COMPANY: Franklin Sports
COUNTRY: Dominican Republic
FACTORY CODE: 12900191362J
MONITOR: Level Works Ltd.
AUDIT DATE: October 26 – 27, 2011
PRODUCTS: Belts, Jerseys, Girdles, Chin Straps
PROCESSES: Cutting, Sewing, Gluing, Dipping, Inspection, Packing
NUMBER OF WORKERS: 333

For an explanation on how to read this report, please visit the FLA website here.
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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)

Noncompliance

Explanation: Factory has written work contracts in place and sends 2 copies of the contract to the Department of Labor. However, the factory does not have a system to ensure that each worker receives a copy of their own work contract.

Sources: worker and management interviews; document review

Legal Reference: Labor Code Article 22

Plan Of Action: Franklin required factory to comply with local laws. All workers must be given a copy of their work contract. The hiring procedure must be updated to include: a timeline, a designated person, and steps taken to provide all employees a copy of their work contract.

Deadline Date: 02/20/2012

Supplier CAP: Factory has provided all old employees a copy of their work contract. As soon as new employees are hired, they will be provided a copy of their work contract. The contract will be stamped by Government Labor Office. Human Resources Manager will be the designated person.

Supplier CAP Date: 11/01/2011

Action Taken: 

Plan Complete: No

Plan Complete Date: 


**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:** Franklin Sports has not provided the factory with a company code of conduct (COC) to be posted at the workplace.

Sources: worker and management interviews

**Plan Of Action:** As soon as the audit was done, a copy of the COC in the local language was forwarded to the factory for them to post in a public area of the factory.

**Deadline Date:** 02/20/2012

**Supplier CAP:** Factory received the copy of the COC on 10/28/2011, and will post it in a public area.

**Supplier CAP Date:** 11/01/2011

**Action Taken:** Factory received the copy of the COC, posted it in the factory, and explained it to employees.

**Plan Complete:** Yes

**Plan Complete Date:** 11/01/2011
**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:** The factory has not informed their employees orally about the Franklin Sports' Workplace Standards. Even though the factory does not train workers on the Franklin Sports' COC, [Factory name] has a COC (similar to WRAP) under their Internal Work Rules. As part of the induction process, a pocket-sized copy of [Factory name's] Internal Work Rules are provided to every employee after they read and sign it.

Sources: worker and management interviews; document review

**Plan Of Action:**

Franklin Sports' COC and Workplace Standards must be trained to all employees immediately. Factory management shall internalize COC by communicating code standards in both written and verbal forms. Factory management is to create and implement a training work plan that: a) gives a description of factory's commitment to prepare employees for their jobs by increasing their knowledge of workplace regulations; b) defines training obligations, types of training needed (job related, workplace rules including Franklin Sports' COC standards), and training opportunities for employees to gain the knowledge and skills needed to do their jobs and obtain awareness of their rights and responsibilities; and c) assigns someone responsible for managing education and training implementation and obligations.

**Deadline Date:** 02/20/2012

**Supplier CAP:**

Factory plans to train all employees on Franklin Sports' Workplace Standards and then post them in a public area for all workers to read and study. Factory holds meetings every Monday with all employees by production line. During these meetings, job-related training is implemented. Meanwhile, COC training is included for new employees. Engineering and HR departments are holding Monday meetings and are the responsible parties for ensuring proper training is given to all employees. A factory policy booklet is passed to all employees and Franklin Sports' COC is posted on the bulletin board at the front door. Code standards are being discussed orally and during Monday meetings.

**Supplier CAP Date:** 11/01/2011
**Noncompliance**

**Explanation:** Franklin Sports has not developed a secure communication channel to enable factory workers to report noncompliances directly to the company.

**Sources:** worker and management interviews

**Plan Of Action:** Franklin Sports has provided its COC to the factory in the local language with contact information, including email and hotline, provided. Franklin Sports has also requested factory to post the COC in a public area, so it is visible to all workers.

**Deadline Date:** 02/20/2012

**Supplier CAP:** Factory will post Franklin Sports' COC in a public area in the factory and train the employees on how to report noncompliances directly to Franklin Sports.

**Supplier CAP Date:** 11/01/2011

**Action Taken:** The posted Franklin Sports' COC has the email address, phone number, and web page for contacting the company.
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: Factory does not treat, recycle, or properly dispose of hazardous waste generated by the empty 50-gallon drums of hazardous chemicals [Revestimiento de Vinilo (821PF-RF3058), MIBK (Methyl Isobutil Keton), MEK (Methyl Ethyl Ketone)] via a contractor who has the legal license or permits required by law. Factory has not informed the Secretary of State of Natural Resources and Environment on an annual basis regarding the details of the hazardous chemicals and residues managed in the factory.

Sources: on-site factory tour, management interview

Legal References: Reglamento Para La Gestión De Sustancias Y Desechos Químicos Peligrosos En La República Dominicana, Art 64 and Art. 89

Plan Of Action: Franklin Sports has requested the factory to comply with all local laws and to dispose of hazardous waste properly. Assign a person to be responsible for reviewing, inspecting, maintaining, and updating chemical policies and procedures. Set up a procedure or manual that includes: a) how to manage chemical inventory, b) the impact of chemicals, c) actions/plans to protect workers in case of chemical accident, and d) proper procedures of identifying exposure areas and people to clean up. All updates shall be made according to the local law.

