The factual information set forth on the Tracking Charts was submitted to the FLA by each Independent External Monitor and Participating Company and reviewed by FLA staff. It is being made available to the public pursuant to the FLA Charter in order to strengthen the monitoring process. The FLA Charter provides for regular public disclosure of the factual results of independent monitoring and the resulting specific actions taken by Participating Companies.

What is a Tracking Chart?

Compliance is a process, not an event. A Tracking Chart outlines the process involved in FLA independent external monitoring and remediation. It is used by the accredited independent external monitor, the participating company and the FLA staff to do the following:

- **Record Findings**: The independent external monitor uses the Tracking Chart to report noncompliance with FLA Code standards. The monitor should also cite the specific Code benchmark or national/local law that was used to measure compliance.
- **Report on Remediation**: The FLA participating company uses the Tracking Chart to report on the remediation program that was implemented in order to resolve the noncompliance and prevent any future violations.
- **Evaluate Progress**: The FLA uses the Tracking Chart for purposes of collecting and analyzing information on the compliance situation of a particular factory and for publication on our website. This information is updated on an ongoing basis.

What a Tracking Chart is NOT -

- An exhaustive assessment of factory conditions
  
  Working conditions - in any type of workplace - are dynamic. Each Tracking Chart represents a survey of the factory’s conditions on a specific day. Over time, a fuller picture emerges as we compile information from various sources to track the compliance progress of a factory.

- A pass or fail evaluation

  The Tracking Charts do not certify whether or not factories are in compliance with the FLA Code. Monitoring is a measurement tool. The discovery of noncompliance issues is therefore not an indication that the participating company should withdraw from a factory. Instead, the results of monitoring visits are used to prioritize capacity building activities that will lead to sustainable improvements in the factory’s working conditions.

- A one-time event

  Each monitoring visit is followed by a remediation program, further monitoring and remediation in an ongoing process. The Tracking Charts are updated accordingly.
Note on Language
Please be advised that because FLA independent external monitors are locally-based and English is generally not their native language, the language presented may at times appear unclear to a reader who is a native English speaker. In order to preserve the integrity of the transparency process and the information we receive, our policy is to publish the original text from the monitor and participating company. However, the reader will note that we have taken the precaution to remove any identifying information about the factory that was monitored or the workers interviewed.

For example, in cases where monitors and/or participating companies have cited the actual number of workers in reference to a noncompliance issue, in order to protect the workers' identities, we have replaced the numbers with generic wording in brackets (i.e. "[some]", "[worker interviews revealed that]", etc.).

We do not disclose the name of the factory that was monitored in order to ensure that the FLA’s efforts to encourage and reward transparency do not have detrimental consequences for the factory and the workers.

Instructions for Printing
The information contained in the Tracking Charts is organized by columns and rows in a table format. Due to the number and width of the columns, the charts have been formatted for legal size (8.5 x 14in.) paper. To print the charts, please make sure to select “legal” size paper from Print properties.
<table>
<thead>
<tr>
<th>FLA Code Compliance Issue</th>
<th>Country Law/Legal Reference</th>
<th>FLA Benchmark</th>
<th>Member's Findings</th>
<th>FLA Code Awareness</th>
<th>Findings Remediation</th>
<th>Company follow up (cite date of follow up)</th>
<th>Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code Awareness</td>
<td>Labor Protection Act BE.2541 Chapter 9 Section 106</td>
<td>FLA Principles of Monitoring, Obligations of Companies: Ensure that all Company factories as well as contractors and suppliers inform their employees about the workplace standards orally and through the posting of standards in a prominent place (in the local languages spoken by employees and managers) and undertake other efforts to educate employees about the standards on a regular basis.</td>
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<td>Forced Labor</td>
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<td>Child Labor</td>
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<tr>
<td>Employment Records</td>
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<tr>
<td>Nondiscrimination</td>
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<tr>
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<tr>
<td>Sexual or Physical Violence</td>
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<tr>
<td>Disciplinary Practices</td>
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<tr>
<td>Retaliation</td>
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<tr>
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</tr>
</tbody>
</table>

**FLA Audit Profile**

- **Country:** Thailand
- **Factory name:** 66007421C
- **BIA:** Khon Kaen Institute Asia
- **Date(s) in facility:** December 16-17, 2004
- **PC:** PRato Van Heusen
- **Number of workers:** 817
- **Production process:** Cutting, Sewing, Pressing, QC, Packing

