FLA Comment: Brooklyn Manufacturing ceased affiliation with the FLA in 2018 and ceased all production in February 2019 after 28 years of operation. At the time of the closure, there were 1,249 workers at the factory that were due severance wages and back pay. In March 2019, Brooklyn agreed to pay all severance and back pay owed to all workers and created a payment plan and calendar. The El Salvador Ministry of Labor approved this payment plan and timeline. Officials from the unions operating at Brooklyn at the time of the closure confirmed that Brooklyn has so far complied with the payment plan. The FLA will continue to monitor the situation and engage with union officials and local and international stakeholders to ensure that the rest of the payment process will move forward as planned. Due to the closure, the company will no longer be reporting to the FLA on the recommendations from this report nor on the remediation of issues identified in FLA administered SCI assessments.
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Brooklyn workers conducting one of their twice-daily, five-minute ergonomic stretching and exercise breaks.
INTRODUCTION

FLA-accredited Participating Suppliers have demonstrated that they have the systems and procedures in place to successfully uphold fair labor standards. When joining the FLA, Participating Suppliers commit to implementing the FLA Workplace Code of Conduct, which ensures “respectful and ethical treatment of workers” and “promotes sustainable conditions through which workers earn fair wages in safe and healthy workplaces.”

While the FLA does not certify suppliers, it does evaluate them at the headquarter level – in addition to standard factory-level due diligence activities that are conducted annually – to determine whether they have social compliance systems in place to proactively identify and address risks or instances of noncompliance. Accreditation is the highest level of recognition for FLA-affiliated companies.

The FLA Board of Directors voted to approve the accreditation of Brooklyn Manufacturing’s compliance program on February 18, 2016 based on proven adherence to FLA's Workplace Code of Conduct and the Principles of Fair Labor and Responsible Sourcing. Details on FLA's accreditation methodology can be found at www.fairlabor.org/accreditation.
The FLA conducted one SCI factory assessment, two field observations, and one headquarter assessment at Brooklyn Manufacturing’s facility in San Salvador, El Salvador.
SECTION 1: BROOKLYN MANUFACTURING’S LABOR COMPLIANCE PROGRAM

Brooklyn is the sole manufacturing facility for its parent company, Cannon Country Knitting Mills, Inc. (CCKM). CCKM has a corporate office in Murfreesboro, Tennessee, a sales office in Huntington, New York, and the Brooklyn manufacturing plant in San Salvador, El Salvador, which consists of a cutting plant and a sewing plant. CCKM was established in 1959 as a knit apparel manufacturer and opened Brooklyn in 1990 to expand to apparel cut and sew production. Brooklyn specializes in light to medium-weight athletic jackets and athletic performance apparel. Currently, Brooklyn has approximately 1,800 employees and has experienced growth in its business since February 2012. Brooklyn was approved as a Participating Supplier (PS) in February 2012, selecting a three-year implementation period.

Brooklyn established its first code of conduct in 2010, and revised its code in 2015 to meet the FLA Workplace Code of Conduct. The CCKM Vice President of Operations is the General Manager at Brooklyn and oversees implementation of its social compliance program. When affiliating as a PS, Brooklyn had a Social Compliance and Health & Safety Manager. In 2014, the General Manager added a Social Compliance Coordinator and a Health & Safety Coordinator. The Social Compliance Coordinator reports directly to the General Manager and is responsible for implementing Brooklyn’s social compliance program, with the support of the Human Resource Manager, Health & Safety Coordinator, and General Manager.

Brooklyn implemented its monitoring program in 2015 by hiring an audit consultant to conduct the internal audit and provide audit training to the Social Compliance Coordinator and Health & Safety Coordinator. The Social Compliance Coordinator also works with the Director of Manufacturing, Manager of Production Planning, and Manager of Cutting & Fabric Purchasing to implement responsible production practices. Brooklyn is currently implementing lean manufacturing teams to

Workers producing apparel inside Brooklyn’s wholly owned-and-operated manufacturing facility.
increase production efficiency as well as improve skills and potential compensation for workers. In addition, Brooklyn has implemented a variety of social programs and benefits for its workforce. These programs and benefits include personnel development training, English and technical classes, and various health initiatives. Brooklyn’s current and most impactful initiative has been its partnership with World Vision to implement the “Mujeres en Fábrica” training courses for all workers which focus on self-confidence, self esteem, identification of harassment and abuse, personal health and hygiene, and strengthening of communication skills.

Brooklyn is a supplier to two FLA Participating Companies (PC) and two FLA Category B Licensees. Brooklyn is subject to regular audits from its buyers and generally receives, at least one audit a year from its buyers. However, some buyers have reduced audits at Brooklyn due to Brooklyn’s implementation of a social compliance program and FLA affiliation as a PS.

The table below describes Brooklyn’s scope of affiliation over the period 2012-2015 which considers the cutting plant and the sewing plant as one facility. During this period, Brooklyn was subject to one Independent External Assessment (IEA), in 2013, in the form of a Sustainable Compliance (SCI) assessment. Because Brooklyn is a one-facility PS, they receive one SCI assessment every three years as per FLA IEA procedures. During the two years after the SCI assessment, Brooklyn focused on implementing its remediation action plan. Information on the results of the assessment and the remediation undertaken by Brooklyn in response to findings of noncompliance are publicly available on the FLA website and are discussed, as appropriate, in the next section.

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* FLA Affiliates do not receive FLA assessments in the first year of affiliation.

** Brooklyn is a one-facility Participating Supplier, and as such receives an SCI assessment once every three years at its facility.

Brooklyn’s next SCI assessment will take place during the 2016 SCI cycle.
SECTION 2: ANALYSIS OF BROOKLYN’S LABOR COMPLIANCE PROGRAM USING THE FLA PRINCIPLES OF FAIR LABOR AND RESPONSIBLE SOURCING

Information used in this assessment originates from annual reports submitted by Brooklyn to the FLA verified through:

1) An assessment at Brooklyn headquarters conducted by FLA staff in November 2015;
2) Shadowing of a Brooklyn audit at the facility in El Salvador in January 2015;
3) Shadowing of Brooklyn’s training for workers on workplace standards at the facility in El Salvador in November 2014;
4) Information gathered in person, via phone interviews, and through email correspondence with Brooklyn and CCKM staff;
5) Worker interviews conducted at the facility in El Salvador, from a sample selected by the FLA staff;
6) Results of FLA Independent External Assessments at Brooklyn’s facility, conducted by FLA assessors;
7) Interactions with Brooklyn and stakeholders in the context of FLA Safeguards work, involving the facility in El Salvador, between 2014 and 2015; and
8) Communication with stakeholders.

1. WORKPLACE STANDARDS: COMPANY AFFILIATE ESTABLISHES AND COMMITS TO CLEAR STANDARDS

1.1 Company Affiliate establishes and articulates clear, written workplace standards that meet or exceed those embodied in the FLA Workplace Code of Conduct.

Actions Taken:
Brooklyn adopted its first code of conduct in 2010; since then, many revisions have taken place in order to meet their clients’ code standards. In August 2015, Brooklyn conducted its final Code of Conduct revision, revising its “Hours of Work” standard to align it with the FLA Workplace Code of Conduct. The General Manager has signed the revised version of Brooklyn’s Code of Conduct, which is applicable to all the company’s business partners, and references the International Labor Organization (ILO) standards in the preamble and specifically in its Hours of Work standard.

Brooklyn has also adopted the FLA Compliance Benchmarks, as part of its internal workplace standards, and the company has developed an audit tool that includes the benchmarks.

Verification by FLA:
FLA reviewed the 2014 version of the Brooklyn Code of Conduct and provided recommendations for code alignment. Brooklyn submitted a revised code in September 2015, which FLA staff reviewed and confirmed the Brooklyn Code of Conduct meets or exceeds the FLA Workplace Code of Conduct. The Brooklyn Code of Conduct can be found in Appendix A of this report in English and Spanish. FLA verified Brooklyn’s implementation of the FLA Compliance Benchmarks through field observation of Brooklyn’s audit and review of their audit tool.
1.2 **Company Affiliate leadership formally commits to uphold workplace standards and to integrate them into company business practices.**

**Actions Taken:**

The General Manager has formally committed to upholding Brooklyn’s Code of Conduct and to integrate the standards into the company’s business practices through a signed commitment letter. This letter has been posted on a notice board in the sewing production floor, and is also explained to all new workers during the orientation training.

