



2011

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING REPORT

COMPANY: Vineyard Vines
COUNTRY: United States
FACTORY CODE: 1320082541J
MONITOR: Sustainable Alliance
AUDIT DATE: May 19, 2011
PRODUCTS: Garments
PROCESSES: Embroidery, Cutting, Sewing,
Assembly
NUMBER OF WORKERS: 78

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



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Wages, Benefits and Overtime Compensation: Posting Notices

WBOT.23 All notices that are legally required to be posted in the factory work areas shall be posted. All legally required documents, such as copies of legal code or law, shall be kept at the factory and available for inspection. (P)

Noncompliance

Explanation: During the facility walkthrough it was noted that required federal and state posters were not available. According to law, each employer shall post and keep posted a notice or notices, to be furnished by the Occupational Safety and Health Administration, U.S. Department of Labor, informing employees of the protections and obligations provided for in the Act, and that for assistance and information, including copies of the Act and of specific safety and health standards, employees should contact the employer or the nearest office of the Department of Labor. Such notice or notices shall be posted by the employer in each establishment in a conspicuous place or places where notices to employees are customarily posted. Each employer shall take steps to ensure that such notices are not altered, defaced, or covered by other material.

Legal Reference: 1903.2(a)(1)

Plan Of Action: Vineyard Vines will request that [Factory name] post all required OSHA, US Dept. of Labor, and Vineyard Vines Code of Conduct notices. The notices should be located in a prominent location and in the native language(s) of each employee. Once the notices are posted, Vineyard Vines will request photos from [Factory name] showing their placement so we can share with the FLA as a follow-up to this audit. Vineyard Vines will ask [Factory name]'s ownership to delegate this responsibility to a specific employee and to provide Vineyard Vines with that person's name and contact info so we can be sure to follow-up with that person directly.

Deadline Date: 07/31/2012

Action Taken: US Department of Labor and Vineyard Vines Code of Conduct notices are now in prominent locations and in the native language of all employees.

Plan Complete: Yes

Plan Complete Date: 2011-05-27

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: The Company has not provided written workplace standards to the factory. This was confirmed through employee interviews.

Plan Of Action: Vineyard Vines provides each partner factory with the FLA Code of Conduct, and a company social responsibility agreement. Each factory is required to acknowledge, in writing, comprehension of the Code and social compliance. Vineyard Vines will confirm that [Factory name] management has a copy of the FLA Code of Conduct as well as the Vineyard Vines social responsibility agreement, and will ask that these documents are shared verbally with employees as well as posted in a primary location.

Deadline Date: 07/31/2012

Action Taken: Factory now has all FLA Code of Conduct and company social responsibility agreements. Vineyard Vines has given management a copy of the FLA Code of Conduct as well as Vineyard Vines social responsibility agreement. They are posted for all employees to view.

Plan Complete: Yes

Plan 2011-06-15
Complete
Date:

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: During employee interviews it was confirmed that the code of conduct has not been communicated to workers either verbally or through postings.

Plan Of Action: Vineyard Vines will confirm that [Factory name] management posts Vineyard Vines/FLA codes of conduct in a prominent location, as well as communicate the code to employees verbally. Written and verbal training is conducted on an ongoing basis.

Deadline Date: 07/31/2012

Action Taken: Vineyard Vines has confirmed that management posts Vineyard Vines/FLA Codes of Conduct in a prominent location, as well as communicate the code to employees verbally. Written and verbal training is conducted on an ongoing basis.

Plan Complete: Yes

Plan Complete Date: 2011-05-27

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: The company has not provided a secure communication channel to allow factory employees and contractors to report noncompliance issues. It is important to note that during employee interviews, it was confirmed that the factory has an open door policy: employees feel comfortable discussing any/all issues with their supervisors or manager. [Factory name] has established a good channel of communication between management and their employees.

**Plan Of
Action:**

**Deadline
Date:**

**Action
Taken:** The company has now provided a secure communication channel to allow factory employees and contractors to report non-compliance issues. Vineyard Vines domestic team meets every 6 months with the factory to review that it has an open door policy: employees feel comfortable discussing any/all issues with their supervisors or manager. In addition, they have established a good channel of communication between management and their employees.

