

FLA Audit Profile	
Factory Code	870084409H
Country	Vietnam
FLA Affiliate	Tumi
Monitor	OneStep Viet Co., Limited
Audit Date	October 19-20, 2009
Products	Bags
Processes	Cutting, Sewing, Packing
Number of Workers	1721



FAIR LABOR
ASSOCIATION™

Table of Findings:

Forced Labor: J. Freedom of Movement	2
Forced Labor: R. Other - Forced Labor	2
Freedom of Association	3
Freedom of Association	4
Harassment or Abuse	5
Child Labor: D. Other Means of Age Verification	6
Health and Safety: C. Written Health and Safety Policy	6
Health and Safety: E. Health and Safety Management System	7
Health and Safety: I. Evacuation Requirements and Procedure	8
Health and Safety: J. Safety Equipment and First Aid Training	9
Health and Safety: K. Personal Protective Equipment	10
Health and Safety: M. Chemical Management and Training	11
Health and Safety: Q. Ventilation/Electrical/Facility Installation and Maintenance	11
Health and Safety: R. Machinery Maintenance and Worker Training	12
Hours of Work: A. General Compliance Hours of Work	13
Hours of Work: B. Rest Day	14
Hours of Work: J. Overtime/Calculation Over Period Longer Than One Week	15

Forced Labor: J. Freedom of Movement

F.10 If factory entrances are locked or guarded to prevent non-employee access to the premises for security reasons, workers shall have free egress at all times. (S/P)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: Toilet permission: From factory tour and workers interview, it was noted that factory provided toilet permission card for workers (23 workers shared 1 permission card). The management said that workers can go to toilet freely and without the permission card or no penalty. However, the workers were still not very comfortable with this practice. Sources of evidence: Observation, workers interview, record review.

**Plan Of
Action:**

**Deadline
Date:** 11/20/2009

**Supplier
CAP:** Reasonable break periods are provided everyday. There are 15 minutes break every 2 hours. In order to maintain continue running of assembly line, reasonable judgment is exercised by line management.

**Supplier CAP
Date:** 11/20/2009

**Action
Taken:** Document this regular break period as an notice to workers.

**Plan
Complete:**

**Plan
Complete
Date:**

**Action
Verified:**

**Action
Verified
Text:**

**Action
Verified
Date:**

**Comments:
Confidential
Comments:**

Forced Labor: R. Other - Forced Labor

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent	OneStep Viet Co., Limited	Noncompliance

External
Monitoring

Explanation: The factory did not have written policy on forced Labor. Sources of evidence: Management discussion and document review

Plan Of Action: Review the NC description with factory and develop Forced labor policy.

Deadline Date: 11/13/2009

Supplier CAP: A forced labor policy had been developed in both English and Vietnamese. And how the factory is going to communicate with all levels of workers

Supplier CAP Date: 11/20/2009

Action Taken: Reviewed the "Forced Labor Policy" that was written in both English and Vietnamese. These documents are now posted in different areas throughout the factory

Plan Complete:

Plan Complete Date:

Action Verified:

Action Verified Text:

Action Verified Date:

Comments:

Confidential Comments:

Freedom of Association: B. Right to Freely Associate

FOA.2 Workers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization. The right to freedom of association begins at the time that a worker seeks employment, and continues through the course of employment, including eventual termination of employment, and is applicable as well to unemployed and retired workers. (S)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: FLA Comment: Vietnam has not ratified ILO Conventions 87 or 98. Under Vietnamese law, all unions are required to affiliate with the single trade union, the Vietnam General Confederation of Labor (VGCL), which is affiliated with the Communist Party. With respect to such union monopolies, the ILO Committee on Freedom of Association has stated that the rights of workers to establish organizations of their own choosing implies . . . the effective possibility of forming . . . [trade unions] independent both of those which exist already and of any political party. Vietnam's legal framework is therefore not compatible with the ILO Principles on Freedom of Association and, as such, all factories in Vietnam fail to comply with the FLA Code standard on Freedom of Association.

Plan Of Action: Distributing this requirement to supplier and request them to comply with all those requirements.

