



WORKER RIGHTS CONSORTIUM

**WORKER RIGHTS CONSORTIUM FIRE SAFETY ASSESSMENT
Re OPTIMUM FASHION WEAR LTD. (BANGLADESH)
FINDINGS, RECOMMENDATIONS AND STATUS**

December 5, 2013

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I. Introduction

This report outlines the findings and recommendations of the Worker Rights Consortium regarding workers' rights violations at Optimum Fashion Wear Ltd. (referred to herein as "Optimum Fashion"), an apparel factory employing roughly 600 workers, located in Narayanganj, Dhaka District, Bangladesh. Optimum Fashion produces university logo apparel for VF Corporation (specifically, the licensee VF Imagewear). The report focuses exclusively on the issue of fire safety.

The main body of the report consists of the findings and recommendations of Hughes Associates Europe, a Milan-based fire safety engineering firm retained by the WRC to carry out an inspection of Optimum Fashion. In addition, this report provides background on the inspection process, an explanation of key findings, information on an additional finding arising from the WRC staff's interviews with workers, and a review of VF's response to date.

The inspection uncovered a number of very serious safety hazards at Optimum Fashion, all of which constitute violations of university code of conduct provisions requiring licensees to maintain safe workplaces and any of which could result in injury or death to workers. The violations of greatest concern involve inadequate means for workers to escape the factory in the event of a fire and structural flaws that would facilitate the rapid and widespread propagation of deadly smoke throughout the factory building. These deficiencies are, unfortunately, commonplace in Bangladesh; it is nonetheless disturbing to find them in a factory producing university logo goods for a leading global apparel brand. An additional serious concern is credible testimony from workers that factory managers made changes to the factory the evening before the WRC inspection in order to present a false impression of their level of commitment to fire safety.

The WRC has provided VF with findings of non-compliance and recommendations for corrective action. VF has made a general commitment to carry out these corrective actions and has reported that some have already been implemented. The company has yet to provide a detailed corrective action plan and timeline, however, on the grounds that it has commissioned structural and electrical inspections of the facility which may identify additional deficiencies, and that there should be a unified corrective action plan covering fire, structural and electrical issues. This is a legitimate basis for a brief delay. VF has stated that a plan is forthcoming and the WRC will update affiliate universities as to whether the plan is received and whether it is adequate. We will of course also conduct follow-up monitoring to ensure that all planned corrective actions are indeed implemented.

While the problems at Optimum Fashion are typical of the gross neglect of worker safety that has defined the apparel sector in Bangladesh, it is nonetheless of great concern that VF left them unaddressed until the WRC's investigation. VF is the world's largest branded apparel company

and has access to vast technical resources. VF surely employs individuals who understand the rudiments of fire safety in an industrial context. VF, which has been sourcing from Bangladesh for more than a decade, should long ago have established a program to address deadly fire hazards at all of its Bangladesh facilities and ensure ongoing fire safety compliance. It is especially difficult to understand why VF did not take such steps after 29 workers died in a fire at one of its Bangladesh factories in 2010. It is very fortunate that the potential for disaster at Optimum Fashions has not been realized and that the deficiencies at the factory will now be addressed.

A further concern is the initial refusal by VF to allow the WRC inspection team access to the factory. After receiving a request from the WRC for access, and after initially agreeing to the inspection, VF withdrew its cooperation the day before the inspection was scheduled to take place, claiming that its licensing contracts with WRC-affiliate universities did not require it to let the WRC inspect its factories. Only after licensing officials from several universities contacted VF and informed the company that it is indeed contractually obligated to cooperate with universities' labor rights monitors did VF relent and allow the inspection. It should not have been necessary, more than a dozen years after the advent of university labor codes, for universities to have to intervene to compel VF to honor its obligation to accept university monitoring of labor practices in its collegiate supply chain.

