



2010

## FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING REPORT

**COMPANY:** Storm Duds Raingear  
**COUNTRY:** United States  
**FACTORY CODE:** 108008246863I  
**MONITOR:** STR  
**AUDIT DATE:** January 12, 2010  
**PRODUCTS:** Umbrella Imprints, Poncho  
Imprints, Beach Products  
**PROCESSES:** Screenprinting  
**NUMBER OF WORKERS:** 33



**CONTENTS:**

Health and Safety: General Compliance Health and Safety..... 3  
Health and Safety: Written Health and Safety Policy ..... 4  
Health and Safety: Safety Equipment and First Aid Training..... 5  
Hours of Work: Rest Day\* ..... 6  
Hours of Work: Maintenance of Reasonable Levels of Staff\* ..... 6

*\*Denotes a Notable Feature*



## 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:** Aisles are not marked in warehouse and workshops. While conducting the health and safety walkthrough, the monitor observed that permanent aisles and pathways are not appropriately marked as required by Federal Regulation. This concern is not in compliance with 29 CFR (1996) § 1910.22(b)(2) Aisles and Passageways.

**Plan Of Action:** We will mark the aisles in the warehouse.

**Deadline Date:** 03/07/2011

**Action Taken:** Aisles have been marked. Photos of marked aisles sent to FLA for review.

**Plan Complete:** Yes

**Plan Complete Date:** 03/07/2011

---



### 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:** There is no written emergency action plan. During health and safety documentation review, the monitor requested an emergency action plan from management. Management informed the monitor that no plan was currently in place. This concern is not in compliance with 29 CFR (2002) § 1910.38(c).

**Plan Of Action:** A written emergency action plan will be developed by senior management.

**Deadline Date:** 03/07/2011

**Action Taken:** The written emergency action plan has been developed, reviewed with all employees, and signed off by all employees. Emergency Action Plan has been sent to FLA for review.

**Plan Complete:** Yes

**Plan Complete Date:** 07/25/2011

---

**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. Fire extinguishers are not inspected on a monthly basis. Per management statements, the facility's fire extinguishers are not examined visually during internal safety audits. The monitor observed the extinguishers had no checks recorded on the monthly check tags. This concern is not in compliance with 29 CFR (2002) § 1910.157(e)(2) Inspection, Maintenance, and Testing.

2. There is no trained medical personnel on site. Per management statements, there is no trained medical personnel at the facility and no members of staff are trained in emergency or CPR procedures. This concern is not in compliance with the FLA Code of Conduct.

**Plan Of Action:** 1. Fire extinguishers will be inspected monthly.  
2. Appropriate employees will be sent to a CPR training class.

**Deadline Date:** 03/07/2011

**Action Taken:** 1. Fire extinguishers are now inspected monthly. Photo of extinguisher with monthly inspection record tag sent to FLA for review.  
2. Employees (4) were sent to a CPR class on 12/29/11. Copies of CPR certification sent to FLA for review.

**Plan Complete:** Yes

**Plan Complete Date:** 07/25/2011

---

### **Hours of Work: 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)

#### **Notable Feature**

**Explanation:** All employees are allowed at least 1 rest day in 7. Additionally, all employees interviewed reported flexible schedules. A majority of interviewees have family circumstances, which require special scheduling arrangements. Reportedly, management is flexible and understanding. The workplace was reported to be family oriented.

---

### **Hours of Work: Maintenance of Reasonable Levels of Staff**

HOW.7 Employer personnel practices shall demonstrate an effort to maintain a level of staffing that is reasonable in view of predictable or continuing fluctuations in business demand. (P)

#### **Notable Feature**

**Explanation:** While the facility uses a third-party staffing agency, these supplemental roles are not permanent; these new employees are more than often hired on a full-time permanent basis. This was reviewed and confirmed as reported during employee interviews.

---