The Brooklyn’s Employees Manual also includes a commitment to uphold the Code of Conduct. A copy of this manual is given to all new workers.

**Verification by FLA:**

During the November 2015 headquarter assessment, FLA staff reviewed Brooklyn’s commitment letter to uphold the Code of Conduct, and noted that it has been posted on a bulletin board in the sewing production plant. FLA staff also reviewed Brooklyn’s Employees Manual and other documentation related to the regular and ongoing trainings delivered to workers, supervisors, managers, and administrative staff on Brooklyn’s Code of Conduct and its buyers’ codes of conduct.

2. **Responsibility and Head Office/Regional Training:**

**Company Affiliate identifies and trains specific staff responsible for implementing workplace standards and provides training to all head office staff**

2.1 **Company Affiliate identifies the person(s) responsible for implementing its workplace standards compliance program.**

**Actions Taken:**

The Brooklyn Corporate Social Responsibility Team is comprised of the General Manager, the Social Compliance Coordinator, the Health & Safety Coordinator, and the HR Manager. The Social Compliance Coordinator is responsible for implementing a workplace standards compliance program that meets the standards of its buyers and the FLA Workplace Code of Conduct and Compliance Benchmarks and the Principle Benchmarks. The Social Compliance Coordinator reports to the General Manager and is supported by the Human Resources (HR) Manager, the Health & Safety Coordinator, and relevant production staff. The Social Compliance Coordinator, Health & Safety Coordinator, and the HR Manager work collaboratively to ensure workplace standards are implemented, with the General Manager ensuring that staff have the necessary resources to ensure compliance.

**Verification by FLA:**

During the 2015 headquarter assessment, FLA staff verified the structure of the Brooklyn’s Corporate Social Responsibility (CSR) Team. Brooklyn’s Social Compliance Coordinator serves as primary point of contact with the FLA. FLA reviewed the Brooklyn Organizational Chart that shows the reporting channels within the various departments at Brooklyn, including all relevant staff responsible for developing and implementing Brooklyn’s social compliance program.

FLA staff reviewed the job descriptions for the CSR Team. Among the General Manager’s responsibilities, the following are related to implementation of workplace standards: ensuring proper working conditions, resolving grievances presented by workers, and assessing production planning with the Manager of Production Planning to
avoid negative impacts in working conditions. Job descriptions of Social Compliance Coordinator, Human Resources Manager and Health and Safety Coordinator include ensuring compliance with national and international labor and health and safety laws, developing and implementing company internal policies, and buyers Codes of Conduct, providing training on social compliance, addressing and responding to workers’ grievances, conducting periodic inspections to ensure health and safety conditions are met, and implementing remediation.

2.2 **Company Affiliate trains the person(s)/team(s) responsible for administering and implementing its workplace standards compliance program.**

**Actions Taken:**
The Social Compliance Coordinator started at Brooklyn in January 2014; prior to Brooklyn she worked as service provider for the FLA, by conducting quality reviews of Independent External Monitoring (IEM) reports for a period of six months, during 2011. Additionally, between 2008 and 2013, the FLA commissioned translation reports services to her. Due to the Social Compliance Coordinator’s previous experience with the FLA, she was a strong candidate considered by the General Manager.

Since the HR Manager was hired in July 2008, she has completed various forms of formal and informal training on social compliance standards, including Brooklyn and other buyers’ codes of conduct. The HR Manager and the Social Compliance Coordinator have participated in the basic phase of the “Mujeres en Fábrica” training program, where they received information on different topics, such as gender equality, integral health, effective communication, self-esteem and conflict resolution. The Social Compliance Coordinator and HR Manager have progressed to the advance phase of the “Mujeres en Fábrica” training program.

The Health and Safety Coordinator also started at Brooklyn in January 2014 and works closely with the Social Compliance Coordinator. The coordinators have provided cross training in their relevant areas of expertise. Both coordinators received preliminary in-factory training on social compliance assessments by observing a third-party auditor conducting the internal assessment. FLA staff observed this internal assessment in January 2015, and provided recommendations to Brooklyn in strengthening its audit methodology. As a way to follow some of these recommendations, the HR Manager, Health and Safety Coordinator and Social Compliance Coordinator received training on worker interview techniques, in January 2016. In addition, the Social Compliance Coordinator and Health & Safety Coordinator have received formal trainings in health, safety, environment, and effective communication; and the Social Compliance Coordinator received and international certification on training techniques by the American Business School.

The trade union, Sindicato de la Industria Textil Salvadoreña (SITS) sectional Brooklyn, was formed in 2014. With the purpose of ensuring accurate understanding of the right of Freedom of Association, unionizing and collective bargaining, the General Manager asked to one of the lawyers from Brooklyn’s legal counsel to provide regular training on Freedom of Association to the CSR Team, supervisors, upper management, engineers, and mechanics.

**Verification by FLA:**
FLA reviewed training materials and training records to verify the trainings participated by the CSR Team on workplace standards and social compliance. The CSR Team demonstrated expertise of Brooklyn’s workplace standards, health and safety standards, HR practices, and the social compliance program.

During the field observation of the audit, the FLA recommended that the Brooklyn CSR Team pursue training in conducting worker interviews. Brooklyn considered several consultants for training on worker interviews that were
recommended by FLA staff, and completed training with the consultant in January 2016. Brooklyn confirmed important learning on how to build rapport with workers during interviews, and how to better select a sample based on the workforce profile.

FLA identified the training on positive collaboration with the union and Freedom of Association for Brooklyn’s staff as a strength of the Brooklyn’s program, since it was implemented with the purpose of ensuring that Brooklyn’s management staff gains a comprehensive understanding of the organizational rights’ scope and applicable legal framework.

**Recommendations:**
FLA recommends Brooklyn to continue implementation of the Freedom of Association training by including collective bargaining in future training.

2.3 **Company Affiliate ensures that training is provided to all head office and regional staff on the company’s commitment to workplace standards and the integration of standards into business practices.** Training occurs at onboarding and refresher training is conducted annually.

**Actions Taken:**
The Social Compliance Coordinator has provided training to all head office staff on the Brooklyn Code of Conduct, internal policies and procedures to operationalize the code, and specific training on nondiscrimination, harassment or abuse, termination, and industrial relations. Additionally, the Social Compliance Coordinator provided training to the Purchasing and Planning Departments on the Principle benchmarks for Principle 8 for Responsible Production. She has also provided training on grievance system and disciplinary procedures to all managers, chiefs of departments, supervisors, engineers, mechanics and HR administrative staff.

**Verification by FLA:**
Through interviews during the November 2015 headquarter assessment, FLA staff verified that training on Brooklyn’s compliance program has been conducted with senior-level management in Production and Planning Departments. Senior-level management showed knowledge of the Brooklyn’s compliance program and responsible production practices. FLA staff reviewed records of trainings provided during 2014 and 2015, including attendees list and training material. Documentation on annual worker trainings on workplace standards was also reviewed.

Additionally, FLA staff reviewed Brooklyn’s Manual of Responsible Production and Planning, which highlights: a) A requirement for providing Brooklyn’s’ Code of Conduct training to all newly hired staff, as well as ongoing training; b) The procedure for internal communication between different departments to review and assess the impact of production in working conditions, and, c) The planning procedure. Brooklyn maintains records of its internal system to collect feedback on the training to demonstrate that staff has gained knowledge from the training.
3. **PRODUCTION STAFF TRAINING: COMPANY AFFILIATE TRAINS ALL MANAGEMENT STAFF AND EMPLOYEES AT OWNED PRODUCTION SITES ON WORKPLACE STANDARDS AND TRACKS EFFECTIVENESS OF TRAINING**

3.1 **Company Affiliate** ensures that workplace standards are accessible to workers, managers, and supervisors in written form and relevant languages.

**Actions Taken:**
All new employees receive a copy of Brooklyn’s Manual for Employees and Code of Conduct and the Code of Conduct is posted on notice boards on the production floors of the cutting and sewing plants. All information is provided in Spanish, which is the employees’ local language.

**Verification by FLA:**
FLA staff interviewed a sample of production workers from different areas/departments during the headquarter assessment, who confirmed having access to Brooklyn’s workplace standards upon hiring. FLA staff verified that Brooklyn’s Code of Conduct was posted at the cutting and sewing plants.