II. Inspection Process

A. Scheduling of Inspection

The WRC contacted VF on August 28, 2013 to request access to Optimum Fashion, on September 4, for the purposes of conducting a safety inspection. After an initial exchange of information, VF made arrangements with the factory to receive the WRC inspection team on the requested date. However, on the evening of September 3, at 8:00 p.m. Dhaka time, less than twelve hours prior to the scheduled inspection, the WRC received an email from VF. In this message, VF stated that it could not “reference language” in its licensing agreements with universities that “allows the WRC to access factories and perform social compliance audits or safety inspections,” and that the inspection therefore would not proceed unless the WRC could identify the “specific VF university/college licensing agreement which allows WRC to perform these audits.” This eleventh-hour withdrawal of VF’s cooperation with the inspection process could have derailed the scheduled inspection and, we must presume, was intended to achieve that purpose. Fortunately, the WRC was able to immediately reach several licensing officials at WRC affiliate universities who swiftly informed VF that its assertion that its licensing agreements did not require cooperation with university labor rights monitors was in error, citing the plain language of the standard CLC agreement regarding labor code issues,¹ which states: “Licensee

¹ CLC Special Agreement Regarding Labor Codes of Conduct.

shall cooperate with...Collegiate Institutions and/or their agents or representatives in periodic inspections of Licensee's factory sites to ensure that Licensee is in compliance with...Code of Conduct requirements." At 4:17 a.m., Dhaka time, VF sent another message to the WRC stating that the inspection could continue.

B. Inspection Personnel

The fire safety inspection was carried out by Andrea Ferrari, a fire safety engineer with Hughes Associates Europe (HAE). HAE is a leading fire safety engineering firm based in Milan, Italy. The firm provides engineering and research services, including fire hazard and risk assessment, fire protection design and testing, fire and building code consulting, and forensic engineering. Mr. Ferrari is a senior engineer at HAE with fourteen years' experience in fire safety assessment. He is a member of the Society of Fire Protection Engineers (US), the National Fire Protection Association (US), the International Association for Fire Safety Science (UK) and the Fire Behavior Committee and the Working Group for Fire Engineering of UNI, the Italian National Standards Body. Language interpretation was provided during the inspection process by the WRC's field representative in Dhaka and a local consultant. Two other members of the WRC staff also participated in the inspection.

C. Inspection Standard

Because of weaknesses in the Bangladesh National Building Code (BNBC) relative to international standards, and because of some ambiguities related to the application of the BNBC to existing (as opposed to newly constructed) buildings, the WRC asked HAE to assess fire safety compliance at Optimum Fashion against NFPA 101, known as the Life Safety Code. NFPA 101 is the model fire code of the US National Fire Protection Association and is the basis of most state and municipal fire codes in the US and in many jurisdictions around the world. It is largely consistent with the BNBC and virtually all of the non-compliances identified at Optimum Fashions relative to NFPA 101 are also violations of the BNBC.²

D. Sources of Evidence

The findings and recommendations reported herein are based on the following sources of evidence:

- On-site inspection of all floors and interior and exterior spaces of the building occupied by Optimum Fashion Wear Ltd, located at Shasongaon, Bnayetnagaz, Fatullah Narayanganj, Bangladesh, carried out on September 4, 2013 from 9:00 a.m. to 4:15 p.m. local time.

² The WRC's conclusion in this regard is based on comparisons between the BNBC and international fire safety codes conducted as part of the standards development process for the Accord on Fire and Building Safety in Bangladesh.

- Interviews with senior Optimum Fashion managers and with other managers possessing relevant knowledge concerning fire safety structures, systems and practices.
- Review of documentary evidence
- Both group and individual interviews with twenty-four current employees of Optimum Fashion Wear Ltd, conducted off-site by WRC staff.

III. Findings and Recommendations

A. Report of Hughes Associates Europe: Findings and Recommendations for Corrective Action

Please see the fire safety assessment by Hughes Associates Europe, which comprises the next nine pages of this report.