Deadline Date: 11/25/2009

Supplier Study the local law and international law. Comparing the difference between their

CAP: current situation in their factory and the law, figure out the gap and close it.
Supplier CAP 11/04/2009
Date:
Action
Taken:
Plan
Complete:
Plan
Complete
Date:
Action
Verified:
Action
Verified
Text:
Action
Verified
Date:
Comments:
Confidential
Comments:

Freedom of Association: Z. Grievance Procedure

FOA.26 Employer shall have in place written grievance procedures that allow first an attempt to settle grievances directly between the worker and the immediate supervisor but that, where this is inappropriate or has failed, it is possible for the worker to have the grievance considered at one or more steps, depending on the nature of the grievance and the structure and size of the enterprise. Employers shall ensure that the grievance procedures and applicable rules are known to workers. (P)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: From management discussion, it was noted that factory does not have written grievance system. The factory did not organize any meetings between workers and management that would allow workers to have raise concerns or complain.
 Sources of evidence: Management discussion and document review

Plan Of Action: Develop the documented grievance system with the factory monitor their execution.

Deadline Date: 10/28/2009

Supplier CAP: Develop the grievance system and document it. Communicate to workers in all kinds of level. The system should allow worker to write down their complaint and send it to their leaders without mention their name. If the matter cannot be solved within 3 days, it will escalate to higher level of manager.

Supplier CAP 11/13/2009
Date:

Action Taken: All action finished.

Plan
Complete:
Plan
Complete

Date:
 Action
 Verified:
 Action
 Verified Text:
 Action
 Verified
 Date:
 Comments:
 Confidential
 Comments:

Harassment or Abuse: Q. Other - Harassment or Abuse

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: Harassment or Abuse Policy: It was noted that factory does not have written policy on Harassment or Abuse. None of the workers and supervisors were aware on the issue/code. Note: During workers discussion, it was noted that no harassment or abuse case was noted during the testing period from of the past 12 months. Sources of evidence: Management discussion and document review

Plan Of Action: Same as action item above, Tumi review the findings with the factory and developed the Harassment or Abuse Policy within one month time.

Deadline Date: 11/13/2009

Supplier CAP: The factory has developed this policy and trained the workers

Supplier CAP Date: 11/20/2009

Action Taken: A document was developed and reviewed.

Plan Complete:

Plan Complete Date:

Action Verified:

Action Verified Text:

Action Verified Date:

Comments:
 Confidential
 Comments:

Child Labor: D. Other Means of Age Verification

CL.4 In those cases where proof of age documentation is not readily available or unreliable, employers shall take all necessary precautions which can reasonably be expected of them to ensure that all workers are at least the minimum working age, including requesting and maintaining medical or religious records of workers, or through other means considered reliable in the local context. (P)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: [Child Labor policy & hiring procedure: From manager discussion, it was noted that factory did not have written policy on working age. Further, the factory did not have written hiring procedures to ensure that no child Labor is hired in the factory. Sources of evidence: Management discussion](#)

Plan Of Action: [Review NC description with factory and develop Child Labor policy.](#)

Deadline Date: 11/13/2009

Supplier CAP: [Child labor policy and procedures are developed with documents in both English and Vietnamese](#)

Supplier CAP Date: 11/20/2009

Action Taken:

Plan Complete:

Plan Complete Date:

Action Verified:

Action Verified Text:

Action Verified Date:

Comments:

Confidential Comments:

Health and Safety: C. Written Health and Safety Policy

H&S.3 Employers are required to develop, maintain and regularly review a written health and safety policy. The policy must, at the very least, be aimed at complying with legal minimum safety and health standards, regulations and procedures. (P)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: Health & Safety policy: From management discussion, it was noted that the factory did not have ESH in written. Sources of evidence: Management discussion, document review

Plan Of Action:

Deadline Date: 11/13/2009

Supplier CAP: Health & Safety policy had been written in Vietnamese.

Supplier CAP Date: 11/20/2009

Action Taken: The evidence was reviewed by Tumi.

