

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.

FLA Audit Profile	
Country	India
Factory name	100232104B
IEM	Bureau Veritas Consumer Products Services (India) Pvt. Ltd.
Date of audit	25-Aug-03
Days in the facility	1
PC(s)	Phillips-Van Heusen Corporation and Nordstrom Inc.
Number of workers	558
Product(s)	All Garments- skirts, blouses etc
Production processes	Cutting, Stitching, Ironing, Embroidery, Checking and Packing
Other brands in factory	

		Findings					Remediation					Status
FLA Code/ Compliance issue	Legal Reference / Country Law	FLA Benchmark	Monitor's Findings	Documentation	Best Practice	PC Internal audit findings	PC remediation plan	Target Completion Date	Factory Response	PC follow up	Documentation	Completed: Pending: On-going
1. Code Awareness												
			No non-compliance issues found.									
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			No non-compliance issues found.									
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.												
Age Documentation	As per The Industrial Employment (Standing Orders) Central rules 1946, Schedule 1B): (a) Every workman shall indicate his exact date of birth to the employer or the officer authorized by him in this behalf, at the time of entering service of the establishment.	Employers will maintain proof of age documentation for all workers, such as a birth certificate, which verifies date of birth.	The factory has a system in place to check and ensure the age of the workers employed by them. However, out of 35 files reviewed by the auditor age proof documents were missing in 10 of the files	As per records				7-Nov-03	This has been corrected. Management has established a system to ensure employees' age proof documents are in the correct files.	Factory now obtains 'Proof of age' certificates provided by dentists as recommended by FLA & kept on file.	Auditors verified this issue through review of personnel files and associated documentation, in addition to confidential workers' interviews.	Completed
Age Verification	As per The Industrial Employment (Standing Orders) Central rules 1946, Schedule 1B): (a) Every workman shall indicate his exact date of birth to the employer or the officer authorised by him in this behalf, at the time of entering service of the establishment. The employer or the officer authorised by him in this behalf may before the date of birth of a workman is entered, require him to supply, - (i) his matriculation or school leaving certificate granted by the board of secondary education or similar educational authority; or (ii) a certificate copy of his date of birth as recorded in the registers of a municipality, local authority or panchayat or registrar of Births; (iii) in the absence of either of the aforesaid categories of certificates, the employer or the officer authorised by him in this behalf may require the workman to supply, a certificate from a government medical officer not below the rank of an Assistant Surgeon, indicating the probable age of the workman provided the cost of obtaining such certificate is borne by the employer	In those cases where proof of age documentation is not readily available, employers will take precautions to ensure that all workers are at least the minimum working age, including medical or religious records, or other means considered reliable in the local context.	In 10 files though the age proofs were maintained in the form of Doctors certificate, the Doctor who had certified the employees age was not a dentist or a certified surgeon. Any other Doctors certificate is not considered as authentic age verification documents as per local law requirement.	As per records				7-Nov-03	Although this is not mandated by law the factory has already commenced the process of having a dentist examine and issue proof of age certificates for 330 workers for whom doctor's certificate had been obtained earlier. 150 have already been completed the remaining 180 will be completed by 7th. November.	Factory now obtains 'Proof of age' certificates provided by dentists as recommended by FLA & kept on file.	Auditors verified this issue through review of personnel files and associated documentation, in addition to confidential workers' interviews.	Completed
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.			No non-compliance issues found.									
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.			No non-compliance issues found.									