3.2 **Company Affiliate** (a) ensures that workers, managers, and supervisors are trained on workplace standards at regular intervals to take account of labor turnover, and (b) informs managers of the potential of FLA assessments and the Company’s expectation to remediate.

**Actions Taken:**
All new employees receive training on Brooklyn’s Code of Conduct and the buyers’ codes of conduct during the orientation training and refresher trainings are conducted annually. Focused trainings have been delivered to the managers, chiefs of areas, and supervisors on grievance systems and disciplinary rules and procedures.

Brooklyn identified worker comprehension of the code of conduct as a consistent finding on external audits. In order to address this finding, Brooklyn developed an artwork contest among production workers. Every month, a code standard is explained to the workers who then can volunteer to develop artwork that represent that code standard. Representatives from the different production lines and departments vote to decide which artwork is most representative of the standard, and the winner receives a monetary prize. At the time of the headquarter assessment, eight out of the ten code standards had been covered. In addition to the code standards, an artwork contest on the rights of pregnant and nursing women was conducted.

Finally, the General Manager informed relevant managerial staff about the 2013 SCI assessment and the expectation to remediate after the company received the final assessment report. Regular meetings are held between the General Manager, the HR Manager, the Social Compliance Coordinator and the Health & Safety Coordinator to discuss upcoming buyers’ audits and correction action plans.

**Verification by FLA:**
During the FLA headquarter assessment, a sample of production employees from different production lines and departments were interviewed and confirmed that orientation training and the ongoing refresher trainings on workplace standards are provided. FLA verified that the CSR Team and other relevant staff are notified of upcoming FLA assessments or other FLA activities. The CSR Team is also informed about buyers’ audits to prepare for these audits and to develop corrective action plans.
During Brooklyn’s 2013 SCI, it was identified that Brooklyn had not implemented the legally required sexual harassment prevention program. Brooklyn developed a sexual harassment prevention program and conducted a sexual harassment training that was observed by FLA staff for a field observation in November 2014. In the field observation report, FLA staff provided recommendations to Brooklyn for future trainings. Additionally, FLA staff reviewed the training materials for compensation training, which includes details of all legal benefits, as well as those benefits voluntarily provided by Brooklyn to its workers. Benefits are also posted on the bulletin board at the sewing plant.

FLA staff also reviewed the following training records: list of attendees, training materials, photographs, and testimonies of beneficiaries with the training activities, and samples of artwork by workers on the Brooklyn’s Code of Conduct standards posted in the sewing plant. FLA staff interviewed workers about the artwork contest who confirmed participation and expressed their enjoyment of the activity as a fun way to learn about Brooklyn’s Code of Conduct.

### 3.3 Company Affiliate measures the effectiveness of training for workers, managers, and supervisors.

**Actions Taken:**

Brooklyn has developed and implemented efforts to measure the effectiveness of the trainings provided to workers, managers and supervisors. A test is administered after every annual refresher training on workplace standards, including the trainings provided to production and planning staff. The company also tracks and analyzes tests’ results.

Audits commissioned by buyers and the SCI assessment have served as an instrument to measure the effectiveness of trainings. Based on findings reported in previous audits, related to lack of sufficient workers’ knowledge on buyers’ Code of Conduct, Brooklyn implemented an artwork contest to promote a better understanding of the Brooklyn and buyer Codes of Conduct.

**Verification by FLA:**

FLA staff reviewed relevant documentation including tests completed after trainings, and charts showing the test results for different audiences. As mentioned above, FLA staff confirmed workers’ participation and enjoyment of the artwork contest for Brooklyn’s Code of Conduct. Lastly, FLA staff observed the photos for PPE to reinforce the Health & Safety Training.

**Recommendation:**

FLA recommends Brooklyn continue to explore creative and interactive ways to ensure training on workplace standards is effective for all employees.
4. **FUNCTIONING GRIEVANCE MECHANISMS: COMPANY AFFILIATE ENSURES WORKERS HAVE ACCESS TO GRIEVANCE MECHANISMS, WHICH INCLUDE MULTIPLE REPORTING CHANNELS OF WHICH AT LEAST ONE IS CONFIDENTIAL**

4.1 Company Affiliate ensures there are functioning grievance procedures at owned production sites.

**Actions Taken:**

Brooklyn has established the following grievance mechanisms: i) suggestion boxes; ii) Employee Council; iii) an Open Door Policy and, iv) regular meetings with the union representatives.

The suggestion boxes provide confidentiality for workers when submitting grievances, and they are available for workers at the two plants. Suggestion boxes have been placed in the bathrooms, which allows for workers to submit grievances confidentially and anonymously.

The Employee Council meets every Monday with one representative per work area/department. In the case of the sewing floor, there is one representative for each production line. On average, around 65 employee representatives, the General Manager, HR Manager, Social Compliance Coordinator, and Health & Safety Coordinator participate in council meetings. During these meetings, the representatives discuss with management suggestions, comments, and grievances that workers raise to their representatives. Management takes minutes and discusses potential resolutions during the meeting or afterwards. Management also takes the opportunity to refresh worker representatives about other topics, such as health and safety rules, compensation, and Brooklyn’s Code of Conduct elements – each of these topics is discussed at least once a month. Every Tuesday morning, all worker representatives inform the other workers about the topics discussed during the Employee Council meeting, including resolutions to grievances and suggestions, and other information that the management staff shared. The workers elect the worker representatives and elections are held every month.

Under the Open Door policy all employees are able to raise grievances with their immediate supervisor or manager, and can directly submit grievances to the Social Compliance Coordinator, the HR Manager, or the General Manager, with no need to follow an escalating process. The General Manager, HR Manager and Director of Manufacturing are responsible for maintaining records of grievances submitted to them by employees. Health, safety or environmental issues might be reported to the Health & Safety Coordinator.

Since the formation of SITS within the factory in 2014, Brooklyn has held regular meetings with the union representatives at the factory and with the national federation, Federación Sindical de El Salvador (FESS), representatives to which the union is affiliated. During these meetings, the union also acts as a grievance channel, by presenting specific issues raised by the workers. From the management side, the Director of Manufacturing, the Manager of Cutting & Fabric Purchasing, the HR Manager, and Brooklyn’s lawyer participate in the meetings with the union and report to the General Manager a summary of the meeting and issues that require further discussion with the union.

**Verification by FLA:**

FLA reviewed Brooklyn’s Grievance Policy and Procedures and verified all channels are included in the policy and procedures. FLA staff interviewed management staff, union representatives, and production workers, who provided specific information about the functionality of the different grievance channels. It was noted that production workers feel comfortable with talking directly to the General Manager, the management team, and supervisors. FLA
identified Brooklyn’s variety of grievance channels and workers’ confidence in the grievance mechanisms as a strength of Brooklyn’s social compliance program.

During the headquarter assessment, FLA staff reviewed minutes of the meetings held with the union representatives. Additionally, the FLA Americas field team had previous knowledge of the regular meetings between the union (SITS), the federation (FESS), and Brooklyn, as part of the CSO engagement that is regularly conducted in El Salvador to discuss freedom of association issues at the different factories where there is FESS representation.

FLA staff also reviewed documentation of the grievances maintained by the General Manager, the Director of Manufacturing, and the HR Manager. The Social Compliance Coordinator inputs all grievances, including those submitted through the suggestion box, in an Excel tracking chart to ensure resolutions, which is then reviewed by the Social Compliance Coordinator, the HR Manager, and the General Manager.

4.2 Where local mechanisms are not functioning, Company Affiliate provides alternative channels for workers to contact the brand directly and confidentially.

**Actions Taken:**
Since Brooklyn is a one facility supplier, all grievance channels can go to head office staff with the suggestion box being an alternative channel that provides confidentiality and anonymity. All workers have accessibility to the suggestion boxes in the bathrooms to submit grievances. Every Friday, the HR Manager opens the suggestion boxes, the Social Compliance Coordinator reviews the grievances and maintains the grievance tracker, and both are responsible for addressing the grievances. If the complainant has included his or her name, the resolution of the grievance is directly communicated to the worker. When the grievance is anonymous, the resolution is posted on the notice board. If it is an issue concerning a group of workers, the resolution is also communicated in the Employee Council meeting.

Additionally, one of Brooklyn’s buyers, an FLA Participating Company (PC), has implemented a hotline available for workers to report grievances. Brooklyn states that two grievances were submitted to the PC through the hotline. Brooklyn was informed of the grievances and consequently followed up with the PC on how the issues were addressed.