INDUSTRIAL LOSS CONTROL & eng
Analisi e Controllo dei Rischi Industriali



HUGHES ASSOCIATES EUROPE, srl
FIRE SCIENCE & ENGINEERING

Fire Protection/Life Safety Inspection – Optimum Fashion Wear Ltd., Dhaka, Bangladesh

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Introduction

The above factory, located in Dhaka, Bangladesh was surveyed, Wednesday, September 4, 2013, by Andrea Ferrari with Hughes Associates Europe srl. (HAE).

These factories have been surveyed for compliance with NFPA 101, *Life Safety Code*, 2012 ed. (noted as LSC in this report), with the understanding that no work is intended for this building other than *renovation*, defined as refinishing, replacement, bracing, strengthening, or upgrading of existing materials, elements, equipment, or fixtures without involving the *reconfiguration* of spaces. If any other work in the building is performed, such as reconfiguration, change of use, additions, etc., a reassessment of the fire and life safety requirements is required. As a consequence, the provisions of the LSC related to existing occupancies or buildings were applied.

Definitions of the LSC, Chapter 3 apply.

The information in this FLS inspection report was obtained during a visit to the facility and during interviews with local management. This report is based upon conditions and practices observed and information made available at the time of our survey and does not intend to refer to or guarantee compliance with local, state or federal regulations which may be applicable to such practice and conditions.

It has not been possible to provide independent verification for all the information and data collected, and therefore Hughes Associates Europe srl. cannot accept in general responsibilities for omissions or errors arising from inaccuracies in this.

Our comments are not intended to imply, guarantee, ensure or warrant compliance with any local, state or federal regulations. Additionally, our comments do not imply in any way that compliance with these comments or recommendations as stated in this report will eliminate all hazards, risks or exposures or that hazards, risks or exposures not referred to in this report do not exist. Compliance with the comments stated in this report does not relieve from obligation to comply with project specifications, design drawings, industry standards or the provisions of any local, state or federal regulations.

I - General Building Notes

A. Factory name:

Optimum Fashion Wear Ltd.

B. Factory Address:

Shasongaon, Bnayetnagaz

Fatullah, Narayanganj

Bangladesh

Telephone: 88-02-7670181, 7670540

Fax: 88-02-7670182

C. Building data:

1. General:

The factory is located in a Low-Rise, building, with six (6) above grade stories and no basement (floors are referenced in this report by their customary denomination: Ground Floor, 1st, 2nd, 3rd, 4th and 5th Floor).

The factory occupies the entire building.

2. Structural features:

The building construction consists of reinforced concrete. The first four (4) stories (Ground Floor, 1st, 2nd, 3rd) were constructed in 2006; the 4th and the 5th stories were erected in 2010.

3. Building boundaries and exposures:

- i. North: public way internal yard.
- ii. East: other property (currently water pond).
- iii. South: large courtyard and then other property.
- iv. West: private alley and then other property.

4. Floor Area:

Approximately 390 sq.m. floor area (gross floor area, per floor).

D. Number of workers:

The factory is reported to employ 450 workers during normal production conditions.

E. Occupancy Classifications:

1. Ground Floor: Industrial³-General Purpose⁴ [LSC Chapter 40]; Storage [LSC Chapter 42].

³ The LSC defines an Industrial Occupancy as, "an occupancy in which products are manufactured or in which processing, assembling, mixing, packaging, finishing, decorating, or repair operations are conducted." [LSC §3.3.138.8]

⁴ LSC §40.1.4.1.1 General Industrial Occupancy. General industrial occupancies shall include the following: (1) Industrial occupancies that conduct ordinary and low hazard industrial operations in buildings of conventional design which are usable for various types of industrial processes. (2) Industrial occupancies that include multistory

2. 1st Floor throughout 4th Floor: Industrial-General Purpose, with incidental Storage.
3. 5th Floor: Industrial-General Purpose, with incidental Assembly (staff canteen with less than 50 occupants).

F. Egress Arrangement:

One interior stair and one exterior stair are provided for the building and used for egress. The stairs are not remotely located per LSC §7.5.1.3.2, but do meet the qualitative requirement of LSC §7.5.1.3.7.