Plan Complete:
Plan Complete Date:

Action Verified:

Action Verified Text:

Action Verified Date:

Comments:
Confidential Comments:

Health and Safety: E. Health and Safety Management System

H&S.5 The health and safety policy shall contain the framework for a comprehensive health and safety management system within which employers' responsibilities and workers' rights and duties, various responsibilities of designated personnel, procedures that enable workers to raise health and safety concerns and procedures for reporting death, injury, illness and other health and safety issues (for instance, near-miss accidents) are clear and regularly tested and reviewed. (P)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: Health and safety committee: From management discussion, it was noted that factory did not establish Health and Safety committee in place to oversee environment, health and safety areas; or to conduct risk assessment to eliminate risk of labor safety. Law reference: According to Joint Circular 14/1998/TTLT-BLDTBXH-BYT-TLDDVN " of Ministry of Labor, Ministry of Health and Vietnam General Confederation of Labor. Sources of evidence: Management discussion and document review

Plan Of Action: Study the Law 14/1998/TTLT-BLDTBXH-BYT-TLDDVN " of Ministry of Labor, Ministry of Health and Vietnam General Confederation of Labor. Establish the labor protection Council.

Deadline Date:

Supplier CAP: A labor protection council has been formed with 7 committees: The Chairman is the representative for employers. There are also other positions, such as Vice-Chairman and medical staff, etc.

Supplier CAP 11/13/2009

Date:
Action Taken: The team has been established and started working.
Plan Complete:
Plan Complete Date:
Action Verified:
Action Verified Text:
Action Verified Date:
Comments:
Confidential Comments:

Health and Safety: I. 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)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: (1) From factory tour, it was observed that several fire extinguishers were not fully charged at material warehouse and blocked by chemical cans. (2) Evacuation aisles were blocked by material at one production area. (3) Emergency preparedness plan: Factory did not establish the emergency preparedness plan. According to Article 9, Decree 35/2003/ND-CP dated on April 4, 2003 on fire safety. Law reference: According to Article 9, Decree 35/2003/ND-CP dated on April 4, 2003 on fire safety. 4) Emergency lighting: Inappropriate checking procedure for emergency lights; no record of battery life of the lights were maintained thus it was unable to verify if the length of the light was sufficient for workers during the evacuation. Law reference: According to Vietnam Stand of Construction: 439/BXD-CSXD September 25, 1997 standard construction, Point: 11.6.1.5. Sources of evidence: Factory observation, management discussion

Plan Of Action: The factory should establish a systematic way to manage fire prevention.
Deadline Date: 11/13/2009
Supplier CAP: Provide fire management system. The management team will regularly inspect the fire prevention system.
Supplier CAP Date: 11/26/2009
Action

Taken:
Plan
Complete:
Plan
Complete
Date:
Action
Verified:
Action
Verified
Text:
Action
Verified
Date:
Comments:
Confidential
Comments:

Health and Safety: J. 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)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: First aid management: (1) From factory tour, it was observed that there was a lack of necessary first aid items in first aid kits in the factory. (2) No first aid procedure posted at the first aid kits in the factory. Law reference: According to Circular 09/2000/BYT of the Ministry of Health dated on April 28, 2000, provides guidance on health care for workers in medium and small enterprises, Section III, Point 3. Sources of evidence: Observation

**Plan Of
Action:**

**Deadline
Date:** 11/13/2009

**Supplier
CAP:** 15 first-aid kits have been bought in the factory and placed in different blocks/layer of factory. A First-aid procedure was developed on 20th Nov. 09

**Supplier CAP
Date:** 11/20/2009

**Action
Taken:** All the actions list in CAP had done.

**Plan
Complete:**

**Plan
Complete
Date:**

**Action
Verified:**

Action

Verified
Text:
Action
Verified
Date:
Comments:
Confidential
Comments:

Health and Safety: K. Personal Protective Equipment

H&S.11 Workers shall be provided with effective and all necessary personal protective equipment (such as gloves, eye protection, hearing protection, respiratory protection, etc.) to prevent unsafe exposure (such as inhalation or contact with solvent vapors, noise, dust, etc.) to health and safety hazards, including medical waste. (S)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: It was noted that not all workers working in excessively noisy areas (cutting area) used ear plugs and did not wear slippers while working. The supervisor said that ear plugs have been provided for workers. However they did not use them. Law reference: Section III, Circular 10/1998/TT-BLDTBXH: Sources of evidence: Observation and management discussion.

Plan Of Action: The company is investigating why the workers don't use PPEs, even though the factory provided them all the necessities.

Deadline Date: 11/05/2009

Supplier CAP: The factory will educate workers and encourage them to use PPE. In order to keep the workshop clean, the management will allow the workers to continue working without slippers so that they feel more comfortable. The factory will study the dangers of employees working without slippers.