**Verification by FLA:**
During interviews with production workers, they confirmed the existence of suggestion boxes in the bathrooms. FLA staff also reviewed the general grievance tracker that includes follow-up actions and resolutions. During the interviews with the management staff, it was stated that some employees have also submitted closed envelops with grievances to go directly to the General Manager during the Employee Council meeting.

During the 2013 SCI assessment, FLA staff noted that a suggestion box was located in the female bathrooms; however, due to remodeling work at the male bathrooms, the suggestion box in this area was temporarily placed in a location that did not provide confidentiality. This issue was addressed, and the suggestion box was placed in a confidential location temporarily. At the time of the headquarter assessment, FLA staff verified that suggestion boxes were placed in the bathrooms and that workers felt comfortable submitting grievances through the suggestion box.
4.3 **Company Affiliate ensures training and communication is provided to all workers about the grievance mechanisms.**

**Actions Taken:**
Brooklyn’s annual and new hire trainings to all workers include training on the different grievance channels. Specific training on handling grievances was provided to all managers, chief positions, supervisors, engineers, mechanics and administrative staff. Brooklyn integrates its grievance mechanisms into other worker trainings, by reminding workers if they have a concern on a certain workplace standard or benefit that they can use the various grievance mechanisms to address this concern.

**Verification by FLA:**
FLA staff conducted interviews with management staff, supervisors, and production workers, which confirmed that workers have received training and understood the different grievance channels. FLA staff also reviewed minutes of the weekly Employee Council meetings, list of attendees, and Power Point presentations. The training material includes the steps on how to submit a grievance, how a grievance is addressed, how the resolution will be communicated, and the confidentiality and non-retaliation elements. Focused training is provided to managers, supervisors, chiefs of areas, engineers, mechanics and administrative staff on how to address concerns and grievances of workers.

During the field observation of sexual harassment training in November 2014, FLA staff confirmed grievance mechanisms were discussed as a way to report concerns or incidents of sexual harassment.

4.4 **Company Affiliate ensures that grievance mechanisms lack penalty and have at least one confidential reporting channel.**

**Actions Taken:**
Brooklyn has a Non-Retaliation Policy, signed by the General Manager, which includes protection for workers interviewed during audits, workers who exercise their right to Freedom of Association, and workers who submit grievances or suggestions to the management through any of the channels. This policy has been posted on the notice board, and is communicated to workers during the regular trainings of the company’s policies and Code of Conduct.

**Verification by FLA:**
FLA staff reviewed the Non-Retaliation Policy and verified the policy was posted on the notice boards. Grievance procedures and training materials were also reviewed, which include the confidentiality and non-retaliation elements. Production workers, union representatives, supervisors and managers interviewed during the headquarter assessment confirmed the functionality of the grievance channels and no evidence of retaliation for submitting grievance or suggestions was found. From the sample of interviews conducted of the production workers and union representatives by FLA staff, workers felt comfortable using at least one of the grievance mechanisms.
5. **MONITORING**: COMPANY AFFILIATE CONDUCTS WORKPLACE STANDARDS COMPLIANCE MONITORING

5.1 **Company Affiliate conducts annual assessments of compliance with workplace standards at every owned production site.**

**Actions Taken:**
Traditionally, Brooklyn has also relied on its buyers’ social compliance assessments of their facilities for monitoring the factory’s working conditions. In 2015, Brooklyn hired an external consultant to undertake a social compliance assessment on its behalf. This assessment was based on the FLA SCI questionnaire and FLA Code of Conduct and Compliance Benchmarks and would also serve as “in-factory” training for the Social Compliance Coordinator and the Health and Safety Coordinator, so that they could develop and implement Brooklyn’s internal monitoring system.

**Verification by FLA:**
FLA staff conducted a field observation of this internal assessment, and specific recommendations were provided in the field observation report to improve the assessment process. With the FLA’s feedback from the assessment, Brooklyn developed an internal monitoring manual, including procedures for the management team to conduct assessments. FLA staff reviewed this manual and provided feedback. The additional feedback provided by the FLA was taken into account by Brooklyn to revise and update its manual. The company plans to implement the internal monitoring systems and processes completely in 2016.

**Recommendation:**
FLA recommends Brooklyn to continue to implement its internal monitoring program throughout 2016 by implementing the newly developed internal monitoring manual.

5.2 **Company Affiliate ensures that its monitoring program includes, but is not limited to:**
   a. Worker interviews,
   b. Consultation with unions or worker representative structures, where applicable,
   c. Management interviews,
   d. Documentation review,
   e. Visual inspection, and
   f. Occupational safety and health review.

**Actions Taken:**
Brooklyn’s 2015 internal assessment included worker interviews, management interviews, documentation review, visual inspection, and occupational safety and health review. From the FLA field observation report of this audit, it was recommended that integration of union representatives be included in the assessment process.

In preparation for the 2015 internal assessment, Brooklyn revised its internal monitoring manual to include the following activities: preparatory activities, opening meeting, physical inspection, occupational health and safety and environment review, worker and management interviews—including interview with the union representatives, documentation review, preparing the closing meeting, reporting, and remediation and follow-up activities. Brooklyn’s internal monitoring manual integrated the union representatives by including them in the opening and closing meetings, and by requesting that the union representatives are interviewed during the assessment process.
Verification by FLA:
From the 2015 field observation of Brooklyn’s internal assessment, FLA staff verified that all components of monitoring were included in the assessment, with the exception of consultation with union representatives. FLA verified that Brooklyn included the consultation with and involvement of union leaders in its internal monitoring manual, following the recommendations provided by the FLA in the field observation report. Additionally, in effort to ensure the involvement of the union representatives, Brooklyn invited one union leader to the opening and closing meeting of the headquarter assessment and FLA staff were able to interview various unionized workers – both leaders and union affiliates – during the assessment.

FLA staff reviewed Brooklyn’s manual and corroborated that it includes procedures for management and worker interviews, factory site inspection, review of documentation, and engagement/consultation with the union during interviews, opening and closing meetings and remediation. In January 2016, Brooklyn developed an audit tool, which will be implemented in future internal annual assessments. The FLA reviewed this audit tool and corroborated that it includes the implementation of the FLA Compliance Benchmarks.

Recommendation:
FLA recommends Brooklyn continue to implement its monitoring program with the integration of union representative consultation into the assessment process. FLA recommends Brooklyn continue to implement its audit tool.

5.3 Company Affiliate ensures that, where relevant, monitoring is consistent with applicable terms in collective bargaining agreements.

Actions Taken:
SITS has been active at Brooklyn since 2014, but does not have the legally required percentage of unionized workers to begin the collective bargaining process. Therefore, no collective bargaining agreement exists in the facility.

Verification by FLA:
Through interviews with Brooklyn management, union representatives at the factory, and information gathered by the FLA from FESS, the federation, operating in El Salvador, FLA confirmed that Brooklyn does not have the legally required percentage of unionized workers to start the collective bargaining process.

Recommendation:
FLA recommends Brooklyn include the review of a potential collective bargaining agreement, should there be one in place, in Brooklyn’s internal monitoring manual.

5.4 Company Affiliate conducts pre-production assessment of new owned production sites to review compliance with workplace standards.

Actions Taken:
While Brooklyn and CCKM have experienced growth throughout its implementation period, the company is not looking to expand its facilities in the near future. Nevertheless, Brooklyn’s internal monitoring manual includes a process for potential pre-production assessments of any newly acquired production sites to review compliance with workplace standards.

Verification by FLA:
FLA staff reviewed the latest updated version of Brooklyn’s internal monitoring manual, and confirmed the inclusion of a process for pre-production assessment of new facilities.
6. **COLLECTION AND MANAGEMENT OF COMPLIANCE INFORMATION: COMPANY AFFILIATE COLLECTS, MANAGES, AND ANALYZES WORKPLACE STANDARDS COMPLIANCE INFORMATION**

6.1 **Company Affiliate maintains a complete and accurate list of contract facilities and collects and manages compliance and workplace information.**

**Actions Taken:**

Brooklyn maintains complete and accurate workplace standards compliance information related to its production site. The information maintained includes an accident log, all external and internal audit reports, corrective actions plans, root cause analysis, remediation trackers, and minutes related to meetings held with the union and the Employee Council. Brooklyn also maintains personnel files for its workers, such as disciplinary actions and grievances submitted by workers.

