



2011

## FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING REPORT

**COMPANY:** Trends International**COUNTRY:** United States**FACTORY CODE:** 1300082468J**MONITOR:** Margarita Chiriboga –  
Sustainable Alliance**AUDIT DATE:** September 8, 2011**PRODUCTS:** Posters**PROCESSES:** Packing**NUMBER OF WORKERS:** 117

**FLA Comment:** This report was submitted to the FLA and the FLA-affiliated company by the accredited independent external monitor. Despite deadline reminders and extensions for submission of a corrective action plan, the FLA has not received a plan to address the noncompliances raised in the report. Therefore, the report is posted in its current state and will be updated once a corrective action plan has been submitted to and reviewed by the FLA.



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## Forced Labor: Employment Records

F.9 Employers shall maintain sufficient hiring and employment records to demonstrate and verify compliance with this Code provision. (P)

### Noncompliance

**Explanation:** HR department kept copies of birth certificates and driver's licenses. Federal I-9 forms filled out and background checks conducted. However, it was noted during I-9 review that 21 out of 85 employees were missing I-9's. All United States employers must complete and retain an I-9 form for each individual they hire for employment in the United States, both citizens and non-citizens. On the form, the employer must examine an employee's employment eligibility and the identity document(s) they present, determining if they reasonably appear to be genuine and relate to the individual; this information is then recorded on the I-9 form.

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**Code Awareness:**

GEN.1 Establish and articulate clear, written workplace standards. Formally convey those standards to Company factories as well as to licensees, contractors and suppliers.

**Noncompliance**

**Explanation:** Trends International does not have a code of conduct or workplace standards; this was confirmed during management interview. The FLA Code of Conduct was not available at the factory either.

**Plan Of  
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**Code Awareness:**

GEN.2 Ensure that all Company factories as well as contractors and suppliers inform their employees about the workplace standards orally and through the posting of standards in a prominent place (in the local languages spoken by employees and managers) and undertake other efforts to educate employees about the standards on a regular basis.

**Noncompliance**

**Explanation:** Trends International does not have a workplace standard. Although management informed the auditors they are working on implementing a standard, it is a challenging task due to the high number of clients and their different requirements.

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### Health and Safety: Worker Consultation

H&S.4 The health and safety policy shall be developed and implemented in consultation with workers or their representatives. (P)

#### Noncompliance

**Explanation:** The H&S management system is neither robust nor developed and implemented in consultation with workers. Management reported that due to high daily and weekly rates of worker turnover, it is difficult for them to establish and maintain an H&S management system with involvement of the workers.

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### Health and Safety: Communication to Workers

H&S.6 The health and safety policy shall be communicated to all workers in the local language or language(s) spoken by workers if different from the local language. (P)

#### Noncompliance

**Explanation:** The Trends International Safety and Security policy is not communicated to workers. Policy is not posted at the factory. It is included in the employee handbook provided to Trends International staff during the hiring process. However, as 90% of employees are temporary workers, most workers do not receive this handbook.

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### Health and Safety: Evacuation Requirements and Procedure

H&S.9 All applicable legally required or recommended elements of safe evacuation (such as posting of evacuation plans, the installation and maintenance of an employee alarm and emergency lighting systems, ensuring aisles/exits are not blocked and that workers are not blocked within their workstations, employee education, evacuation procedures, etc.) shall be complied with. Workers shall be trained in evacuation procedures. Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually. (S)

#### Noncompliance

**Explanation:** During the facility walkthrough, the following issues were identified:

1. 2 emergency lights were not working inside production area.
2. 3 exit signs were off during work hours.
3. Facility does not have a fire alarm or smoke detectors.
4. Employees interviewed confirmed that they do not have evacuation training.

Legal references: 1) OSHA Standards 1910.37(a)(4); 2) 1910.37 Maintenance, safeguards, and operational features for exit routes (4); 3) OSHA 1910.38(d); 4) OSHA 1910.38(e) Training

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### Health and Safety: Safety Equipment and First Aid Training

H&S.10 All safety and medical equipment (such as fire fighting equipment, first aid kits, etc.) shall be available in sufficient numbers throughout the factory, maintained and stocked as prescribed and easily accessible to workers. A sufficient number of workers shall be trained in first aid and fire fighting techniques. (S)

#### Noncompliance

**Explanation:** During the facility walkthrough the following issues were noted:

1. 5 fire extinguishers found unmounted; 20 fire extinguishers found without proper signs.
2. Facility does not have fire extinguishers inside office and there is a need of more fire extinguishers inside warehouse section.
3. 20 fire extinguishers not in working order, marked, accessible or inspected monthly or annually. Last annual inspection was done in May 2004.
4. First aid kits not properly stocked and some supplies found expired.
5. Several first aid supplies kept locked in supervisor's desk, and they were not at work the day of the audit. This prevented auditors from inspecting supplies and demonstrated how, in case of an accident, employees would not have access to these supplies.
6. 1 exit door was blocked by a big fan.

Legal references: 1) OSHA Standard 29 CFR Section 1910.157. Portable Fire Extinguishers (c)(1); 2) OSHA Standard 29 CFR 1910.157 (d)(2); 3) OSHA Standards 1910.160(b)(10); 4) OSHA Standard 29 CFR 1910.151(b); 5) OSHA Standard 29 CFR 1910.151(b); 6) OSHA 1910.37(a)(3)

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### Health and Safety: Ventilation/Electrical/Facility Installation and Maintenance

H&S.17 All necessary ventilation, plumbing, electrical, noise and lighting services shall be installed and maintained to conform to applicable laws and in such a manner as to prevent or minimize hazardous conditions to workers in the facility. (S)

#### Noncompliance

**Explanation:** During the facility walkthrough the following issues were observed:

1. Main electrical panel completely blocked. 2 internal electrical panels blocked. 1 internal electrical panel was opened.
2. Facility uses extension cords instead of permanent electrical installations at several workstations. Those extension cords obstruct aisles and passageways.

Legal ref: CFR 1910.305(g)(1)(iii)(a) Legal references: 1) OSHA Standard 29 CFR 1910.303(b)(1) Examination; 2) CFR 1910.305(g)(1)(iii)(a)

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### Health and Safety: Toilets

H&S.23 Employers shall establish the number of toilets required under applicable laws within reasonable distance of the workplace. (S)

#### Noncompliance

**Explanation:** During facility walkthrough it was noted that 1 urinal in men's bathroom was out of order and covered with a plastic bag. The floor was covered with toilet paper and kept in an unsanitary condition.

Legal references: OSHA 1915.88(a)(1) Employer shall provide adequate and readily accessible sanitation facilities. OSHA 1915.88(a)(2) Employer shall establish and implement a schedule for servicing, cleaning, and supplying each facility to ensure it is maintained in a clean, sanitary, and serviceable condition.

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