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												

FLA Code/ Compliance issue	Legal Reference / Country Law	FLA Benchmark	Findings				Remediation					Status
			Monitor's Findings	Documentation	Best Practice	PC Internal audit findings	PC remediation plan	Target Completion Date	Factory Response	PC follow up	Documentation	
Fire Safety Health and Safety legal compliance	1. According to Prov 7 of Schedule 1 of Central Rules of the Factories Act, 1948 The operating instructions of the extinguishers shall not be defaced or obliterated. In case the operating instructions are obliterated or have become illegible due to passage of time fresh transfers of the same shall be obtained from the manufacturers of the equipments and affixed to the extinguishers.	Employer will comply with applicable health and safety laws and regulations. In any case where laws and code of conduct are contradictory, the higher standards will apply. The factory will possess all legally required permits	1) No operating instructions in the local language and English on/near all the Fire extinguishers in the factory.	As per visual observation				7-Nov-03	Operating instructions in the local language is now displayed near all fire extinguishers.	Operating instructions are now displayed in local language near all fire extinguishers and English version is displayed in the factory as well.	This improvement was verified through observation.	Completed
Fire Safety Health and Safety legal compliance	2. As per Rule 68(4) of The Factories Act 1948 Wherever there is danger of fire explosion from accumulation of flammable or explosive substances in air (d) Smoking, lighting or carrying of matches, lighters or smoking materials shall be prohibited;	Employer will comply with applicable health and safety laws and regulations. In any case where laws and code of conduct are contradictory, the higher standards will apply. The factory will possess all legally required permits	2) "Smoking Prohibition" signs have not been displayed near the generator area.	As per visual observation				15-Nov-03	"No Smoking" boards are now displayed in appropriate places in the facility including the generator area.	"No Smoking" sign has been posted in generator room area.	This improvement was verified through observation.	Completed
Fire Safety Health and Safety legal compliance	According to Prov 4(a) of Schedule 1 of Central Rules of the Factories Act, 1948, the following provisions shall be complied with where Class E fires are: (a) For rooms containing electrical transformers, switchgears, motors and/or other electrical apparatus only, not less than two kg. Dry Powder or Carbon Dioxide type extinguishers shall be provided within 15 m. of the apparatus.	Employer will comply with applicable health and safety laws and regulations. In any case where laws and code of conduct are contradictory, the higher standards will apply. The factory will possess all legally required permits	3) No fire extinguishers have been installed in the generator area.	As per visual observation				15-Nov-03	Fire extinguishers are now installed in the generator room.	Fire extinguishers have been installed in the generator area.	This improvement was verified through observation.	Completed
Fire Safety Health and Safety legal compliance	4) According to Rule 68 (9nn) read with section 38 of The Factories Act, 1948 In any building not provided with automatic fire alarm a manual fire alarm system shall be provided if the total capacity of the building is over 500 persons, or if more than 25 person are employed above or below the ground floor.	Employer will comply with applicable health and safety laws and regulations. In any case where laws and code of conduct are contradictory, the higher standards will apply. The factory will possess all legally required permits	4) No fire alarms have been installed in the canteen, Embroidery section and fabric store of the factory.	As per visual observation				15-Nov-03	Fire alarm is now installed in the canteen, embroidery and fabric store areas. All the alarms are synchronized.	Synchronized fire alarm system has been installed in canteen, embroidery section, and fabric store in the factory.	This improvement was verified through observation.	Completed
Fire Safety Health and Safety legal compliance	5) According to Rule 68 (9u) of Central rules of The Factories Act, 1948 Exit doorways shall open outwards, that is, away from the room but shall not obstruct the travel along any exit.	Employer will comply with applicable health and safety laws and regulations. In any case where laws and code of conduct are contradictory, the higher standards will apply. The factory will possess all legally required permits	5) One emergency door in the first floor was opening to the inside	As per visual observation				7-Nov-03	Emergency door in the first floor has been re-installed to open to outwards.	The door opening inwards has been removed. It has been replaced by overhead shutters for one emergency door in the first floor.	This improvement was verified through observation.	Completed