**Verification by FLA:**

FLA staff reviewed a tracker maintained by the Social Compliance Coordinator that compiles all findings from internal and external assessments conducted in 2015, including root cause analysis and the relevant corrective actions and their current status. FLA staff also reviewed the accident log that is updated by the Health & Safety Coordinator, the minutes of meetings with unions, and records of disciplinary actions taken.

6.2 **Company Affiliate analyzes trends in non-compliance findings.**

**Actions Taken:**

The Social Compliance Coordinator, with the support of the Health and Safety Coordinator, have conducted a comprehensive analysis of data from previous buyers’ audits in 2015, showing the most common noncompliance findings, and the more commonly infringed code standards. As a result, the company identified the lack of workers’ comprehension of workplace standards as a common finding from the audit reports. Consequently Brooklyn implemented the previously mentioned artwork contest among production workers, to ensure a better understanding of workplace standards among them.

Brooklyn is also implementing an in-depth and comprehensive analysis of health and safety information, specifically on the accidents that occur at the factory and actions to be taken to address the causes. The data analysis of accidents has led the company to provide focused Personal Protective Equipment (PPE) training, develop Standard Operating Procedures (SOPs), and maintain machinery maintenance records. In addition, the Health & Safety Coordinator conducted an analysis of temperature measurements, which led to the implementation of a water mist cooling system. With this system, the production floor temperature was reduced 5º Celsius.

The Health & Safety Coordinator also implemented for visual representation related to the importance of wearing personal protective equipment (PPE), to ensure that workers wear PPE consistently, not just during audits. Throughout the facilities are photos of what can happen to workers if they do not wear PPE appropriately.

**Verification by FLA:**

FLA staff reviewed the tracker and charts that show the analyzed audit results, including the most infringed Code elements and the recurrence of findings. FLA staff also reviewed the accident information analysis, in which the Health and Safety Coordinator collected a number of variables including where the most accidents happened—inside or outside the facilities, area or department, the body parts affected, the number of medical leave days the accidents generated, and the estimated production cost to the company, as a result of the accidents. FLA staff reviewed a
sample of the SOPs and machinery maintenance records that Brooklyn developed as a result of the accident information analysis.

FLA staff also observed how the cooling system functioned and interviewed workers who confirmed that the system has improved the temperature at the sewing production floor. Additionally, interviewed workers also confirmed the regular communication and training they received on PPE and use of machine guards.

FLA identified Brooklyn’s capabilities to analyze data as a strength of the Brooklyn social compliance program.

7. **TIMELY AND PREVENTATIVE REMEDIATION:** COMPANY AFFILIATE REMEDIATES IN A TIMELY AND PREVENTATIVE MANNER

7.1 **Company Affiliate provides regular follow-up and oversight to implement corrective action following assessments.**

**Actions Taken:**

The Social Compliance Coordinator and the Health & Safety Coordinator are responsible for ensuring implementation of remediation actions. This responsibility includes developing corrective action plans for internal and buyers’ audits, reviewing the progress of implementation of remediation, and submitting remediation evidence to buyers. The General Manager is also involved in remediation through the review of corrective action plans with the Social Compliance Coordinator, and ensuring the resources needed to implement remediation are provided. The Social Compliance Coordinator reviews the status of corrective actions twice per month.

**Verification by FLA:**

Brooklyn presented its remediation tracker of 2015 assessment noncompliance findings from its internal and buyers audits for FLA review. Brooklyn also shared a sample of single trackers related to a specific buyer’s audits. The remediation trackers include the explanation of the finding, the specific corrective action to address the finding, the deadline for the implementation of corrective actions, the staff responsible for implementing the corrective action, and the staff responsible for ensuring completion of the remediation. FLA staff reviewed and confirmed that the updated version of Brooklyn’s internal monitoring manual includes details of the remediation process. The manual also requires consultation with the union representatives during the development of a corrective action plan, which will start to be implemented in 2016.

7.2 **Company Affiliate shall conduct root cause analysis and take action to prevent future noncompliance in owned production sites.**

**Actions Taken:**

Beginning in 2015, Brooklyn conducted root cause analysis for all findings reported in buyers’ audit reports. The Social Compliance Coordinator and the Health & Safety Coordinator are responsible for conducting root cause analysis of noncompliance. The internal audits to be conducted in 2016 will include root cause analysis of all noncompliance findings. The process and methodology to be followed is described in detail in Brooklyn’s internal monitoring manual.

For the root cause analysis Brooklyn implements the method known as “Arbol de Causas” (Three Cause Method), which is a deductive investigation process that starts from the more general to the more specific (top-down
approach) causes. This approach follows a chronological sequence investigation of potential causes of noncompliance issues. Under this method, Brooklyn develops a “mapping” of the factors or circumstances that contributed to that specific finding, until reaching to the primary cause.

**Verification by FLA:**

FLA staff reviewed the root cause analysis conducted for health and safety findings from buyers’ audits. In addition, FLA staff corroborated that Brooklyn’s internal monitoring manual includes root cause analysis, which describes the staff responsible, the methodology and process to follow, as well as how the identified root causes should be recorded. FLA considers the root causes analysis conducted by Brooklyn is a strength of the company’s social compliance program.

7.3 **Company Affiliate records and tracks the progress and effectiveness of remediation for internal assessments.**

**Actions Taken:**

The Social Compliance Coordinator tracks remediation progress until completion through trackers for each audit and the general tracker for all audit findings. By the end of 2015, the company had three individual trackers related to different social compliance assessment. Brooklyn also conducts a documented analysis for determining the effectiveness of remediation plans through an Excel tool that reflects potential recurrence of issues, such as workers’ comprehension of the workplace standards and health and safety findings, to implement sustainable remediation.

**Verification by FLA:**

FLA staff reviewed Brooklyn’s internal monitoring manual that describes the specific process for tracking the progress and effectiveness of remediation for internal and buyers’ audits through completion. The manual also includes the company staff responsible and how the follow-up and completion of remediation should be recorded. FLA staff also reviewed specific remediation trackers for buyers’ audits, which included documented evidence, such as photographs and documents, of the completed corrective action plans.

8. **RESPONSIBLE PRODUCTION PRACTICES: COMPANY AFFILIATE ALIGNS SALES AND PLANNING PRACTICES WITH COMMITMENT TO WORKPLACE STANDARDS**

8.1 **Company Affiliate has formal written policies and procedures for production planning that:**

1) articulate the many complexities involved in their global supply chains, including different customer (buyer) business models, and  
2) require relevant internal representatives to work with customers (buyers) to reduce negative impacts on working conditions.

These policies and procedures shall address the alignment of sales with capacity, based on working hours as defined by the FLA Workplace Code of Conduct.

**Actions Taken:**

Brooklyn had a production manual in place prior to its FLA affiliation, however after Principle 8 was revised, the Social Compliance Coordinator revised the original production manual. The Social Compliance Coordinator worked closely with the Manager of Production Planning to learn about the production practices at Brooklyn and to revise the Manual of Responsible Production. The manual articulates the complexities of producing apparel for a variety of customers that have different quality standards, delivery timelines, and social compliance standards with a focus to
ensure overtime is avoided, especially to not exceed 60 working hours a week. The manual also includes the different roles that are involved in ensuring communication of the status of buyers’ orders is effective. The manual outlines the steps from receiving projections from buyers, capacity planning, to receiving the purchase order, submitting the work-in-progress (WIP) reports to buyers, and completing the order before the shipment date.

**Verification by FLA:**
FLA staff reviewed Brooklyn’s Manual of Responsible Production in draft form in early 2015 and provided feedback and guidance. Prior to Brooklyn’s headquarter assessment, the Social Compliance Coordinator submitted the final manual, including procedures and processes for responsible production. FLA staff interviewed Brooklyn’s General Manager, Director of Manufacturing, Manager of Production Planning, and Manager of Cutting & Fabric Purchasing who all contributed to the development of the manual and are responsible for the implementation of the manual. FLA considers the development process of the manual as a strength of the Brooklyn social compliance program.

### 8.2 All relevant business and compliance staff and any contracted agent/intermediary are trained and knowledgeable of the consequences of their sales and planning practices on working conditions in order to mitigate negative impacts on code compliance.