Supplier CAP Date: 11/20/2009

Action Taken:

Plan Complete:

Plan Complete Date:

Action Verified:

Action Verified Text:

Action Verified Date:

Action Verified Date:

Action Verified Date:

Action Verified Date:

Action Verified Date:

Health and Safety: M. Chemical Management and Training

H&S.13 All chemicals and hazardous substances shall be properly labeled and stored in accordance with applicable laws. Labels shall be placed in the local language and the language(s) spoken by workers, if different from the local language. Workers shall receive training, appropriate to their job responsibilities, concerning the hazards, risks and the safe use of chemicals and other hazardous substances. (S)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: (1) From factory tour, it was noted that factory used different types of chemical and stored them on shelves without secondary containment. (2) No eyewash station was installed. (3) No MSDS available. The in-charge staffs have not been trained on using chemical. Law reference: Vietnam National Standard 5507-2002. Sources of evidence: Observation, management discussion

Plan Of Action: Help the factory understand all these requirements and implement these changes that are necessary.

Deadline Date: 11/05/2009

Supplier CAP: The factory will set up the secondary containment as suggested by FLA IEM audit. Furthermore, an eye-wash station will be installed in one month's time. All chemical MSDS document will be copied and placed nearby.

Supplier CAP Date: 11/20/2009

Action Taken: - MSDS are placed where it is needed. - Eye wash station is installed. - Secondary containment has been set.

Plan Complete:

Plan Complete Date:

Action Verified:

Action Verified Text:

Action Verified Date:

Comments:

Confidential Comments:

Health and Safety: Q. 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)

870084409H: Vietnam - Tumi

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: (1) During the factory tour, it was noted that the electric control panels do not have floor mats in front of controls panels to prevent electric shock. No safety cover was provided either. (2) Some control panels were blocked by goods and materials. law reference: According to the Government Decision 35/2003/ND-CP dated on April 4, 2003 providing guidance on the Vietnam Law of Fire Fighting and Prevention, Article 9, Point 1. Sources of evidence: Observation

Plan Of Action: Review this open item with the factory and implement corrective actions.

Deadline Date: 11/05/2009

Supplier CAP: 1) Remove the goods and materials that are blocking the control panels. Draft verbal and written instruction to workers not to block with goods again. 2) Install safety covers for the electric control panel. 3) Provide safety mat to protect workers from electric shocks.

Supplier CAP Date: 11/23/2009

Action Taken: The safety covers and control panel trims are done. Other safety precautions are still to be checked.

Plan Complete:

Plan Complete Date:

Action Verified:

Action Verified Text:

Action Verified Date:

Comments:

Confidential Comments:

Health and Safety: R. Machinery Maintenance and Worker Training

H&S.18 All production machinery, equipment and tools shall be regularly maintained and properly guarded. Workers shall receive training in the proper use and safe operation of machinery, equipment and tools they use. Employers shall ensure safety instructions are either displayed/posted near all machinery or are readily accessible to the workers. (S)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: The factory does not have log-out and tag-out policy and procedures for the machines. Law reference: According to Vietnam Standards 5507: 2002 Sources of

evidence: Management discussion and document review

Plan Of Action: Develop this policy and procedure with the factory

Deadline Date: 11/05/2009

Supplier CAP: Develop a log-out and tag-out policy. Write down instructions on how to switch off the electricity before logging-in and during maintenance. The factory is to post the safety operation instructions near machines that are being operated and responsibilities will be delegated.

Supplier CAP Date: 11/23/2009

Action Taken: These actions have been taken

Plan Complete:

Plan Complete Date:

Action Verified:

Action Verified Text:

Action Verified Date:

Comments:

Confidential Comments:

Hours of Work: A. General Compliance Hours of Work

HOW.1 Employers shall comply with all local laws, regulations and procedures concerning hours of work, public holidays and leave. (S)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: 1) According to time record reviews, between Sep 2008 and Sep 2009, it was noted that 10 out of 24 selected workers had worked up to 4.5 overtime hours per day every week during March, August and September 2009, especially some workers worked from 10 to 15.5 overtime hours per day in at least 2 days each month of Jan, April, June, Sep, 2009. Law reference: According to the Vietnam Labor Law, Article 69 2) It is noted that 5 selected workers worked 436 to 661 overtime hours from January to September 2009 which mean that they worked exceeded 300 hours limit stipulated by Labor Law of Vietnam. Law reference: According to the Vietnam Labor Law, Article 69 Sources of evidence: Time record review of past 12 months

Plan Of Action: Study the reason why the factory had lot of overtime and work with the factory to find a solution. Sometimes excess OT is not avoidable. But the factory should try to minimize excess OT. Keep monitoring and average the working hours among all workers.

