. Chemical products (machine oil, cleaning fluid, spray cans, varnish, etc.) were found throughout the work area without proper storage.
Recommendation for Immediate Action	Ensure that workers are trained to recognize the concept of Safety Data Sheets (SDSs) and to store chemical products properly.
Compliance Classifications	Immediate Action 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	REVIEW HSE.17.1 The site management did not present evidence of a policy or procedures to address ergonomics issues and did not provide evidence of actual training given to workers. During the physical review of the factory, the auditor noticed that workers have modified or added cushions and back rest to the employer provided work chair, or workers have bought their own work chairs for the factory. The owner commented that he provided work chairs, but he did not understand why workers brought their own chairs. The workers who have tasks which require standing throughout the workday do not have ergonomics training and do not rotate tasks to reduce stress or strain. In addition, workers who stand all day for their tasks do not have or do not use ergonomic mats.
Recommendation for Immediate Action	Provide training to workers on ergonomics, including proper lifting techniques, and ensure that all workers who stand during their shifts have access to ergonomic mats.
Compliance Classifications	Immediate Action Required

Local Law	State of California, Title 8, Section 5110 (Repetitive Motion Injuries)
Benchmark ID	HSE.10.1
Benchmark Details	Material Safety Data Sheets (MSDS) for all chemicals and hazardous substances used in the workplace must be available at the usage and storage sites of the chemicals and hazardous substances, in the local language and the language spoken by workers, if different from the local language.
Finding Details	A physical review of the work area did not identify the SDS station, and management did not provide any evidence of SDS materials available on site for any of the chemicals present in the workplace. Interviewed workers did not recognize the concept of SDS, nor demonstrated awareness of SDS documents for chemicals. Chemical products (machine oil, cleaning fluid, spray cans, varnish, etc.) were found throughout the work area without proper storage.
Recommendation for Immediate Action	1. Develop a policy or procedure chemical management (handling, storage, usage and disposal, etc.). 2. Provide written documentation of the policy and procedures to workers who handle chemicals. 3. Provide training at new hire orientation and annual refresher. 4. Collect the SDS materials and have available to workers in the necessary languages. 5. Conduct periodic review of policies and procedures and update or revise as necessary whether to meet legal or customer requirements.
Compliance Classifications	Immediate Action Required
Local Law	Federal OSHA requirements 29 CFR 1910.1200(g) and State of California Code of Regulations, title 8 (T8 CCR), Section 5194
Benchmark ID	HSE.5.4
Benchmark Details	The emergency evacuation plan (EEP) includes procedures for notifying local community authorities in case of accidental discharge or release of chemical/waste products or any other environmental emergency.

Finding Details	The site management did not present a written emergency evacuation plan (EEP) includes procedures for notifying local community authorities in case of accidental discharge or release of chemical/waste products or any other environmental emergency.
Recommendation for Immediate Action	1. Develop a policy or procedure on emergency evacuation plan. 2. Provide written documentation of the policy and procedures. 3. Provide training at new hire orientation and annual refresher. 4. Conduct periodic review of policies and procedures and update or revise as necessary whether to meet legal or customer requirements.
Compliance Classifications	Immediate Action Required
Local Law	California Code of Regulations, Title 8, Section 3220
Benchmark ID	HSE.30.2.6
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system including a HS&E risk assessment within which the following are clear and regularly tested and reviewed:protections to workers who allege health, safety, and environmental violations;
Finding Details	The site management did not present risk assessment. The management team did not present health, safety, and environmental policies as the framework for a comprehensive health, safety, and environmental management system including a HS&E risk assessment within which the following are clear and regularly tested and reviewed: protections to workers who allege health, safety, and environmental violations.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Benchmark ID	HSE.30.2
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system within which the following are clear and regularly tested and reviewed; procedures for reporting death, injury, illness and other health and safety issues (for instance, near-miss accidents) and environmental emergencies
Finding Details	The site management does not have a policy or procedure to report accidents or injuries, and the legally required OSHA Log is not recorded or managed. During this assessment, management provided blank records of OSHA Log 300, and the company did not have available the 5 years of records, as per OSHA requirements. OSHA requires employers with 10 workers or more to record and report work-related fatalities, injuries, and illnesses.
Recommendation for Immediate Action	1. Develop a policy or procedure to report accidents or injuries, and maintain the OSHA log as legally required. 2. Provide written documentation of the policy and procedures. 3. Provide training at new hire orientation and annual refresher. 4. Conduct periodic review of policies and procedures and update or revise as necessary whether to meet legal or customer requirements.
Compliance Classifications	Immediate Action Required
Local Law	Federal OSHA 29CFR1904.0 California Occupational Safety and Health Act of 1973 and Title 8 of the California Code of Regulations [OSHA log records]
Benchmark ID	HSE.11
Benchmark Details	To prevent unsafe exposure to hazardous chemicals and hazardous substances, appropriate accommodations shall be made for pregnant women and workers under the age of 18, as required by applicable laws or the provisions of the FLA Workplace Code, in a manner that does not unreasonably disadvantage workers.