**FLA Audit Profile:**

**FLA Code Compliance Issues:**

1. **Forced Labor**
   - **Shirts Cutting, Sewing, Pressing, QC, Packing**
   - December 16-17, 2004
   - **Phillips-Van Heusen 417**

**Findings:**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Member's Findings</th>
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<th>Findings Remediation</th>
<th>Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code Awareness</td>
<td>The posted minimum wage is not updated.</td>
<td>Visual inspection</td>
<td>Management and post an updated version of the minimum wage.</td>
<td>Dec 30, 2004</td>
</tr>
<tr>
<td>Forced Labor</td>
<td>Some worker has been worked completed 120 days (probation period) but who did not sign the permanent contract with the facility yet. There is the lack of the supervision and the HR did not follow the hiring procedure.</td>
<td>Document reviewed and Management interviewed</td>
<td>Ensure all workers sign their permanent contract after their probation period.</td>
<td>December 2004</td>
</tr>
<tr>
<td>Child Labor</td>
<td>Some warning letters were not acknowledged by worker or signed by the management. There is the lack of supervision and investigation from the Management.</td>
<td>Document reviewed and Management interviewed</td>
<td>Both worker and factory management representative sign the warning letters.</td>
<td>December 2004</td>
</tr>
</tbody>
</table>

**Remark:**

- **PC Remediation plan:**
  - **Date:**
    - December 30, 2004
  - **Factory Response (optional):**
  - **Company follow up (cite date of follow up):**
  - **Documentation:**
    - Photographs are on file to illustrate the improvement.
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. Auditor verified this improvement through observation on their walk through of the factory.

Installation of the faucets will be conducted on July 8, 2005. It was confirmed that the factory has installed the eye wash equipment in the medical room.

Safety Equipment (Fire Safety)
The Notification of Ministry of Interior Machinery Safety Chapter 1 Section 5(b) requires safety and medical equipment such as fire fighting equipment, first aid kits, etc. shall be in place, maintained as prescribed and accessible to the employees. All inspection tags were maintained of the semi-annual inspections of the fire extinguishers and the tags are placed on the units. December 30, 2004, the factory had tagged each fire extinguisher unit with the appropriate update of its last inspection. Auditor verified this improvement through observation on their walk through of the factory.

The application form asking about race, religion, nationality, status of marry [marital status], blood group and military service of the applicant. Noted: it is temporary block due to high production.

Safety Equipment (Fire Safety)
The Notification of Ministry of Interior Machinery Safety Chapter 3 Section 16.3(B) requires all safety and medical equipment such as fire fighting equipment, first aid kits, etc. shall be in place, maintained as prescribed and accessible to the employees. All inspection tags were maintained of the semi-annual inspections of the fire extinguishers and the tags are placed on the units. December 30, 2004, the factory had tagged each fire extinguisher unit with the appropriate update of its last inspection. Auditor verified this improvement through observation on their walk through of the factory.

Auditor verified this improvement through observation on their walk through of the factory.

Auditor verified this improvement through observation on their walk through of the factory.
PPE
The Notification of Ministry of Interior Machinery Safety Chapter 1 Section 2:

Workers shall wear appropriate protective equipment (such as gloves, eye protection, hearing protection, respiratory protection, etc.) to prevent unsafe exposure (such as: inhalation or contact with solvent vapors, noise, dust, etc.) to hazardous elements including medical waste.

It was observed that most of workers (50%) did not wear mouth guard during working hour and PPE sign and symbol posted in the workplace where require.

Visual inspection. Yes

Audit the workers with the appropriate personal protective equipment. Ensure training is provided to ensure workers understand the benefits of its use.

February 28, 2005

The factory will provide and training on the use and benefit will be provided.

Auditor verified this improvement through observation on their walk through of the factory.

Fire Safety

Audit the Notification of the Ministry of Interior RE: Working Safety Relating to Flammable Chemicals, Chapter 1, Clause 12:

Workers have proper PPE and PPE sign and symbol posted in workplace where require.

Visual inspection. Yes

Provide all workers with the appropriate personal protective equipment. Ensure training is provided to ensure workers understand the benefits of its use.

December 30, 2004

The factory will maintain an accident report and minor injuries report.

Auditor verified this improvement through review of relevant documentation.

Fire Safety

The Notification of the Ministry of Interior RE: Working Safety Relating to FLAMMABLE CHEMICALS, Chapter 1, Clause 13:

Workers have proper PPE and PPE sign and symbol posted in workplace where require.

Visual inspection. Yes

Provide all workers with the appropriate personal protective equipment. Ensure training is provided to ensure workers understand the benefits of its use.