1. The interior stair opens to the various floor levels and currently does not provide a continuous and protected path to the exterior discharge. Collapsible gates are provided on floors opening to the stair and at the exit discharge.
2. The exterior steel stair is located next to the South façade of the building, and has exposure from the adjacent windows, the Boiler room vent and the boiler exhaust stack. Sliding steel doors are installed at all floors for access to the exterior stair. A side hinged gate with a lock is located at the stair discharge to the courtyard.

G. Fire protection:

1. No sprinklers.
2. Hose reels and hose cabinets (on average 2 per floor) supplied by gravity from roof reservoir, that is reported to be 10 m³ capacity.
3. Single-station battery-operated smoke alarms, fire alarm sounders, and manual call points.
4. Portable fire extinguishers provided throughout.

H. Elevators:

There are no elevators.

I. Generators:

One (1) diesel generator.

J. Emergency lighting:

Emergency lighting appliances and illuminated exit signs (not directional exit signs) are located along the exit access and at exits, and are supplied by several “Instant Power Supply” (IPS) units.

K. Other:

Two (2) steam boilers for Ironing department operation, one operating, one decommissioned (used when the factory only had four (4) stories).

One air compressor for sewing machine operation.

buildings where floors are occupied by different tenants, or buildings that are usable for such occupancy and, therefore, are subject to possible use for types of industrial processes with a high density of employee population.

II – Non Compliances and Recommendations

The following is a list of fire safety non-compliances identified during the survey, which should be addressed for compliance with NFPA 101, Life Safety Code, 2012 ed. Recommendations have been provided to address each fire safety non-compliance and an estimated completion time for each recommendation is noted for each item.

Means of Egress and Fire Resistance Rated Construction

1. Collapsible and rolling gates (i.e. horizontal sliding or vertical-rolling security grilles) with locks are provided along the means of egress. These gates are not permitted to be used as components along the means of egress for Industrial occupancies. Doors serving a room or area with an occupant load of 50 or more must swing in the direction of egress travel and must not be locked [LSC §7.2.1.4.2; §7.2.1.5].
 - a. Remove all collapsible and/or rolling gates and replace gates with doors in compliance with LSC §7.2.1.4.1. Doors which serve an occupant load of 50 or more persons must swing in the direction of egress [LSC §7.2.1.4.2]. Until this is completed, all the gates must be locked in the open position at any time the building is occupied.
 - b. Remove locks on doors and gates on all doors part of the means of egress, such as for example the storage areas gates; if locks are needed, provide panic hardware.

Estimated time to complete: 1 month

2. A non-rated exit enclosure is provided for egress. In existing non-high-rise buildings, existing exit stair enclosures are required to have a minimum 1-hour fire resistance rating [LSC §7.1.3.2.1]. Additionally, in Industrial occupancies without sprinklers, unprotected openings are not permitted, with the exception of approved existing open stairs connecting only two floor levels and not used for egress. Unprotected vertical openings have consistently been major contributing factors in multiple-death fires: smoke can rapidly spread via unprotected vertical openings and insufficiently protected exit stair enclosures.
 - a. Seal all penetrations on the stairwell walls with listed firestopping material and ensure that the enclosure meets 1-hour fire resistance rating.
 - b. Install 1-hr fire rated doors on the interior exit stairwell.
 - c. Ensure that all fire doors self-close or automatically close and latch freely.
 - d. The stair fire doors must be provided with a releasing device that has an obvious method of operation and that is readily operated under all lighting conditions: for example provide fire hardware (i.e. cross bar or push pad).
 - e. Ensure that re-entry to all floors is possible from the enclosed stairs.

Estimated time to complete: 3 months

3. Obstructions within the exit enclosure and in the exit access paths were noted in the interior stair and on the 4th floor exit access path. All means of egress must be kept clear of any obstruction and exit enclosures must not be used for any purpose that has the potential to interfere with its use as an exit [LSC §7.1.3.2.3].