**Actions Taken:**
Prior to FLA affiliation, Brooklyn hired a consultant to implement master production planning, to ensure that production capacity could accurately be defined and to avoid overbooking production capacity to complete purchase orders on time. In the development of the Manual of Responsible Production, the Social Compliance Coordinator and Manager of Production Planning had numerous cross training sessions to ensure comprehension of the effects of production practices on workplace conditions. Additionally, the General Manager, Director of Manufacturing, and Manager of Cutting & Fabric Purchasing participated in the review and implementation of the manual.

**Verification by FLA:**
FLA staff interviewed the General Manager, Director of Manufacturing, Manager of Cutting & Fabric Purchasing, and the Manager of Production Planning to verify that all relevant staff are knowledgeable of the effects production practices have on workplace conditions. All relevant staff demonstrated their knowledge and expertise on how accurate capacity planning, forecasting, placement of purchase orders for materials, on-time receipt of materials, efficiency in cutting and sewing plants, and communication contributes to ensuring on-time delivery. In addition, how inaccuracy in one of the steps can lead to overtime hours or chargebacks.

Additionally, FLA staff interviewed CCKM’s Vice President of Sales and a CCKM Sales Associate and verified that they understood the effects of how sales decisions and practices can have an impact on the working conditions at Brooklyn. The sales staff is knowledgeable of the types of orders and styles that Brooklyn is able to produce efficiently, which allows for more accurate production planning. FLA staff confirmed the sales staff and relevant production staff understand the need for flexibility to accommodate buyers, thus sales staff strive to book at only 95% production capacity and project lead times that will allow Brooklyn to complete the order a week before the exit-factory date.

FLA staff also reviewed a sample of minutes from regular Planning Department meetings to assess the production status, with the purpose of controlling style changes, potential delays, and overtime.
Recommendations:
Since Brooklyn began to provide training on responsible production and planning in 2015, FLA recommends that the Social Compliance Coordinator, jointly with the Planning Manager, develop a formal training program for all relevant staff to be delivered on an annual basis.

8.3 Company Affiliate holds relevant staff and any contracted agent/intermediary accountable for the implementation of planning and sales practices that help avoid negative impacts on workers and working conditions.

Actions Taken:
Brooklyn’s General Manager, Director of Manufacturing, Manager of Cutting & Fabric Purchasing, and Manager of Production Planning are all responsible for implementing the responsible production practices outlined in the Responsible Production Manual. To ensure responsibility and communication, the relevant staff meet on a regular basis and are in frequent communication on the status of orders. Additionally, the General Manager communicates with the CCKM sales staff on a regular basis to communicate the status of orders, production capacity, and challenges. The Manager of Cutting & Fabric Purchasing and Manager of Production Planning are responsible for maintaining trackers that track the status of materials and production of the purchase order. The managers are also responsible for completing WIP reports for Brooklyn’s buyers on the status of the orders. The tracking responsibilities help to ensure that Brooklyn is knowledgeable and accountable.

Verification by FLA:
FLA staff reviewed job descriptions of the General Manager, Director of Manufacturing, Manager of Cutting & Fabric Purchasing, and Manager of Production Planning and verified that responsibilities to ensure production practices are planned and implemented in a way to ensure workers and working conditions are not negatively impacted. FLA staff also reviewed trackers and WIP Reports maintained by the managers, interviewed CCKM sales staff, and reviewed communication between relevant staff that showed implementation of responsible production practices.

Brooklyn has worked to reduce overtime hours at the facilities through a variety of ways. In the production capacity planning, the Director of Operations calculates the Standard Average Hours and Standard Average Minutes for garment completion. The CCKM sales staff and the relevant Brooklyn staff collaborate to secure purchase orders with high unit numbers because this allows for better worker efficiency in garment completion. Additionally, Brooklyn has been implementing lean manufacturing teams that allow for better garment completion efficiency and higher earning potential for workers. Brooklyn has faced challenges in reducing overtime hours, understanding that some workers prefer to work on Saturdays for the overtime rate. However, curfews, imposed by violent organized crime, in some of the Salvadoran neighborhoods contributed to Brooklyn’s reduction of overtime hours during weeknights. If necessary, Brooklyn prefers morning Saturday overtime rather than weeknights to ensure workers return to their homes safely, and ensures that workers do not work over 58 hours a week.

In Brooklyn’s 2013 SCI, it was found that Brooklyn employees from both plants worked during a legal vacation period. To remediate, the Manager of Production Planning revised the production planning to ensure that the vacation periods are taken into consideration in the production planning. FLA staff reviewed the production capacity tracker, which notes legal vacation periods and holidays and also factors in slower production rates when workers come back from holidays.
8.4 Company Affiliate staff responsible for planning and sales engage with their labor compliance colleagues, any contracted agent/intermediary, and customers in regular and constructive dialogue throughout the production process and when problems arise to support operations at the factory level and to seek to avoid or mitigate negative impacts on workers and/or compliance with code standards.

**Actions Taken:**
Communication on the status of orders and the workplace conditions affected by production practices are regularly discussed amongst the General Manager, Director of Manufacturing, Manager of Cutting & Fabric Purchasing, the Manager of Production Planning, Social Compliance Coordinator, and Health & Safety Coordinator. The General Manager is in regular communication with the CCKM sales staff and Brooklyn and CCKM regularly communicate with its buyers. Specifically, an FLA B Licensee has an office for sourcing staff located at Brooklyn, in which the Licensee is able to communicate with Brooklyn on a daily basis. Additionally, with the transition to lean manufacturing, Brooklyn’s managers and supervisors communicated with the workers and union representatives to ensure that the workers understood the transition and the benefits workers can experience when transitioning to working in a lean manufacturing team. This communication allowed for workers to understand and support the transition.

Brooklyn looks to work with long-term buyers so that Brooklyn can learn how to most efficiently produce a style through experience from season to season. Brooklyn will communicate with its buyers in an effort to improve upon the production of various styles and to address the challenges with working in different types of fabrics or more complex styles. In the case where a buyer’s style is too complex or not appropriate for Brooklyn’s production practices, Brooklyn will decline to continue with a style for future seasons.

**Verification by FLA:**
FLA staff reviewed the Manual of Responsible Production, which emphasizes the importance of internal and external communication in the production planning and the status of orders. FLA staff interviewed workers and union representatives to discuss the transition to lean manufacturing. Workers and union representatives confirmed Brooklyn managers communicated about the transition, and while they were hesitant in the beginning, they understand the benefits to work in the lean manufacturing teams.

FLA staff interviewed the relevant staff and reviewed email communication on the various production challenges that may lead to negative impacts on workplace conditions. Brooklyn engages in regular dialogue with its buyers, especially in cases where material suppliers are delayed in delivery or have delivered materials that are below the buyer’s quality standards. Brooklyn will also engage with the buyer when missing or incorrect information from the buyer is submitted through tech packs or garment specifications to ensure samples are corrected for bulk production. Finally, in the case that Brooklyn is experiencing severe delays in production, Brooklyn ensures that the buyer is well-informed prior to the actual delay to discuss various options such as accepting late delivery or multiple shipments of an order.

8.5 Company Affiliate provides positive incentives for suppliers and/or facilities producing in a socially responsible and sustainable manner.

**Actions Taken:**
Since Brooklyn is one facility, the incentives for producing in a responsible manner are limited to its own facility. Brooklyn has been implementing lean manufacturing teams, which began with hiring a consultant in lean manufacturing, recruiting interested workers, training workers on the process and teamwork, and implementing the
teams into the production lines. Workers benefit from the lean manufacturing teams by learning different operations and having a higher earning potential due to the skill-level and efficiency required to work in the lean teams. Currently, Brooklyn has five lean teams in place with two lean teams in training.

While Brooklyn does not assess their material suppliers in social compliance and sustainability, the Manager of Cutting & Fabric Purchasing maintains a ranking of material suppliers on delivery and quality of materials. Brooklyn shares this ranking with their material suppliers and with their buyers. Brooklyn strives to share more products with material suppliers that rank high with their buyers because delivery and quality of materials can affect the deadlines for Brooklyn to ship deliveries on time. Ultimately, however, the decision of materials used for production is a collaboration of the needs of the buyer and the supplier.

**Verification by FLA:**
FLA staff interviewed relevant staff and workers in the lean teams to verify the benefits of the lean manufacturing teams. Workers in the lean manufacturing teams have enjoyed learning to use the various machines, working within a team, and the increased benefits in compensation. FLA staff reviewed payment spreadsheets to see the difference in compensation and earning potential from workers in the lean teams and workers in the traditional bundle system. FLA staff also reviewed the rankings maintained by the Manager of Cutting & Fabric Purchasing.