December 30, 2004

The factory will maintain an accident report and minor injuries report.

Auditor verified this improvement through review of relevant documentation.

Fire Safety

Audit the Notification of the Ministry of Interior RE: Working Safety Relating to FLAMMABLE CHEMICALS, Chapter 1, Clause 13:

Workers have additional personal protective equipment (such as gloves, eye protection, hearing protection, respiratory protection, etc.) to prevent unsafe exposure (such as: inhalation or contact with solvent vapors, noise, dust, etc.) to hazardous elements including medical waste.

It was observed that most of workers (50%) did not wear mouth guard during working hour and PPE sign and symbol posted in the workplace where require.

Visual inspection. Yes

Audit the workers with the appropriate personal protective equipment. Ensure training is provided to ensure workers understand the benefits of its use.

February 28, 2005

The factory will provide and training on the use and benefit will be provided.

Auditor verified this improvement through observation on their walk through of the factory.

PPE
The Notification of Ministry of Interior Machinery Safety Chapter 1 Section 2:

Workers shall wear appropriate protective equipment (such as gloves, eye protection, hearing protection, respiratory protection, etc.) to prevent unsafe exposure (such as: inhalation or contact with solvent vapors, noise, dust, etc.) to hazardous elements including medical waste.

It was observed that most of workers (50%) did not wear mouth guard during working hour and PPE sign and symbol posted in the workplace where require.

Visual inspection. Yes

Audit the workers with the appropriate personal protective equipment. Ensure training is provided to ensure workers understand the benefits of its use.

February 28, 2005

The factory will provide and training on the use and benefit will be provided.

Auditor verified this improvement through observation on their walk through of the factory.
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<th>Target Completion Date</th>
<th>Factory Response (Optional)</th>
<th>Company follow-up (cite date of follow up)</th>
<th>Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical Management</td>
<td>The Notification of Ministry of Interior Chemical Safety Chapter 1 Section 8</td>
<td>All chemicals and hazardous substances should be properly labeled and stored in accordance with applicable laws. Workers should receive training, appropriate to their job responsibilities, in the safe use of chemicals and other hazardous substances.</td>
<td></td>
<td>The QC section where using the chemical is not well ventilation.</td>
<td>Observation/inspection: Yes</td>
<td>Improve ventilation where chemicals are used.</td>
<td>December 30, 2004</td>
<td>During the follow-up visit conducted on July 8, 2005, the factory moved the cleaning section to an isolated and ventilated area.</td>
<td>Auditor verified this improvement through observation - walkthrough of the factory.</td>
<td></td>
</tr>
<tr>
<td>PPE</td>
<td></td>
<td></td>
<td></td>
<td>Visual inspection. Yes</td>
<td>Improve the ventilation where chemicals are used.</td>
<td>December 30, 2004</td>
<td>During the follow-up visit conducted on July 8, 2005, the factory has provided floor mats to workers at the pressing station.</td>
<td>Auditor verified this improvement through observation - walkthrough of the factory.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safety Equipment</td>
<td></td>
<td></td>
<td></td>
<td>Visual inspection. Yes</td>
<td>Provide floor mats to all workers at the pressing station</td>
<td>December 30, 2004</td>
<td>During the follow-up visit conducted on July 8, 2005, the factory has provided floor mats to workers at the pressing station.</td>
<td>Auditor verified this improvement through observation - walkthrough of the factory.</td>
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</tr>
<tr>
<td>Evacuation Procedure</td>
<td></td>
<td></td>
<td></td>
<td>Visual inspection and document reviewed</td>
<td>Ensure all exits remain open throughout the day including lunch time and all lights remain turned on during this period as well.</td>
<td>February 28, 2005</td>
<td>Training will be conducted on the appropriate evacuation procedures.</td>
<td>Auditor verified this improvement through observation - walkthrough of the factory and through interview of workers.</td>
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<tr>
<td>Employers will recognize and respect the right of employees to freedom of association and collective bargaining</td>
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<td></td>
<td>Auditor verified this improvement through observation - walkthrough of the factory.</td>
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</tbody>
</table>