- a. Remove furniture and other obstructions from the exit stairwell. This would include:
 - i. Employee shoe lockers,
 - ii. Electrical panel
 - iii. Instant Power Supply and batteries.
- b. Relocate the “Checking Machine” that currently blocks one marked exit path on the 4th floor creating a Common Path of Travel in excess of the allowed 15 meters [LSC Table A.7.6].

Estimated time to complete: 1 month

4. The outside stair is adjacent to unprotected openings to the building, has a walking surface that is not slip resistant, and is showing signs of corrosion. Additionally, the stair structure seems to have weakened. Outside stairs must be separated from the interior of the building and must comply with provisions of LSC §7.2.2.6. Provide the following:
 - a. Ensure that the façade of the building adjacent to the outside stair is 1-hour fire resistance rated, this rating must extend 3 meters horizontally on both sides of the stair and 3 meters vertically above the topmost landing [LSC §7.2.2.6.3.1]:
 - i. Replace the windows with 1-hour fire rated windows or seal openings with 1-hour fire rated construction if windows are not needed at the wall separating the stair from the interior. All openings in the 3 meters extension are permitted to be ¾ hour rated.
 - ii. Relocate the vents and the exhaust of the boiler room, and seal the openings currently used as vents and exhaust with 1-hour fire resistance rated construction.
 - iii. Replace the sliding steel doors to the stair with side hinged 1-hour fire rated doors. When doing so, ensure that the clear width of the doors is not reduced to less than 71 cm, as permitted for doors in existing buildings (currently 73 cm) [LSC §7.2.1.2.3.2 (4)].
 - b. Replace or repair the walking surface to provide a slip resistant finishing, considering that the workers are normally barefoot.
 - c. Correct the corrosion damages and have the stair verified and certified by a Structural Engineer to meet the local building code requirements.
 - d. If the stair is replaced to comply with the above listed requirements, the new stair must comply with the requirements for new outside stairs, including the provision of an opaque visual obstruction not less than 1.2 m in height to avoid any impediments to their use by persons having a fear of high places. For example this can be accomplished by application of metal screens to the stair guards [LSC §7.2.2.6.2].

Estimated time to complete: 2 months

5. Handrails on one side are missing in the interior stair. Stairs and ramps must have handrails on both sides [LSC §7.2.2.4.1.1].
 - a. Install the missing handrails per LSC §7.2.2.4.4.

Estimated time to complete: 1 month

6. At the Ground Floor, the door from the “Finished fabric in charge” office to the outside serves as the second required exit from the floor, and is equipped with locks. Exit doors must be provided with a releasing device that has an obvious method of operation and that is readily operated under all lighting conditions (for example panic hardware).
 - a. Provide panic hardware on the entrance door to the office area at the Ground Floor.
 - b. Remove locks from the Finished Fabric storage area to the “Finished fabric in charge” office. If locks are required, provide panic hardware.

Estimated time to complete: 1 month

7. The Common Path of Travel in the Finished Product warehouse at the Ground Floor is 23 meters. Common Path of Travel is limited to 15 meters in Industrial and Storage occupancies [LSC Table A.7.6].
 - a. Provide an additional exit so that the Common Path of Travel does not exceed 15 meters.

Estimated time to complete: 2 months

8. The LSC requires that electrical wiring and equipment is in accordance with NFPA 70, *National Electrical Code*, unless such installations are approved existing installations. The overall status of electric systems does not appear to comply with any international industry standards. Electrical systems failures are among most common causes for ignition of fires.

- a. A dedicated analysis must be carried out to define the required corrections.

Estimated time to complete: 1 month

9. The boiler room is located in the vicinity of the exterior stair and has unprotected openings which expose the egress path. Protection must be provided for any area subject to an explosion hazard in order to minimize danger to occupants in case of fire or other emergency before they have time to use exits to escape [LSC §40.3.2].