Document Maintenance/ Accessibility	As per Section 7 A (1 and 2b) of The Factories Act, 1948 (1) Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory. (2) Without prejudice to the generality of the provisions of sub-section (b) The arrangements in the factory for ensuring safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances;	All documents required to be available to workers and management by applicable laws (such as policies, MSDS, etc.) shall be made available in the prescribed manner and in the local language or language spoken by majority of the workers if different from the local language	6) Material Safety Data Sheet or any other instruction indicating the safe handling of chemicals (white petrol) used in spotting is not displayed in its area of storage and usage for its operators.	As per visual observation				7-Nov-03	MSDS is displayed in the local language at chemical storage area.	MSDS has kept on file in local language and displayed at chemical storage area as well.	This improvement was verified through observation.	Completed
PPE	As per Section 7 A (1 and 2b) of The Factories Act, 1948 (1) Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory. (2) Without prejudice to the generality of the provisions of sub-section (b) The arrangements in the factory for ensuring safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances;	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.	7) Not an adequate number of earmuffs are provided to the workers working in the Embroidery Section and the workers are not using the ear muffs that are provided. Earmuffs are not of prescribed type for protection against the high noise level	As per visual observation				7-Nov-03	Adequate number of ear muffs have been provided and their use by workers is being regularly monitored. Ear muffs being used are the appropriate type as discussed with the Factory Inspector.	Ear plugs have been provided to all workers in embroidery section. Also, training is provided to workers in their use and benefits.	Auditors verified this issue through observation, in addition to confidential workers' interviews.	Completed

FLA Code/ Compliance issue	Legal Reference / Country Law	FLA Benchmark	Findings				Remediation					Status
			Monitor's Findings	Documentation	Best Practice	PC Internal audit findings	PC remediation plan	Target Completion Date	Factory Response	PC follow up	Documentation	
Chemical Management	As per Rule 68 (7 c) of Central Rules of The Factories Act, 1948 , large quantities of such liquids shall be stored in isolated adequately ventilated building of fire resisting construction which are isolated from the remainder of the building by fire walls and self closing fire doors.	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	8)The White Petrol used as a stain removing agent is not stored in a properly designated area and is kept on production floor	As per visual observation				7-Nov-03	White petrol is stored in a separate store and is issued by authorized personnel. There are installation of fire extinguishers and "No Smoking" sign in the area. Also, factory expects the installation of exhaust fans in chemical room to be done by mid-November 2003.	White petrol and acetic acid are stored in separate area away from production floor and designated as chemical storage. However, there is no exhaust fan installed in this room.	This improvement was verified through observation.	On-going
Worker Participation		Workers should be involved in planning for safety, including through worker safety committees		Worker and management interviews, document review	Grievance committee and Labor Welfare officer are the good example of management's attitude employee's general welfare and workers are happy about it.							
Other	According to Section 25(1a) of the Water (Prevention & Control Of Pollution) Act, 1974 No person shall, without the previous consent of the State Board establish or take any steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge, sewage or trade effluent into a stream or well or sewer of on land.		Consent for operation / NOC (No Objection Certificate) from Local Pollution Control Board for water pollution has not been taken by the Factory.	Document review			28-Oct-03	Factory had submitted the application to the State Pollution Control Board. The No Objection Certificate was received on 28th October 2003.	Obtained consent letters from the local pollution control board for water and air.	This improvement was verified through review of relevant documentation.	Completed	
7. Freedom of Association and Collective Bargaining												
Employers will recognize and respect the right of employees to freedom of association and collective bargaining			No non-compliance issues found.									
