

FLA Audit Profile	
Country	USA
Factory name	45008218DV
IEM	ALGI
Date(s) in facility	September 7-8, 2005
PC(s)	MeadWestvaco Corporation
Number of workers	1110 (528 male, 572 female)
Product(s)	Binders, calendars, notebook, notepad, etc.
Production processes	Manufacturing and distributing

FLA Code/ Compliance issue	Country Law/Legal Reference	FLA Benchmark	IEM Findings				
			Non-compliance	Risk of Non-compliance	Evidence of Non-compliance (uncorroborated)	If not corroborated, explain why	Sources/Documentation used for corroborating
1. Code Awareness							
2. Forced Labor							
There will not be any use of forced labor, whether in the form of prison labor, indentured labor, bonded labor or otherwise							
3. Child Labor							
No person will be employed at an age younger than 15 (or 14 where the law of the country of manufacture allows) or younger than the age for completing compulsory education in the country of manufacture where such age is higher than 15.							
4. Harassment or Abuse							
Every employee will be treated with respect and dignity. No employee will be subject to any physical, sexual, psychological or verbal harassment of abuse.							
5. Nondiscrimination							
No person will be subject to any discrimination in employment, including hiring, salary, benefits, advancement, discipline, termination or retirement, on the basis of gender, race, religion, age, disability, sexual orientation, nationality, political opinion, or social or ethnic origin.							
6. Health and Safety							
Employers will provide a safe and healthy working environment to prevent accidents and injury to health arising out of, linked with, or occurring in the course of work or as a result of the operation of employer facilities							
7. Freedom of Association and Collective Bargaining							
Employers will recognize and respect the right of employees to freedom of association and collective bargaining							
8. Wages and Benefits							
Employers recognize that wages are essential to meeting employees' basic needs. Employers will pay employees, as a base, at least the minimum wage required by local law or the prevailing industry wage, whichever is higher, and will provide legally mandated benefits							
9. Hours of Work							
Except in extraordinary business circumstances, employees will (i) not be required to work more than the lesser of (a) 48 hours per week and 12 hours overtime or (b) the limits on regular and overtime hours allowed by the law of the country of manufacture or, where the laws of such country will not limit the hours of work, the regular work week in such country plus 12 hours overtime; and (ii) be entitled to at least one day off in every seven day period							

			IEM Findings				
FLA Code/ Compliance issue	Country Law/Legal Reference	FLA Benchmark	Non-compliance	Risk of Non-compliance	Evidence of Non-compliance (uncorroborated)	If not corroborated, explain why	Sources/Documentation used for corroborating
Hours of work	NYS Labor Law (Art. 5, Sec.161) require that employer shall allow every person employed at least twenty-four consecutive hours of rest in each and every calendar week	Employees shall be entitled to at least one day off in every seven day period.	Some hourly employees were mandated to work on Sunday and have one day off after 13 consecutive working days.				Interviews with the management and employees, payroll records.
10. Overtime Compensation			In Compliance				
In addition to their compensation for regular hours of work, employees will be compensated for overtime hours at such premium rate as is legally required in the country of manufacture or, in those countries where such laws will not exist, at a rate at least equal to their regular hourly compensation rate.							
Miscellaneous			In Compliance				

Notable Features implemented by Factory Management or Company	Remediation				Updates (Cite Date of Follow up)		Third-Party Verification	
	Company remediation plan	Target Completion Date	Factory Response (Optional)	Company follow up (Cite date of follow up)	Documentation	Company Follow up	Documentation	External Verification (Date)
	Apply for exemption from the one day off in seven provision of NYS Labor Law (Art. 5, Sec. 161)	3/31/2006	MeadWestvaco currently is in the process of applying for an exemption from this law from the State of New York. As part of the application process, a written statement in support of this exemption from the Union will be included as has been done in previous years.	9/23/2005				Monitors were provided with a New York State issued waiver, allowing for up to 13 consecutive days of work. It stipulated that 24 consecutive hours of rest must be provided to the employee within a two week calendar period. Additionally, a CBA agreement and company policy provided revealed that a 14th consecutive day of work could be worked by an employee who volunteered to do so. This would be in violation of the waiver obtained by the facility. Furthermore, in employee interviews and review of time records it was discovered that employees do, at times of peak production, work in excess of 60 hours per week and that no systems have been implemented in order to ensure that employees do not work that amount. Monitors requested the detailed time records of many employees who regularly work ample overtime, for the peak period of December 2006. Review of these records for four pay periods for these employees revealed that some of the employees had worked 60+ hours weekly.

Company Verification Follow up		
Documentation	Company Follow up (Cite date of planned or follow up visit, if appropriate)	Documentation
Employee interviews, CBA, CBA addendum, 7th Day of Rest waiver, and time records review.	The factory has implemented the overtime policy, as stated in the New York State issued waiver which allows a variance to Section 161 of the New York State Labor Law, that allows for employees to work 7 days in a calendar week as long as no employee works two consecutive calendar weeks without 24 consecutive hours off and that working on the rest day is voluntary. All work performed in excess of 40 hours in any week is paid at one and one-half times the employee's rate. All work performed on an employee's seventh consecutive day of work is paid at the rate of double time. Overtime is generally voluntary, but in cases where there are not enough volunteers to make adequate coverage, overtime is mandated in reverse seniority order. At least 48 hours notice of overtime is generally given, but no less than 24 hours notice of overtime is given for required overtime. If there is less than 24 hours notice of overtime, all overtime is voluntary on the part of the employee. Due to the seasonality and time sensitivity of the business, extended hours are sometimes required.	