



2011

## FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING REPORT

**COMPANY:** Trends International  
**COUNTRY:** United States  
**FACTORY CODE:** 1300082498J  
**MONITOR:** Accordia Global Compliance  
Group  
**AUDIT DATE:** November 2 – 3, 2011  
**PRODUCTS:** Sports Posters  
**PROCESSES:** Pre-Pressing, Pressing,  
Digital, Bindery, Distribution  
**NUMBER OF WORKERS:** 94

**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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## **Wages, Benefits and Overtime Compensation: General Compliance Wages, Benefits and Overtime Compensation**

WBOT.1 Employers shall comply with all local laws, regulations and procedures concerning the payment of wages and benefits, including overtime compensation. In any case where laws and the FLA Code are contradictory, the standard that provides the greatest protection for workers shall apply. Where provisions are lacking, employers shall take measures to reasonably accommodate matters concerning the payments of wages and benefits, including overtime compensation. (S)

### **Uncorroborated Evidence of Noncompliance**

**Explanation:** As access to the 15 temporary workers and their employment records in the packing unit was denied, it was not possible to verify compliance to local laws and FLA Benchmarks in this section for all workers. The payroll information that monitor had requested for the 4 workers selected as a sample was provided post-audit on November 14. However, this information's accuracy could not be verified through worker interviews.

**Plan Of  
Action:**

**Deadline  
Date:**

**Action  
Taken:**

**Plan           No  
Complete:**

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**Forced Labor: General Compliance Forced Labor**

F.1 Employers shall comply with all local laws, regulations and procedures concerning the prohibition of forced labor. (S)

**Uncorroborated Evidence of Noncompliance**

**Explanation:** As access to the 15 temporary workers and their employment records in the packing unit was denied, it was not possible to verify compliance to local laws and FLA Benchmarks in this section for all workers. The payroll information that monitor had requested for the 4 workers selected as a sample was provided post-audit on November 14. However, this information's accuracy could not be verified through worker interviews.

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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:** Monitor did not find evidence that Trends International has provided information to the factory regarding the code of conduct.

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**Plan           No  
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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:** 1. Posting/communication of workplace standard and/or code has not been made. Monitor did not find evidence that Trends International has provided training and information to factory regarding the code of conduct.

2. Worker interviews revealed they did not have knowledge, awareness or comprehension about the code of conduct.

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**Code Awareness:**

GEN.3 Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable Company employees and employees of contractors and suppliers to report to the Company on noncompliance with the workplace standards, with security that they shall not be punished or prejudiced for doing so.

**Noncompliance**

**Explanation:** Monitor did not find evidence of any secure communication channel present in the facility to report issues of noncompliance to Trends International.

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## Health and Safety: General Compliance Health and Safety

H&S.1 Employers shall comply with all local laws, regulations and procedures concerning health and safety. (S)

### Noncompliance

- Explanation:** 1. Workplace inspection for compliance to local H&S regulations for exit routes found that 2 electrical supply panels (near security cage) were blocked by the presence of maintenance materials, including long lengths of angle-iron and a large cart used for spooled wire storage.
2. Document review to verify presence of a written fire prevention plan, as required, found that a plan is not present that includes a list of all major fire hazards; handling and storage procedures for hazardous materials; potential ignition sources; and type of fire protection equipment needed.

Legal references: 1) 29CFR1910.303; 2) 29CFR1910.39

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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:** Workplace inspection for compliance to local H&S regulations for exit routes found that an emergency exit (near security cage) was blocked by presence of maintenance materials, including long lengths of angle-iron and a large cart used for spooled wire storage.

Legal reference: 29CFR1910.37

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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:** 1. Training documentation review and management interview to verify that an adequate number of workers are trained in fire extinguisher use found that the 3rd shift (overnight) has only 2 employees trained in fire extinguisher use within the total population of approximately 12-15 on that shift. In contrast, there are 11 trained employees on the 1st and 2nd shifts.

2. Facility inspection for the presence of eye wash (due to hazardous chemical use in printing process) found that an eye wash station located on west wall (perimeter) near battery-charging station contained eye wash solution that was expired (beyond its expiration date).

Legal reference: 29CFR1910.151

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### Health and Safety: 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)

#### Noncompliance

**Explanation:** Facility inspection found that chemicals used in production process, including solvents, cleaners and aerosol-propelled substances, are not stored in a secured (locked) cabinet.

Legal reference: OSHA regulations for liquid flammables, flammables storage cabinet 29CFR1910.106.d.3.ii

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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:** Facility inspection and document review to verify company's efforts at measuring and controlling occupational noise exposure to workers found that no noise survey has been conducted within the past 2 years (since 2009). Press area contains machinery that may present a risk to workers' hearing due to the noise level emitted.

Legal reference: 29CFR1910.95

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**Health and Safety: 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)

**Noncompliance**

**Explanation:** Worker and management interviews and training documentation review found that affected workers (those in maintenance area) have not received training in Lock-out/Tag-out since 2009.

Legal reference: Control of Hazardous Energy, Lock-out/Tag-out 29CFR1910.147.7 (A)(B)(C)

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**Hours of Work: 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)

**Uncorroborated Evidence of Noncompliance**

**Explanation:** As access to the 15 temporary workers and their employment records in the packing unit was denied, it was not possible to verify compliance to local laws and FLA Benchmarks in this section for all workers. The payroll information that monitor had requested for the 4 workers selected as a sample was provided post-audit on November 14. However, this information's accuracy could not be verified through worker interviews.

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