**Plan
Complete:** Yes

**Plan
Complete
Date:** 2011-06-24

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: During the factory walk through, employee & management interviews, it was noted that the factory is not in compliance with OSHA regulations as identified in the Health Safety section of this report in further detail. That the facility does not have an individual accountable for H&S, added to a lack of knowledge of OSHA regulations, could be the reasons for these issues. Management was very receptive and eager to resolve the findings.

Legal Reference: OSHA General Duty Clause 5. Duties (a) Each Employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees.

Plan Of Action: [Factory name] has 1 employee that is a registered nurse. Vineyard Vines recommends that [Factory name] appoint this individual as the factory's health manager. This individual's name and location should be posted in case any co-workers are in need of first aid or medical attention.

Deadline Date: 08/31/2011

Action Taken: The factory appointed a person now responsible for health and safety.

Plan Complete: Yes

Plan Complete Date: 2011-07-11

Health and Safety: 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)

Noncompliance

Explanation: [Factory name] does not have any policies or information on Health & Safety regulations. The Factory currently does not have an individual responsible for implementing Health & Safety policies or procedures. The few instructions provided to employees have been done in an informal manner. For example how to evacuate in case of an emergency was explained verbally, however, a fire drill has never taken place.

Plan Of Action: Vineyard Vines recommends that [Factory name] appoint 1 member of senior management to the role of safety manager. This individual will be required to administer fire drills and training evacuations in accordance with OSHA regulations. This person will document the training results and set goals for improvement prior to the next scheduled fire drill/evacuation. The evacuation plan should be in writing, should include illustrations as necessary, and should be accessible upon request.

Deadline Date: 08/31/2011

Action Taken: The factory assigned a person with the specific role as safety manager. The Health and Safety Manager is required to administer fire drills and training evacuations in accordance with OSHA regulations. She is documenting the training results and goals for improvements prior to the next scheduled fire drill/evacuation. The evacuation is in writing.

Plan Complete: Yes

Plan Complete Date: 2011-06-17

Health and Safety: 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)

Noncompliance

Explanation: The factory does not have a Health & Safety management system. Although the factory did have the OSHA Log available, the absence of an individual responsible for H&S in the factory does not allow for a proper follow-up, verification and correction of the issues. Management did share with the auditors that at times they give instructions to employees that are not followed i.e. employees bring their radios to work and use extension cords or look for a way to plug in the radio, disregarding the potential hazards it might cause. If the factory assigned H&S responsibility to an individual, they could develop and implement the policies, in addition to providing training for the employees.

Plan Of Action: The newly designated safety manager at [Factory name] will be responsible for compiling a log of noncompliances as incidents occur. It will then be possible to track improvements, areas of weakness, policy implementation, training results, and remediation to ensure OSHA compliance.

Deadline Date: 08/31/2011

Action Taken: The factory designated a safety manager who is responsible for compiling a log of non-compliances as incidents occur. It is possible to track improvements, areas of weakness, policy implementation, training results, and remediation to ensure OSHA compliances.

Plan Complete: Yes

Plan Complete Date: 2011-07-15

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 walk through the following issues were identified:

1) Aisles are not clearly marked and passable.

Legal Reference: In accordance with OSHA 1910.22(b)(2): Permanent aisles and passageways shall be appropriately marked. In accordance with OSHA 1910.37(a)(3): Exit routes must be free and unobstructed. No materials or equipment may be placed, either permanently or temporarily, within the exit route.

2) Emergency lights are not properly functioning.

Legal Reference: In accordance with OSHA 1910.37(b)(6) Each exit sign must be illuminated to a surface value of at least 5 foot-candles (54 lux) by a reliable light source and be distinctive in color. Self-luminous or electroluminescent signs that have a minimum luminance surface value of at least .06 foot lamberts (0.21 cd/m²) are permitted.