**Recommendation:**
FLA recommends Brooklyn to engage with its buyers and material suppliers to develop a collaborative approach to incentivizing material suppliers that produce in a socially responsible and sustainable manner.

### 9. CONSULTATION WITH CIVIL SOCIETY: COMPANY AFFILIATE IDENTIFIES, RESEARCHES, AND ENGAGES WITH RELEVANT LABOR NON-GOVERNMENTAL ORGANIZATIONS, TRADE UNIONS, AND OTHER CIVIL SOCIETY INSTITUTIONS

#### 9.1 Company Affiliate develops a civil society organization (CSO) outreach strategy that reflects the geographical distribution of production.

**Actions Taken:**
In 2015 Brooklyn developed a CSO Engagement Strategic Plan. During the last half of the year, the FLA’s Regional Manager for Latin America provided general guidance to Brooklyn’s Social Compliance Coordinator on how to develop the strategy. Brooklyn’s revised strategy focuses on engagement with stakeholders that aim to strengthen collaboration and supports Brooklyn’s positioning as a socially responsible company at the national level.

The specific objectives the Brooklyn’s CSO Engagement Strategic Plan include: i) To identify, categorize, choose and evaluate the key CSOs; ii) Establish long-term relationship, based on trust, mutual respect and understanding; iii) To develop and implement, jointly with the CSOs, strategies related to Brooklyn’s social compliance program, such as training, support in remediation plans, and general consultations; iv) To prevent situations that might compromise the company’s reputation.

The key stakeholders identified by the Brooklyn’s CSO Engagement Strategic Plan are: unions, labor rights non-governmental organizations (NGOs), grassroots community organizations, women’s organizations, academic organizations and universities, and religious organizations. In addition, Brooklyn developed a mapping of local gender and labor and human rights CSOs the company is planning to engage with in the future; the mapping also
includes the other stakeholders that Brooklyn has engaged with in the implementation of social programs that benefit its workers.

In addition to its relationship with the factory-level union (SITS) and its federation (FESS), Brooklyn has engaged with some local CSOs and other stakeholders to promote important social programs within its workforce. Some examples of the engagement done by Brooklyn are:

<table>
<thead>
<tr>
<th>World Vision El Salvador</th>
<th>Implementation of the “Mujeres en Fábrica” training program.</th>
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</thead>
<tbody>
<tr>
<td>Salvadoran Red Cross</td>
<td>Accessibility to blood donations and transfusions</td>
</tr>
<tr>
<td>Fundación para el Desarrollo de la Mujer (FUDEM)</td>
<td>Support in vision exams and care</td>
</tr>
<tr>
<td>Laboratorios Suizos</td>
<td>Support in osteoporosis exams and care</td>
</tr>
<tr>
<td>Salvadoran Institute of Social Security (ISSS)</td>
<td>Implementation of sexual harassment training for workers</td>
</tr>
</tbody>
</table>

**Verification by FLA:**
FLA staff reviewed the CSO Engagement Strategic Plan and provided feedback and guidance. Brooklyn took into consideration FLA’s feedback, revised the plan, and completed a CSO mapping exercise with the support of FLA staff. Numerous CSOs are included in Brooklyn’s CSO mapping for future engagement opportunities, as well as gender and labor and human rights CSOs that the FLA recommended.

During the interview with Brooklyn management, FLA staff learned about the different social programs Brooklyn has implemented for the benefit of their workers. (Brooklyn management interactions with the union are discussed in 9.4 below). Interviews with workers corroborated the availability of these programs to all employees. Presentations, photographs and agreements signed with two organizations, on the implementation of some social programs promoted by Brooklyn were also reviewed during the headquarters assessment. Specifically, Brooklyn employees were especially proud of the “Mujeres en Fábrica” training program and how it has made a positive impact on the employees that have gone through the program. FLA staff reviewed written testimonies from workers on how the training program provided them with self-confidence, higher self-esteem, greater communication skills, and connections with their co-workers.

Without detracting from the importance of the above-mentioned social programs, Brooklyn’s primary stakeholder engagement has not been focused in labor and human rights. However, since 2014, Brooklyn has engaged with the national union federation, FESS, as part of the regular dialogue process with the SITS union.

**Recommendation:**
FLA recommends that Brooklyn continue to implement the CSO Engagement Strategy by engaging, consulting, and collaborating with CSOs working in the labor and human rights field identified in the company’s CSO mapping exercise.
9.2 Company Affiliate develops and maintains links to relevant civil society organizations (CSOs) to gain understanding of local labor issues.

**Actions Taken:**
Early within its implementation period, Brooklyn engaged with a well-known local women’s labor rights organization, Movimiento de Mujeres Salvadoreñas (Salvadoran Women’s Movement). The purpose of this engagement was to financially support the work of a local childcare facility that takes care of the children of Brooklyn’s workers and surrounding factories during working hours, by paying childcare services during overtime worked by Brooklyn. However, since Brooklyn has significantly reduced its evening overtime, the company ended its financial support of the CSO’s childcare initiative.

Brooklyn has recently started to engage with Entidad de las Naciones Unidas para la Igualdad de Género y el Empoderamiento de las Mujeres (ONUMUJERES), the United Nations Entity for Gender Equality and the Empowerment of Women. As a result of this engagement, the HR Manager was invited and attended an event promoted by the Salvadoran Ministry of Labor on equality and gender in manufacturing. Brooklyn plans to continue to engage with this organization in order to gain understanding of labor issues.

Finally, as part of Brooklyn’s CSO mapping, the HR Manager has identified a long-standing human rights NGO, IDHUCA, to continue Brooklyn’s expansion in CSO engagement in 2016.

**Verification by FLA:**
During the interviews with the General Manager and the HR Manager, the FLA gained understanding of the CSO engagement activities that Brooklyn has implemented, and the knowledge the staff receives through local labor and human rights CSOs. FLA field staff in the Americas also interviewed representatives from Movimiento de Mujeres Salvadoreñas (MSM) and Asociación Mujeres Transformando to corroborate the financial support that Brooklyn provided to a local childcare facility.

During the headquarters assessment, FLA staff reviewed email communications between Brooklyn’s HR Manager and a representative from ONUMUJERES, on the engagement that Brooklyn has started with this organization.

**Recommendation:**
FLA recommends that Brooklyn continue to implement the CSO Engagement Strategic Plan, with a focus on gender, labor, and human rights, with the purpose of gaining further understanding of the labor issues in El Salvador.

9.3 Company Affiliate strategizes with CSOs and knowledgeable local sources in the design and implementation of workplace standards compliance programs.

**Actions Taken:**
Brooklyn’s CSO Engagement Strategic Plan pursues development and implementation of strategies related to Brooklyn’s social compliance program, such as training and support in implementation of remediation.

Brooklyn has implemented personnel development programs for employees to increase their skills and capabilities, such as English language classes and technical courses, in partnership with the governmental institution Instituto Salvadoreño de Formación Profesional (INSAFORP), Salvadoran Institute of Vocational Education. These programs allow employees to develop skills that can lead to promotions and better paid positions.
Brooklyn’s partnership with World Vision on the “Mujeres en Fábrica” training includes a component on harassment and abuse training, related to Brooklyn’s workplace standards. Additionally, the Salvadoran Institute of Social Security (ISSS) conducted the sexual harassment training FLA staff observed to fulfill the legal requirements for implementation of a sexual harassment training program. ISSS conducted seven trainings throughout 2014 to train Brooklyn’s entire workforce.

**Verification by FLA:**
The FLA corroborated that Brooklyn’s CSO Engagement Strategic Plan includes the company commitment to engage with local CSOs in the implementation of social compliance activities, such as training and remediation of findings.

Through interviews with production workers during the headquarter assessment, the FLA confirmed the implementation of social programs that Brooklyn provides its workers, including the educational programs promoted in partnership with the institution INSAFORP. FLA also reviewed materials for “Mujeres en Fábrica” and confirms the training program includes a portion on harassment or abuse.

During the field observation of the sexual harassment training, FLA staff observed two representatives from ISSS cover topics on sexual harassment, such as defining sexual harassment, gender violence, and sexism; facts and statistics on sexual harassment; consequences of harassment to victims; why victims do not report harassment or abuse; applicable legal framework; and the local government institutions victims can approach to report sexual harassment or abuse.