Finding Details	REVIEW HSE.10.1 A physical review of the work area did not identify the SDS station, and management did not provide any evidence of SDS materials available on site for any of the chemicals present in the workplace. The interviewed workers did not recognize the concept of SDS, nor demonstrated awareness of SDS documents for chemicals. Chemical products (machine oil, cleaning fluid, spray cans, varnish, etc.) were found throughout the work area without proper storage.
Recommendation for Immediate Action	1. Identify the chemicals in use 2. Obtain the necessary SDS documents 3. Communicate the policy and procedures to workers who handle/store/use chemicals 4. Provide Training to workers who handle/store/use chemicals 5. Manage documentation, and update as required 6. Review policy and procedures, as necessary
Compliance Classifications	Immediate Action Required
Local Law	Title 8 of the California Code of Regulations, Section 3203
Benchmark ID	HSE.8
Benchmark Details	Workers shall be provided with training on the use and maintenance of personal protective equipment. Training shall be upon hire with periodic refresher training offered to all workers. Management will ensure use of PPE as necessary.
Finding Details	There is no training provided to all workers regarding PPE (personal protective equipment) usage and maintenance.
Recommendation for Immediate Action	Provide training to workers on the use of personal protective equipment such as eye and needle guards of machinery
Compliance Classifications	Immediate Action Required
Local Law	OSHA 29CFR1910.133
Benchmark ID	HSE.5.2
Benchmark Details	Workers shall be trained in evacuation procedures.

Finding Details	REVIEW HSE.5.1 There are two (2) doors on the front (south side) of the building, and no exits at the back of the building (north side). The exits are not identified on the exterior and occasionally there are vehicles parked in front of these doors, which may impede egress in the moment of an emergency, or evacuation. Interviewed workers either guessed or provided erroneous responses as to the reunion point for evacuation drills. New employees admitted not receiving instructions or overview on evacuation drills. Furthermore, the site management did not provide written emergency action plans, nor summaries of any fire drills conducted within the last year.
Recommendation for Immediate Action	1. Identity emergency exits (interior and exterior) signage and indicate the path to exit. 2. Ensure exits are not blocked by equipment, vehicles, or work in process. 3. Train employees in emergency exit procedures. 4. Maintain written emergency action plans and summaries of fire drills.
Compliance Classifications	Immediate Action Required
Local Law	California Code of Regulations, Title 8, Section 3220
Benchmark ID	HSE.10.2
Benchmark Details	Workers shall have free access to MSDS.
Finding Details	REVIEW HSE.10.1 A review of the work area did not identify the SDS station, and management did not provide any evidence of SDS materials available on site.
Recommendation for Immediate Action	1. Identify the chemicals in use 2. Obtain the necessary SDS documents 3. Communication the policy and procedures to workers who handle/store/use chemicals 4. Provide Training to workers who handle/store/use chemicals 5. Manage documentation, and update as required 6. Review policy and procedures, as necessary
Compliance Classifications	Immediate Action Required
Local Law	Title 8 of the California Code of Regulations, Section 3203

Benchmark ID	HSE.14.2
Benchmark Details	Workers shall receive training in the proper use and safe operation of machinery, equipment and tools they use.
Finding Details	<p>REVIEW HSE.14.1 Site management did not provide policy or procedures related to production machinery, equipment and tools shall be properly guarded and regularly maintained. Site management did not provide evidence of training for workers responsible for the maintenance or repair of equipment. The training materials provided on LOTO procedures identified the name of owners as trained, nonetheless, the name of the plant mechanic or other workers, for example, was not listed as trained on the LOTO process. A review of the physical work area did not identify the Lock out Tag Out procedures (LOTO) nor the LOTO station. During the physical review of the facility, the auditor observed sewing machine operators not using consistently the eye guards on the machines, and a sew machine operator (male worker) wore open toe footwear (sandals) when operating the sewing machine.</p>
Recommendation for Immediate Action	<p>1. Develop a policy or procedure safety program for production machinery, equipment, and tools. 2. Communicate and provide written documentation of the policy and procedures. 3. Provide periodic training to workers, as appropriate. 4. Conduct periodic review of policies and procedures and update or revise as necessary whether to meet legal or customer requirements.</p>
Compliance Classifications	Immediate Action Required
Local Law	Title 8 of the California Code of Regulations, Section 3203
Benchmark ID	HSE.9.2
Benchmark Details	Workers shall receive training, appropriate to their job responsibilities, concerning the hazards, risks and the safe use of chemicals and other hazardous substances.
Finding Details	The factory has not provided appropriate training related to chemical safety to relevant workers.