- a. Ensure that the existing steam boiler are properly maintained and meet local jurisdiction requirements.
 - b. Since the boiler is located in vicinity of exit stair, provide 45 minutes rated doors and seal all penetrations to provide a 1-hour fire rated enclosure, vented to the outside. Ensure the vent is not within the exterior wall provided for the separation from the outside stair. *Note: see also item 4.*

Estimated time to complete: 3 month

10. There are steps across the exits to surround the rails of the collapsible gates. Walking Surfaces in the Means of Egress must be nominally level, must not contain abrupt changes in elevation and must be slip resistant under foreseeable conditions [LSC §7.1.6].

- a. Remove the steps across the exits where currently the collapsible gate and rails are installed. *Note: removal of gates as per item 1 will also solve this item.*

Estimated time to complete: 1 month

Fire Alarm:

11. The LSC requires a Fire Alarm System whose initiation is either manual or automatic. The fire alarm appliances installed at the site are antiquated and do not meet the LSC requirements or any other international industry standards.
- a. Install a new Fire Alarm System in accordance with the applicable requirements of NFPA 70, *National Electrical Code*- 2011 Edition, and NFPA 72, *National Fire Alarm and Signaling Code* – 2013 Edition, providing as a minimum all the following:
 - i. Initiation of the fire Alarm System must be by any of the following:
 - o Manual means.
 - o Automatic fire detection system throughout the building.
 - o Supervised automatic sprinkler system throughout the building.
 - ii. In any case, provide smoke detectors connected to the Fire Alarm System (not single-station, battery-operated smoke alarms) in normally unoccupied storage areas (unless sprinklers are installed).
 - iii. Provide audible and visible occupant notification in accordance with NFPA 72, *National Fire Alarm and Signaling Code*. Visible signals can be omitted from areas not subject to occupancy by persons who are hearing impaired.

Estimated time to complete: 3 months

12. All fire doors must be either self-closing or automatically closing.
- a. Install magnetic holders, connected to the Fire Alarm Control Panel and programmed to release on an alarm, on any fire rated door that is required to be normally open for operation purposes (for example the new required stairwell doors).

Estimated time to complete: 6 months

Exit Signs and Emergency Lighting:

13. Emergency lighting and illuminated exit signs are provided in the building; however there is no emergency lighting on the exterior stair. The emergency luminaires and the illuminated exit signs are supplied by several Instant Power Supplies located in various areas. Some of the systems were spot tested and worked properly; however, the equipment and its maintenance status do not comply with international industry standards. The LSC requires a minimum 10 ft-candle (108 lux) be provided at the walking surfaces of stairs, and a minimum 1 ft-candle (10.8 lux) be provided at the walking surfaces within an exit, along the exit access path, and at the exit discharge [LSC §7.9.2]. The existing emergency lighting does not appear to provide the required illumination levels.
- a. Ensure that the emergency lighting system is continuously in operation: remove the manual switches that are provided on the emergency lighting circuits and that easily allow anybody to turn off emergency lighting.

- b. Progressively replace the equipment and battery systems for emergency luminaires with equipment and systems listed to ANSI/UL 924, *Standard for Emergency Lighting and Power Equipment*.
 - c. Provide emergency lighting on the exterior stair.
 - d. Install additional emergency lighting appliances to provide minimum 10 ft-candle (108 lux) at walking surfaces of the internal stair.
- Estimated time to complete: 3 months*

B. Fire Safety Hazards and Non-Compliances – Additional Comments and Explanation

The non-compliances with NFPA 101 identified by Hughes Associates Europe constitute violations of university labor code provisions requiring licensees to maintain safe and healthy workplaces. While all of these non-compliances create safety hazards that must be remedied along the recommended lines, the WRC notes with particular concern the following:

Non-rated exit enclosure: As in many factories in Bangladesh, the internal stairwell at Optimum Fashion is not properly designed as a fire exit. Proper exit design requires that the stairwell is separated from the factory floor, on every floor of the building, by a fire-rated door and walls. At Optimum, there are no fire doors – the stairwell is open on every floor. This means that if there is a fire on a lower floor (such as the ground floor storage area, a common origin point for factory fires), the stairwell will fill quickly with smoke, becoming unusable as an emergency exit while also serving to convey smoke throughout the higher floors of the building. Most deaths in building fires are a result of smoke and, for this reason, keeping smoke out of exit stairwells, and keeping smoke from spreading between floors, are fundamental to fire safety. In Bangladesh, dangerous exit stairwells, like those identified at Optimum, have been a leading cause of worker fatalities in factory fires.