Deadline Date: 11/05/2009

Supplier CAP: Setup a monitoring system to keep track of all the working hours of all workers. If they have too much OT, a factory leader has to report this information to the management. This should be done in order to avoid the excess working hours for certain workers. The factory will find a solution to improve the efficiency and productivity of the operation in order to reduce the waste and save time or work.

Supplier CAP Date: 11/23/2009

Action Taken: A monitoring system has been established. A policy copy has been sent to FLA for review. Implementation will be reviewed and checked on next visit around March, 2010.

Plan Complete:

Plan Complete Date:

Action Verified:

Action Verified Text:

Action Verified Date:

Comments:

Confidential Comments:

Hours of Work: B. Rest Day

HOW.2 Workers shall be entitled to at least one day off in every seven-day period. If workers must work on a rest day, an alternative day off must be provided within that same seven-day period or immediately following the seven-day period. (P)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: According to document review, it was noted that 20 selected workers worked 2 Sundays in Jan 2009 and 1 Sunday per month during the testing period, Sep 2008 to Sep 2009. This meant that workers worked between 14 and 21 consecutively days before having a day off. Law reference: According to the Vietnam Labor Law, Article 72. Sources of evidence: Time record review of past 12 months

Plan Of Action: Study the reason why the factory had lot of overtime and work with the factory to find a solution. Sometimes excess OT is not avoidable. But the factory should try to minimize excess OT. Keep monitoring and average the working hours among all workers.

Deadline Date: 11/20/2009

Supplier CAP: Set up a monitoring system to keep track of the working hours of all workers. If they have too much OT, the leader has to report this to the management. The workers should have 1 day rest in every 7 days in principle unless the exceptional cases. The factory will find out solution of improving the efficiency and productivity of the operation. In order to reduce the waste and save time or work.

Supplier CAP 11/23/2009

Date:
Action Taken: A policy copy has been sent to FLA for review. Implementation will be reviewed and checked on next visit around March, 2010.
Plan Complete:
Plan Complete Date:
Action Verified:
Action Verified Text:
Action Verified Date:
Comments:
Confidential Comments:

Hours of Work: J. Overtime/Calculation Over Period Longer Than One Week

HOW.10. Employers are allowed to calculate normal hours of work as an average over a period of longer than one week where local laws, regulations and procedures provide for such a possibility but only when all formal and procedural requirements attached to such calculation (for instance, obtaining official permission from the relevant authorities or limits to the period during which such calculations can be made) are met. The basis for such calculation shall, however, remain at all times the lesser of 48 hours per week or legal limits on hours of work in the country of manufacture or, where such legal limits do not exist, the regular work week in such country. (S)

Audit Date	Audit Type	Audit Scope	Auditor	Score
10/20/2009	External	FLA Independent External Monitoring	OneStep Viet Co., Limited	Noncompliance

Explanation: According to records kept between Sep 2008 to Sep 2009, 10 selected workers worked from 77.5 to 98 hours per week, including overtime. Sources of evidence: Time record review of past 12 months

Plan Of Action: Study the reason why the factory had lot of overtime and work with the factory to find a solution. Sometimes excess OT is not avoidable. But the factory should try to minimize excess OT. Keep monitoring and average the working hours of all workers.

Deadline Date: 11/20/2009

Supplier CAP: Set up a monitoring system to keep track of the working hours for all workers. If they have too much OT, the leader has to report this to the management. This will help to avoid the excess accumulation of working hours for certain workers. The factory will work towards improving the efficiency and productivity of the operation in order to reduce the waste and save time and work.

Supplier CAP Date: 12/10/2009

Action Taken: The factory has setup a system to track the working hours of each employee. In addition, the management will review the actions on a regular basis. A policy copy

has been sent to FLA for review. Implementation will be reviewed and checked on next visit around March, 2010.

**Plan
Complete:**

**Plan
Complete
Date:**

**Action
Verified:**

**Action
Verified**

Text:

**Action
Verified
Date:**

Comments:

**Confidential
Comments:**