Recommendation for Immediate Action	1. Review the IIPP (State of CA legal requirements) and FLA Benchmarks 2, Revise the policy and procedures to address deficiencies. 3. Identify the chemicals on site to determine the training elements, and the applicable SDS documents. 4. Provide training to all level of employees in the languages of the worker; document all training 5. Review Policy on a periodic basis
Compliance Classifications	Immediate Action Required
Local Law	Title 8 of the California Code of Regulations, Section 3203
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 site management did not present evidence of a policy or procedures to address ergonomics issues and did not provide evidence of actual training given to workers. During the physical review of the factory, the auditor noticed that workers have modified or added cushions and back rest to the employer provided work chair, or workers have bought their own work chairs for the factory. The owner commented that he provided work chairs, but he did not understand why workers brought their own chairs. The workers who have tasks which require standing throughout the workday do not have ergonomics training and do not rotate tasks to reduce stress or strain. In addition, workers who stand all day for their tasks do not have or do not use ergonomic mats.
Recommendation for Immediate Action	1. Develop a policy or procedure regarding repetitive motion injuries. 2. Communicate and provide written documentation of the policy and procedures. 3. Provide periodic training to workers and necessary or appropriate work chairs or work mats to perform the tasks. 4. Conduct periodic review of policies and procedures and update or revise as necessary whether to meet legal or customer requirements.
Compliance Classifications	Immediate Action Required

Local Law	State of California, Title 8, Section 5110 (Repetitive Motion Injuries)
Hours Of Work (HOW)	
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	Site management did not provide evidence of policy or procedures related to hours of work, and the company does not communicate through an employee handbook the policies the working hours, overtime hours, or the regular day off from work. However, the company uses a time clock to record the hours of work, and by the time clock, the site management has posted the work schedule. A payroll review of three months of work (July 2023, February and March 2024) did not identify any situation which exceeded 60 hours of per week, or one day off in seven days of work. In addition, workers do not exceed eight (8) hours per day, as per local law. Interviewed workers advised overtime hours are voluntary if they choose.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HOW.11.1
Benchmark Details	Employers shall provide workers with paid annual leave as required under national laws, regulations and procedures.

<p>Finding Details</p>	<p>1. The employer has not developed nor provided information to employees on the benefits such as Family and Medical Leave Act (FMLA). Nonetheless, the federal poster on FMLA is displayed within the work floor, but neither the employer nor the workers are aware or understand this unpaid leave. The current payroll identifies there are 59 permanent workers, and the federal requirements is applicable to a private employer with a minimum of 50 employees during at least 20 workweeks in the current or previous calendar year. 2. The employer has not developed nor provided information to employees on the benefits as per CA Family Care, Medical Leave and Pregnancy Disability. The legally required poster on this state requirement was not visible in the work floor. The current payroll identifies 59 permanent workers, and the state requirements indicate that as of January 1, 2021, California expanded CFRA's scope to include private employers with 5 or more employees. The eligibility requirements indicate "An employee must have worked for the employer for more than 12 months and have worked at least 1,250 hours in the 12 months prior to their leave." A review of payroll records identified the employer deducts from the wages of the workers the legally required payroll taxes which funds the State's Disability Insurance and Paid Family Leave programs.</p>
<p>Recommendation for Immediate Action</p>	<p>1. The employer must learn about the federal and state programs leave benefits. 2. The employer must provide information to employees. 3. The employer must administer when request by employees.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>Family and Medical Leave Act (FMLA); CA Family Care, Medical Leave and Pregnancy Disability</p>
<p>Nondiscrimination (ND)</p>	
<p>Benchmark ID</p>	<p>ND.8.1</p>

Benchmark Details	Employers shall abide by all protective provisions in national laws and regulations benefitting pregnant workers and new mothers, including provisions concerning maternity leave and other benefits; prohibitions regarding night work, temporary reassignments away from work stations and work environments that may pose a risk to the health of pregnant women and their unborn children or new mothers and their new born children, temporary adjustment of working hours during and after pregnancy, and the provision of breast-feeding breaks and facilities.
Finding Details	The site management did not provide evidence of meeting the protective provisions in national laws and regulations benefitting pregnant workers and new mothers, including provisions concerning maternity leave and other benefits; prohibitions regarding night work, temporary reassignments away from work stations and work environments that may pose a risk to the health of pregnant women and their unborn children or new mothers and their new born children, temporary adjustment of working hours during and after pregnancy, and the provision of breast-feeding breaks and facilities. The company does communicate such policies or procedures through an employee handbook.
Recommendation for Immediate Action	1. Develop a policy or procedure related pregnant workers and/or nursing mothers. 2. Provide written documentation of the policy and procedures. 3. Provide training at new hire orientation and annual refresher. 4. Conduct periodic review of policies and procedures and update or revise as necessary whether to meet legal or customer requirements.
Compliance Classifications	Immediate Action Required
Local Law	Fair Labor Standards Act (FLSA), Section 7 Federal Protections for Nursing Mothers Act (PUMP Act) State of California Fair Employment and Housing Act (FEHA) State of California Labor Code section 1030 (lactation accommodation)