3) Through employee interviews it was confirmed that management explains to all workers what to do in case of an emergency and how to evacuate the facility in a safe manner. However, the factory does not conduct fire drills and does not have an emergency action plan.

Legal Reference: In accordance with OSHA 1910.38 (b) An emergency action plan must be in writing, kept in the workplace, and available to employees for review.

4) Route to emergency exits are not clearly visible.

Legal Reference: In accordance with OSHA 1910.37(b)(2): Each exit must be clearly visible and marked by a sign reading "Exit."

Plan Of Action: Vineyard Vines will request that [Factory name] take the following actions to remediate the findings stated above:

- 1) Aisles and exits must be clearly marked and passable in accordance with OSHA regulations as determined by the safety manager
- 2) [Factory name]'s electrician must ensure that all emergency lighting meets code and is working properly in accordance with OSHA lighting standards
- 3) Conduct annual fire drills and have an evacuation plan on hand and readily accessible.

Deadline Date: 09/30/2011

Action Taken: Exit routes are free and unobstructed and not in the way of exit routes. Exit signs are illuminated. There is an emergency action plan in writing and available to all employees. All exit signs are clearly marked.

Plan Complete: Yes

Plan Complete Date: 2011-07-15

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 factory walkthrough and confirmed by employee & management interview, the following issues were noted:

1) The factory does not have employees trained as first aid responders.

Legal Reference: In accordance with OSHA 29 CFR 1910.151: (a) The employer shall ensure the ready availability of medical personnel for advice and consultation on matters of plant health. 1910.151 (b) In the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, a person or persons shall be adequately trained to render first aid.

2) First Aid Kit was not stocked.

Legal Reference: In accordance with OSHA 1910.151(b): Adequate first aid supplies shall be readily available.

3) Fire extinguishers located throughout the facility have not been visually inspected on a monthly basis.

Legal Reference: In accordance with OSHA 1910.157(e)(2) Portable extinguishers or hose used in lieu thereof under paragraph (d)(3) of this section shall be visually inspected monthly.

Plan Of Action: Vineyard Vines recommends that [Factory name] appoint a health manager and a safety manager. [Factory name] should also consider offering bi-annual group training seminars in First Aid and CPR, and must maintain stocked first aid kits throughout its facility. At the safety manager's direction all fire extinguishers should meet OSHA standards and be inspected monthly (or as frequently as is required by law).

Deadline Date: 08/31/2011

Action Taken: The factory designated a person as the health and safety manager. The factory has offered bi-annual group training seminars on First Aid and CPR. It now stocks first-aid kits throughout its facility. At the safety manager's direction all fire extinguishers should meet OSHA standards and be inspected monthly (or as frequently as required by law).

Plan Complete: Yes

Plan Complete Date: 2011-06-17

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 factory walk through the following issues were identified:

1) Extension cords are used throughout the factory.

Legal Reference: In accordance with OSHA 1910.305(g)(1)(iv) Unless specifically permitted otherwise in paragraph (g)(1)(ii), flexible cords and cables may not be used.

2) Electrical panels are kept open.

Legal Reference: In accordance with OSHA 1926.405(b)(3)(ii) Covers. Boxes shall be closed by covers securely fastened in place.

Plan Of Action: Vineyard Vines will advise [Factory name] to discontinue use of extension cords outside any enclosed office spaces, and to ensure properly working covers/doors on all electrical and/or fuse boxes. The safety manager will be responsible for logging all instances of non-compliance. The repair of electrical boxes can be verified by on-site visits from Vineyard Vines representatives or pictures taken by [Factory name].



Deadline Date: 09/30/2011

Action Taken: Extension cords have been removed and electrical panels are now covered and repaired.

Plan Complete: Yes

Plan Complete Date: 2011-08-12

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: During the facility walkthrough it was observed that 1 sewing machine did not have the pulley guard on.

Legal Reference: In accordance with OSHA 29 CFR 1910.212 (a)(1) Types of Guarding. One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks.

Plan Of Action: Vineyard Vines will request that [Factory name] ensure all sewing machines are in proper working condition including properly installed pulley guards, with replacements or repairs taking place as needed. The safety manager will be required to log all instances of non-compliance moving forward.