**Recommendation:**
FLA recommends that Brooklyn continue to engage with local CSOs during the design and implementation of Brooklyn’s workplace standards compliance program.

9.4 **Company Affiliate consults with legally constituted unions or worker representative structures at owned production sites.**

**Actions Taken:**
Since the formation of the union in 2014, Brooklyn’s Director of Operations, Manager of Cutting & Fabric Purchasing, HR Manager, and legal counsel participate in regular meetings with union representatives to discuss different issues raised by the union representatives.

Union representatives decide what issues are to be discussed during the regular meetings with Brooklyn management and they can also bring forward other employees’ suggestions or grievances to the meetings. Brooklyn management takes the suggestions or grievances to the General Manager for further discussion and provides feedback on how they are resolved. The HR Manager keeps minutes on the meetings with the union representatives. These minutes are signed off by all participants, and copies are provided to them.

As a result of the Corrective Action Plan (CAP) for the 2013 SCI Assessment, Brooklyn developed a policy and procedures on industrial relations to incorporate FLA Compliance Benchmarks. The CAP includes training for workers, supervisors and managers on the policy and procedures. Additionally, Brooklyn has included in its internal monitoring manual engagement with union representatives and the Employee Council in the revisions and remediation of findings identified during Brooklyn’s internal assessment. The review that the union representatives...
and the Employee Council will conduct of revised policies and procedures addresses implementation of worker integration\(^1\), a finding identified from Brooklyn’s 2013 SCI Assessment.

Verification by FLA:
FLA reviewed the minutes from meetings with the union representatives that show the different topics discussed, including the grievance/suggestions raised by the union representatives, and Brooklyn’s resolution of the issues.

FLA staff interviewed union representatives, who confirmed that regular meetings have been held with Brooklyn management. In addition, FLA regularly conducts CSO engagement in the region and confirmed Brooklyn’s engagement with the union and federation. Additionally, FLA staff reviewed the internal monitoring manual, which highlights the company commitment to engage with the union during the different phases of internal audits, such as opening and closing meetings, consultations/interviews with union representatives, and revision of findings.

FLA staff reviewed the corrective action plan from Brooklyn’s 2013 SCI, which included documentation of the developed policy and procedures for worker integration, in which a process is established for the union representatives and the Employee Council to review the workplace standards policies and procedures.

10. VERIFICATION REQUIREMENTS: COMPANY AFFILIATE MEETS FLA VERIFICATION AND PROGRAM REQUIREMENTS

10.1 Company Affiliate maintains standard operating procedures related to FLA affiliation.

Actions Taken:
In 2015, Brooklyn developed its own Standard Operating Procedures to maintain FLA affiliation that includes all FLA affiliation-related activities, such as receiving SCI assessments, development and submission of corrective actions, providing updates on corrective actions every 6 months, submission of annual self-assessments, providing an updated production site list if necessary, submitting to field observations, and payment of annual membership and monitoring dues.

Verification by FLA:
FLA staff reviewed Brooklyn’s Standard Operating Procedures to maintain FLA affiliation, and corroborate that it includes all FLA affiliation-related activities.

10.2 Company Affiliate participates in FLA due diligence activities, including assessments at owned production sites and company headquarters, as applicable.

Actions Taken:
Brooklyn has participated in all due diligence activities requested by the FLA, which include two field observations in 2015 –audit and training–, one SCI assessment in 2013, and one headquarter assessment in 2015. The SCI Corrective Action Plan was developed and uploaded on the FLA platform within the required timeframe and updates to remediation have been provided in a timely manner.

\(^1\) Under FLA standards, the worker integration implies that workers are given the opportunity to provide their input/feedback to the creation, implementation and revision of policies and procedures, and that they are systematically integrated and consulted in the decision-making of issues concerning working conditions.
Verification by FLA:
FLA confirms Brooklyn’s participation in all FLA due diligence activities. Brooklyn has worked diligently to ensure that corrective action plans and remediation updates to its SCI assessment are submitted in a timely manner.

10.3 Company Affiliate completes a standardized annual report on fulfillment of Principles of Fair Labor and Responsible Production.

Actions Taken:
Brooklyn has submitted annual reports to the FLA covering activities from 2012, 2013, and 2014.

Verification by FLA:
The FLA confirms that Brooklyn submitted annual reports with information on activities from 2012, 2013, and 2014 in a timely manner.

10.4 Company Affiliate maintains a complete and accurate profile and list of owned production sites with the FLA.

Actions Taken:
Brooklyn has provided a complete and accurate profile of its owned production sites. Brooklyn has a cutting plant and a sewing production plant, which are considered one entity and have been submitted to the FLA.

Verification by FLA:
FLA confirms Brooklyn has provided a complete and accurate profile of its owned facility, which received the 2013 SCI assessment, two field observations, and the 2015 headquarters assessment.

10.5 Company Affiliate responds to FLA requests for documentation, contracts, information, and clarification in a timely manner.

Actions Taken:
Brooklyn has responded to FLA requests of information in a timely manner. Also, when FLA local trainings have been available in El Salvador, the former Social Compliance and Health & Safety Manager attended.

Brooklyn representatives have not attended FLA Monitoring Committee & Board of Directors Meetings on a regular basis. To date, company representatives have not participated in a working group or committee.

Verification by FLA:
FLA confirms Brooklyn has met all FLA requests for information, but the company representatives have not participated regularly in FLA-related activities.

Recommendation:
FLA recommends Brooklyn consider opportunities to further participation in FLA activities, such as submitting feedback to the Business Caucus on inquiries from the Monitoring Committee, Board of Directors, or working groups. Additionally, FLA recommends Brooklyn to develop resources so that company representatives may attend more FLA activities and meetings to engage with FLA affiliates and provide valuable perspective as a Participating Supplier. The FLA recommends Brooklyn consider representing the FLA Business Caucus in a working group if possible.
10.6 Company Affiliate pays annual dues and applicable fees on schedule.

**Actions Taken:**
Brooklyn has paid its dues and applicable fees throughout its implementation period.

**Verification by FLA:**
FLA confirms that Brooklyn has paid its dues and fees in full in a timely manner. Documentation is available at FLA headquarters.
SECTION 3: CONCLUSION

Accreditation is an early measure of the capacity of a company’s labor compliance program to ensure respectful and ethical treatment of workers. While there are recommendations in this report designed to advance Brooklyn’s labor compliance program, the FLA staff finds that Brooklyn has built a labor compliance program that, on balance, supports successful upholding of the “respectful and ethical treatment of workers” and “sustainable conditions through which workers earn fair wages in safe and healthy workplaces” and recommends to the FLA Board of Directors the accreditation of Brooklyn's labor compliance program.

Strengths of Brooklyn’s labor compliance program include:

1. Clear commitment and support from the General Manager to adhere to workplace standards and integrate standards into business operations;
2. A fully-integrated and qualified staff in charge of managing social compliance;
3. Workplace standards accessible to all levels within the company, with innovative methods to ensure workers gain the required knowledge;
4. Provision of training on freedom of association at the managerial level, with the purpose of achieving a broad understanding of associational rights and preventing any form of discrimination or interference with workers’ right to join organizations of their own choosing;
5. Diversity of confidential grievance channels available for workers and different management level personnel able to receive and address grievances;
6. Comprehensive analysis of data including root causes of persistent noncompliance issues with corresponding sustainable solutions developed to address them;
7. The internal collaboration in place to develop and implement Brooklyn’s Manual of Responsible Production; and,
8. Implementation of several social programs for the workers’ benefit, in partnership with local NGOs and other relevant stakeholders.

Suggestions for strengthening Brooklyn’s labor compliance program include:

1. Continued development and implementation of Brooklyn’s internal monitoring, including the implementation of the audit tool, and strengthening of worker interview techniques;
2. Continued union engagement throughout the monitoring and remediation processes;
3. Continued implementation and strengthening of Brooklyn’s CSO Engagement Strategy, with a focus on gender, labor, and human rights, in order to gain understanding of labor issues in the country, and during the implementation of workplace standards compliance programs; and
4. Consideration to actively participate in FLA activities, such as attending future Monitoring Committee & Board Meetings, or participating in an applicable working group.

Brooklyn will submit an Accreditation Action Plan to address these suggestions. Once approved by the FLA, the Accreditation Action Plan will be included in this report.