

Prepared for:



Summary Report - Audit of Child Labor Practices of HMMA Tier 1 Suppliers

Prepared By:



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I. Purpose and Scope

We were retained in August 2022, and thereafter began an in-depth audit of the policies and processes used by HMMA's 28 tier 1 suppliers to ensure against the hiring of underage workers. We completed the audit in February 2023. The purpose of our audit was to determine whether any of HMMA's tier 1 suppliers are employing and/or utilizing underage workers at their worksites and to assess the suppliers' risk of underage workers onsite. We also analyzed the practices used by suppliers to avoid employing or utilizing underage workers, with a view to identifying the best practices used by suppliers and sharing those and other best practices with other suppliers. The audit was conducted by five Littler attorneys, two of whom are subject matter experts in I-9 documentation and other immigration law issues. Our audit included review and analysis of over 5.5 GB of data/documents, interviews of 47 individuals, and onsite inspections of 35 plants covering 70 shifts.

II. Methodology

A. Document Review

Our audit of each of HMMA's tier 1 suppliers began with a letter requesting documents, including:

- Written policies and procedures relating to child labor practices;
- Written policies and procedures relating to hiring, background checks, complaint reporting procedures, and security badging requirements;
- Training materials relating to child labor requirements, immigration law, hiring, background checks, complaint reporting procedures, and security badging requirements;
- Contracts and services agreement currently in place with HMMA;
- Signed Acknowledgement of Child Labor and Immigration Compliance provided by HMMA to each supplier;
- List of all staffing agencies currently used by the supplier (this request was later expanded to include a list of all staffing agencies used since 1/1/2018);
- List of all contractors that have employees onsite at supplier's facilities;
- A hiring packet for 5% of the supplier's workforce, using the most recent hires, including:

- Application materials (including applications, resumes, etc.);
- Background check records;
- I-9s, supporting documents, and e-verify records; and
- Security badge request materials.

All 28 suppliers responded to our request for documents by sending us the requested documents or, in the case of two suppliers, allowing us to review the documents onsite at the supplier's facility. Our attorneys reviewed the hiring packets for consistency and to determine whether applicants indicated they were at least 18 years old. In addition, our subject matter expert attorneys reviewed the I-9s, supporting documents, and e-verify records for indicia of authenticity, to ensure they were completed correctly, and for dates of birth indicating employees were at least 18 years old. We reviewed the policy, training, and contract documents to determine whether suppliers had appropriate policies, procedures and practices to ensure against the use of child labor, and whether they were providing training to their employees relating to compliance with child labor laws.

B. Interviews

We also conducted virtual, in person or written interviews of individuals at each supplier familiar with their company's hiring processes and procedures. During these interviews, we probed each supplier regarding their hiring processes, minimum employment requirements, interview and background check processes, use of staffing agencies and requirements of same, processes for ensuring direct hire employees and workers provided by staffing agencies are at least 18, written policies relating to child labor requirements, training on child labor requirements, and security badging requirements and processes.

C. Onsite inspections

Another part of our audit included physically visiting and inspecting the supplier facilities.¹ During these onsite inspections, we walked the lines at supplier plants during multiple shifts so that we could observe the workers. Where we observed

¹ With respect to 27 of the 28 suppliers, the onsite inspections were conducted by Littler attorneys. One supplier provided certification of onsite inspection by attorneys at The Kullman Firm.

workers who appeared young, we asked the worker and/or the supplier to provide identification, which we reviewed to ensure the worker was at least 18 years old.

III. Summary of Findings

Our audit did not identify any underage workers at any supplier facility during our audit. We did not find any underage workers during any of our onsite inspections or other audit activities. Further, all suppliers were aware of the child labor accusations made against some HMMA suppliers, and appeared to understand the seriousness of the situation. Each supplier appeared committed to taking steps to ensure against having underage workers in their facilities. We found that most suppliers have conducted training on child labor laws since July, 2022. Many suppliers have also created or updated written policies relating to child labor requirements and improved practices for ensuring against underage workers in their facilities.