Problems with exterior exit stair: With the internal stairwell likely to be compromised in a fire, the construction of the factory's external fire stair becomes all the more crucial. Unfortunately, the inspection found this stair to be inadequate, due to corrosion, structural weakness, lack of separation from the building (which could result in the stair being entirely compromised by fire), and lack of emergency lighting (or, indeed, any lighting). Thus, both of the factory's exit stairs are substandard, potentially leaving workers with no way out of the building's upper floors in a fire.

Inadequate emergency lighting: For obvious reasons, emergency lighting is crucial to enabling workers to escape from a burning factory. In order for emergency lighting to serve this purpose, it must provide sufficient illumination and it must be on at all times during an emergency. The inspection at Optimum found inadequate levels of illumination, particularly in the internal exit stairwell, and also identified a large flaw in the entire system: the inclusion of manual switches allowing anyone in the building to turn off the emergency lights, thus defeating the purpose of automatic emergency lighting.

C. Additional Finding

The WRC conducted off-site interviews, group and individual, with twenty-four current employees of Optimum Fashion. These interviews identified concerns in areas unrelated to fire safety, which the WRC will cover in a separate report. The interviews identified an additional problem related to fire safety: an attempt by the factory to misrepresent the nature of its fire

safety practices by making alternations to the factory on the eve of the inspection. Workers testified credibly that arrows on the floors of the factory directing workers to the nearest exit were painted the night before the WRC inspection was conducted. Workers further testified that management instructed some workers to wear yellow vests on the day of the inspection, identifying these workers as personnel trained on fire safety. Workers reported that these vests are not normally worn. Neither the arrows, nor the vests, are a requirement of applicable codes, although the painted exit directions are strongly advised. However, the efforts of the factory to mislead the inspectors raise serious concerns about whether factory management can be trusted to fulfill its worker safety obligations going forward. It is the responsibility of VF, in light of this information, to police the actions of this supplier in an especially robust manner.

Workers also testified that regular fire drills are conducted at the factory, which is positive.

IV. Response of VF and Status

After Hughes Associates completed its analysis of the evidence gathered during the on-site inspection, the WRC provided VF with the inspector's findings and recommendations for corrective action and asked VF to commit to implement each of these corrective actions by a date certain.

VF acknowledged the validity of the findings and committed in principle to remedy the identified non-compliances. VF declined to immediately provide a detailed corrective action plan, with deadlines, on the grounds that VF is conducting structural and electrical safety inspections at Optimum Fashion and that any corrective action needs arising from these inspections should be combined with the WRC's proposed corrective actions into a single plan. Since findings, particularly in the area of structural safety, could require modifications to the recommended actions on fire safety, the WRC informed VF that a delay in providing a plan is acceptable, provided the other inspections were to be completed in a timely fashion and provided that VF required the factory to take immediate action in areas where it was feasible to do so.

VF informed the WRC an initial report on its structural and electrical inspections was tentatively scheduled to arrive by November 25, 2013. On this basis, the WRC expects to receive a detailed corrective action plan by December 15.

The WRC also asked VF to require the factory to immediately undertake certain corrective actions that can be implemented without the need to wait for the results of structural and electrical inspections. VF reports that the following actions have been completed:

- Installation of emergency lighting to illuminate the exterior exit stairs.
- Removal of equipment and furniture partially blocking exit paths and the internal stairwell.

- Locking of collapsible gates in the open position when the factory is occupied (pending the permanent removal of these gates and their replacement with outward-swinging doors that cannot be locked against people seeking to exit the building in an emergency).

These steps cover most, but not all, of the items on which the WRC asked for immediate action. The WRC has not yet independently confirmed that the listed corrective actions have been taken.