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												
Minimum Wage	According to Section 12 of The Minimum Wages Act, 1948 , The employer shall pay to every employee engaged in scheduled employment under him wages, at a rate not less than the minimum rate of wages fixed by such notification for that class of employees in that employment without any deductions except as may be authorized within such time and subject to such conditions as may be prescribed.	Employers will pay workers the legal minimum wage or the prevailing industry wage, whichever is higher	One female Security guard and one male security guard employed by the factory through contract agency. (****Securities) are paid INR 1950/- per month and INR 2000/- per month respectively, which is less than the legal minimum wage of INR 2010/- per month.	As per visual observation And Available Records			7-Nov-03	This has been corrected and the revised wage along with back wages since April 2003 will be paid by 7th November 2003.	All security personnel provided by (****Securities) are now paid at least the minimum wages effective November 2003. The back wages (for the period of April to October 2003) are now being paid by the agency.	This improvement was verified through review of relevant documentation.	Ongoing	
Time-recording system	According to Rule 103 of The Central Rules of The Factories Act, 1948 , the manager of every factory shall keep a muster roll in Form 15 showing the normal piece work rate of pay, or the rate of pay, hours of work, of all the employees. In this muster roll shall be correctly entered the overtime hours of work and payments of all the workers. The muster roll shall always be available for inspection	Time worked by all employees, regardless of compensation system, will be documented by time cards or other accurate and reliable recording systems such as electronic swipe cards	The attendance of the Security guards employed through (****Securities" are available only for month of the July' 03 and August' 03.	As per records review			Maintained as of 10/03	Attendance records since January 2003 have been obtained from the Security Agency and are kept with the Personnel dept. of the factory.	Attendance records of security personnel provided by (****Securities) are now maintained by factory since January 2003. However, IN/OUT time records are maintained since June 2003 only.	This improvement was verified through review of relevant documentation.	Ongoing	
Record Maintenance	According to Section 13A of the Payment and Wages Act, 1936 - Every employer shall maintain such registers and records giving such particulars of persons employed by him the work performed by them the wages paid to them the deductions made from their wages the receipts given by them and such other particulars and in such form as may be prescribed and shall be preserved at least for a period of three years.	All legally required payroll documents, journals and reports will be available complete, accurate and up-to date. (In the United States terms this would include W-4s, I-9s, green cards, 941s and supporting material	The Security Guards' payroll records for only the month of July '03 were available.	As per visual observation And Available Records			Maintained as of 10/03	Payroll records from January 2003 have been obtained from the Security Agency and are kept with the Personnel dept. of the factory.	Payroll records of security personnel provided by (****Securities) are now maintained by factory since January 2003.	This improvement was verified through review of relevant documentation.	Completed	

FLA Code/ Compliance issue	Legal Reference / Country Law	FLA Benchmark	Findings				Remediation				Status	
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OT Compensation	According to Section 59 (1) of The Factories Act, 1948 where a worker works in a factory for more than 9 hours in any day or more than 48 hours in any week, he shall in respect of overtime work be entitled to wages at the rate of twice his 'ordinary' rate of wages. Where there is an increase in working hours but the increase is below the maximum working hours, a workman is entitled to proportionate extra wages for this extra work.	The factory shall comply with applicable law for premium rates for overtime compensation	1. The Security guards employed by the factory through contract agency, "MAC Securities" are paid for the extra hours worked by them at normal rate instead of premium rate of double the normal wage rate.	As per visual observation And Available Records				7-Nov-03	Back wages for overtime from April 2003 will be paid by 7th. December. As explained, back wages for the shortfall in minimum wages and for overtime with effect from April 2003 will be paid by 7th. Nov. and 7th.Dec. respectively.	(15) security personnel provided by "S-MAC" security agency are not working overtime since November 2003. Back wages for the work done from April to October 2003 will be paid by the security agency by end-December 2003.	This improvement was verified through the review of relevant documents and confidential interviews.	Ongoing
Miscellaneous												
Incomplete records	As per The Industrial Employment (Standing Orders) Central rules 1946, Schedule 1B): (a) Every workman shall indicate his exact date of birth to the employer or the officer authorized by him in this behalf, at the time of entering service of the establishment.	Employers will maintain proof of age documentation for all workers, such as a birth certificate, which verifies date of birth.	On conducting the general interview of the workers during the factory tour, the auditors found nine workers working in the factory to perform specialized work. The factory management confirmed the same and told us that their skills are being tested for two days and will decide after that depending upon their performance and skills. But no records of these workers in the form of Appointment letters, age proof documents and other such relevant documents were shown/maintained by the factory. The workers had joined the facility only on the 23rd of August 2003 and their skills are being tested for 2 days.					1-Nov-03	With effect from 1st. November, as a policy, no worker will be recruited without obtaining the proof of age document prior to the date of joining and appointment letter would be issued at the time of joining. (Prior to commencing work).	Employee records are now maintained from the first day of employment. Appointment letters are issued on the day of join. Age proof documentation is gathered prior the first day.	This improvement was verified through the review of relevant documentation and confidential interviews.	Completed