During the follow-up visit conducted on July 8, 2005, the factory moved the cleaning section to a ventilated area, isolated from the rest of the production floor. During the follow-up visit conducted on July 8, 2005, the factory has provided floor mats to workers at the pressing station. Auditor verified this improvement through observation - walkthrough of the factory. During the follow-up visit conducted on July 8, 2005, the factory kept all exits open throughout the day including lunch time and all lights remained turned on during this period as well. During the follow-up visit conducted on July 8, 2005, the factory kept all exits open throughout the day including lunch time and all lights remained turned on during this period as well. Auditor verified this improvement through observation - walkthrough of the factory and through interview of workers. Auditor verified this improvement through observation - walkthrough of the factory.
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<th>PIC Recommendation Plan</th>
<th>Target Completion Date</th>
<th>Factory Response (optional)</th>
<th>Company follow-up (take date of follow up)</th>
<th>Documentation of finding was corroborated/verified through multiple sources, list all sources</th>
</tr>
</thead>
</table>

### 8. Wages and Benefits

- **Accurate recording of wage compensation**

  The factory calculates the workers' wages on a work unit, perform and compare the wages with daily rate wages (Baht 170/day). If which one is more, the workers will get it. The factory will guarantee the wages at the legal minimum wage. However, auditor concerned that the factory calculated the wages from each work unit performed on working day so its workers should be call piece-rate paid workers but the factory call his workers as daily rate workers. In addition, the piece-rate paid workers should receive the wage for holiday or day of leave in an amount equivalent to the average daily wage rate that the workers receive during the payment period prior to such holiday or day of leave. And in case where the employer require the workers to work on holiday, the employer shall pay holiday pay to the workers not less than double the rate for work units.

- **Payrolls and attendance records reviewed.**

- **Legal benefits**

  Employees will provide all legally mandated benefits to all eligible workers.

- **Workers interviewed No Document reviewed found the workers were compensated when written the leave letter.**

  Factory needs to amend their policy in order to be in compliance with the local law.

  - **April 30,2005**

  - Workers need to produce certificates only when they take more than 3 days sick leave. This is in accordance with the local law.

  - **During the follow up visit conducted on July 8,2005, factory's policy is workers need to submit certificates only when they take more than 3 days sick leave.***

  - Auditor verified this improvement through review of relevant documentation and interview of workers.

### 9. Hours of Work

- **Overtime Limitations**

  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 at least one day off in every seven day period.

- **Random attendance records**

  - **September to November 2004 are 12.5 to 20 hours/ week.**

  - **During the follow up visit conducted on July 8,2005, it was found that management has made some progress in reducing the amount of hours per week.***

  - Auditor verified this improvement through review of relevant documentation and interview of workers.
<table>
<thead>
<tr>
<th>PLA Code/Compliance Issue</th>
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<tbody>
<tr>
<td>Overtime Limitations</td>
<td>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. An extraordinary business circumstance is a temporary period of extra work that could not have been anticipated or alleviated by other reasonable efforts.</td>
<td>Sunday work was reported by workers testimony. The monitors stated that factory requested Sunday work when there is high production and they have to sign their name in the overtime sheet than the overtime on holiday will be paid included regular wages on the pay day. However, the payroll, pay slips and attendance records are not revealed any Sunday work.</td>
<td>Weekly, payroll, production and needle records reviewed. Workers, Security guard and Management interviewed.</td>
<td>Because all workers have one day off per seven day week.</td>
<td>February 28, 2005</td>
<td>This issue will be remedied immediately.</td>
<td>During the follow up visit conducted on July 8, 2005, it was confirmed through review of relevant documentation and interview of workers. Auditor verified this improvement through review of relevant documentation and interview of workers.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtime Compensation</td>
<td>In addition to their compensation for regular hours of work, employees will be compensated for overtime hours at a rate at least equal to their regular hourly compensation rate.</td>
<td>Sunday work was reported by workers and Security guard testimony; however, the monitors could not find any record that indicated there is Sunday work conducted. (Payrolls, attendance, production and needle records)</td>
<td>Payrolls, attendance, production and needle records reviewed. Workers, Security guard and Management interviewed.</td>
<td>Because all workers have one day off per seven day week.</td>
<td>February 28, 2005</td>
<td>This issue will be remedied immediately.</td>
<td>During the follow up visit conducted on July 8, 2005, it was confirmed through review of relevant documentation and interview of workers. Auditor verified this improvement through review of relevant documentation and interview of workers.</td>
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<tr>
<td>Payroll, production, needle records and payroll reviewed. Workers, Security guard and Management interviewed.</td>
<td>Ensure that all workers have one day off per seven day week.</td>
<td>February 28, 2005</td>
<td>This issue will be remedied immediately.</td>
<td>Auditor verified this improvement through review of relevant documentation and interview of workers.</td>
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