Deadline Date: 02/20/2012
Supplier CAP: Factory will contract an authorized company to eliminate or recycle the waste; assign a person to be responsible for the health and security part; and establish a procedure of chemical treatment under the guidelines of local law.

Supplier CAP Date: 11/01/2011

Action Taken: Factory has contracted an authorized company to eliminate or recycle the waste. Contract copy and chemical evaluation has been sent to the FLA for review. Factory has assigned [Employee name] from the Health and Security Department as the person responsible. Chemical manual and procedure have been established. The contracted external specialist will visit us weekly, and will work with the H&S person responsible on inspection and maintenance. Risk evaluations on the chemical rooms are conducted weekly and each time a new chemical is used. The proper training is also scheduled annually. The most recent chemical training was 4/18/12.

Plan Complete: Yes

Plan Complete Date: 04/18/2012
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:
1. 3 cylinders found stored under the following conditions: a) in a room with no ventilation, b) without labels indicating what the cylinders contained, c) not fastened to prevent sudden fall, and d) 2 out of the 3 cylinders did not have protective caps.

2. The employer has not evaluated the workers' levels of exposure to 2 hazardous chemicals used in the Dipping Department. The components of the chemicals are: Metil Etil Cetona and Methyl Isobutyl Ketone. Factory has to verify that the employees are not exposed to limits above the permissible limits listed in local law: Reglamento de Seguridad y Salud en el Trabajo, Decreto Núm. 522-06, Art. 3.2.4.

Sources: 1, 2) on-site factory tour, 2) management interview

Legal References: 1) Reglamento de Seguridad y Salud en el Trabajo. Decreto Núm. 522-06, 3.7.2 and 3.7.3; 2) Reglamento de Seguridad y Salud en el Trabajo. Decreto Núm. 522-06, Art. 3.2.1

Plan Of Action:
Franklin Sports requires the factory to a) label all chemicals and hazardous substances properly, and b) provide proper training to workers who handle these chemicals and hazardous substances. Workers who handle chemicals and hazardous substances will be informed and educated that containers must be labeled properly in the local language and stored securely.

Deadline Date: 02/20/2012

Action Taken: Factory explained to employees how to handle them to keep this from happening again.

Plan Complete: No
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: In the sewing department, approximately 1 out of every 5 overlock sewing machines do not have acrylic protective devices installed. In addition, a belt-puller machine was missing a chain guard.

Source: on-site factory tour

Legal Reference: Reglamento 522-06 de Seguridad y Salud en el Trabajo y Resolucion 04-2007, Art. 2.4

Plan Of Action: All sewing machines and operators will be double checked to make sure a protective device is in place. Factory management to create procedures on machine guards that include: a) complete list of machines needing guards and b) steps on how each machine must be guarded. A responsible person shall be assigned for machine guarding.

Deadline Date: 02/20/2012

Supplier CAP: Because acrylic easily gets damaged and dusty, factory will give protective glasses to the machine operators. Chain guards will be added to the machines.

Supplier CAP Date: 11/01/2011
Action Taken:
Protective glasses were provided to protect the machine operators. Chain guards added; photo sent to FLA for review. No machine is left without a guard. A procedure on machine guard is being written. [Employee name] from Health and Security Department will be responsible for machine guarding.

Plan Complete:
No

Plan Complete Date:

Health and Safety: Other - Health and Safety

Other

Noncompliance

Explanation: There is no shower/eye wash station in the dipping area, where 7 employees apply chemicals (composition/ingredient: Metil Etil Cetona).

Source: on-site factory tour

Legal Reference: MSDS for chemical: Revestimiento de vinilo BLANCO code 821PF-RF3058 (Composition/Ingredient: Metil Etil Cetona)

Plan Of Action:
At least 1 shower/eye wash station must be installed right away.

Deadline Date:
02/20/2012

Supplier CAP:
Factory will install 2 eye wash stations and 1 shower station.

Supplier CAP Date:
11/01/2011
Action Taken: 2 eye wash stations and 1 shower station were installed. Photos sent to the FLA for review.

Plan Complete: Yes

Plan Complete Date: 11/10/2011

Hours of Work: Protected Workers (Women and Young Workers)

HOW.4 The factory shall comply with all applicable laws governing work hours regulating or limiting the nature, frequency and volume of work performed by women or workers under the age of 18. (S)

Noncompliance

Explanation: The factory does not have a written policy for women who are lactating. Workers who are lactating are not being granted their 3 paid 20-minute rest periods for breastfeeding their children in the workplace. As of the day of the audit, there was only 1 worker who was lactating.

Sources: worker and management interviews

Legal Reference: Labor Code, Article 240

Plan Of Action: Franklin Sports requires the factory to establish a lactation policy immediately, so all workers can follow it.

Deadline Date: 02/20/2012

Supplier CAP: It is not possible for female workers to go home, because they live too far. Factory and workers have agreed to give workers a summary time at end of the week.

Supplier CAP Date: 11/01/2011
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<tr>
<th>Action Taken:</th>
<th>A lactation policy was established. Policy has been sent to FLA for review.</th>
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<tr>
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