Deadline Date: 08/31/2011

Action Taken: Sewing machine pulley guard now has a replacement cover with properly installed pulley guards.

Plan Complete: Yes

Plan Complete Date: 2011-07-22

Health and Safety: Bodily Strain

H&S.20 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. Employers shall train workers in proper lifting techniques and items such as belts shall be provided. (S)

Noncompliance

Explanation: During the walkthrough it was observed that not all employees have ergonomic standing mats. Standing for extended periods places excessive stress on the back and legs. Solutions include a footrest or rail, resilient floor mats, height-adjustable chairs or stools, and opportunities for the employee to change position.

Plan Of Action: Vineyard Vines will request that [Factory name] ensure that all employees have access to ergonomic standing mats, height-adjustable chairs, or some other means of changing position(s) frequently.

Deadline Date: 10/31/2011

Action Taken: All employees who stand were offered standing mats and height-adjustable chairs.

Plan Yes
Complete:

Plan 2011-07-15
Complete
Date:

Health and Safety: Medical Facilities

H&S.21 Medical facilities shall be established and maintained in factories as required by applicable laws. Medical staff shall be fully licensed and recognized under applicable local rules and regulations. An appropriate number of medical staff shall be on duty during all working hours, including any type of overtime, as required under local law. An appropriate stock of medical supplies shall be maintained at all times. Medicines of which the expiration date has passed must be replaced immediately and disposed of in a safe manner. (P)

Noncompliance

Explanation: The factory does not have employees trained as first aid responders.

Legal Reference: In accordance with OSHA 29 CFR 1910.151: (a) The employer shall ensure the ready availability of medical personnel for advice and consultation on matters of plant health. 1910.15 (b) In the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, a person or persons shall be adequately trained to render first aid.

Plan Of Action: In case of emergency, [Factory name]'s senior management should educate its staff that there is a hospital 6 blocks from the factory, and a medical center 2 blocks from the factory. Vineyard Vines will also recommend to [Factory name] that in addition to appointing a health manager and a safety manager, the factory should also hold group training seminars in First Aid and CPR. [Factory name] should also maintain stocked first aid kits throughout its facility, as well as fire extinguishers that meet OSHA standards and are inspected monthly.

Deadline 08/31/2011
Date:

Action Emergency first aid and hospital are located within ¼ mile.
Taken:

Plan Yes
Complete:

Plan 2011-07-15
Complete
Date:

Health and Safety: Sanitation in Factory Facilities

H&S.22 All facilities including factory 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. (S)

Noncompliance

Explanation: During the walkthrough the following was noted:

1) Factory overall was not maintained in a clean and orderly condition, further, due to the recent storms, the factory roof had leaks, which caused the factory to have several wet areas.

Legal Reference: In accordance with OSHA 1910.22(a)(1) All places of employment, passageways, storerooms, and service rooms shall be kept clean and orderly and in a sanitary condition. 1910.22(a)(2) The floor of every workroom shall be maintained in a clean and, so far as possible, a dry condition.

2) Women's bathroom is not kept clean, 1 stall was "out of order" and there were no door handles to allow employees to lock the doors from inside.

Legal Reference: In accordance with OSHA 1910.141(c)(1)(i), toilet facilities: Where toilet rooms will be occupied by no more than 1 person at a time, can be locked from the inside, and contain at least 1 water closet.

Plan Of Action: Vineyard Vines will communicate the following necessities to [Factory name] regarding it's current sanitation issues: ensure clean and dry storage areas and floors throughout, clean and maintain all bathrooms and hire a licensed and insured plumber to ensure properly working facilities, repair/add door handles and interior locks on all bathroom stall doors.

Deadline Date: 09/30/2011

Action Taken: 1) Factory overall is now clean and in orderly condition. The factory's roof had leaks that have been repaired.
2) Women's bathroom is now cleaned daily, stall was fixed and door handles now allow employees to lock the doors from inside.

Plan Complete: Yes



Plan 2011-09-09
Complete
Date:
