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.
**Findings**

**TLA Code Compliance Issue**  
Country: China

**TLA Benchmark**

1. **Code Awareness**
   - **Details:** All employees are made aware of the Code of Conduct.
   - **Remediation:** The PC visited the factory on Jan 21, 2005 and reviewed the inspection records of the fire extinguishers and first aid kits. The PC noted that the fire extinguishers were in good conditions, and the first aid kits were well stocked.

2. **Harassment or Abuse**
   - **Details:** In the workplace, no harassment or abuse was observed.
   - **Remediation:** The factory agreed to set up a Health and Safety guard to check the fire extinguishers and first aid kits on a weekly basis.

3. **Health and Safety**
   - **Details:** The factory agreed to ensure that the temperature of the workshop be maintained at a comfortable level.
   - **Remediation:** The PC visited the factory on Jan 21, 2005 and noted that the temperature of the workshop was maintained below 28°C. The factory confirmed that the temperature of the workshop was maintained at a comfortable level.

4. **Freedom of Association and Collective Bargaining**
   - **Details:** The factory agreed to provide consultation on the selection of the representative for the workers.
   - **Remediation:** The PC visited the factory on Jan 21, 2005 and noted that the selection of the representative was conducted in a fair and transparent manner.

5. **Facilities/Equipment**
   - **Details:** All ventilation, plumbing, electrical, and lighting services shall be provided and maintained to conform to applicable laws and prevent hazardous conditions to employees in the facility.
   - **Remediation:** The factory agreed to provide the necessary ventilation, plumbing, electrical, and lighting services to conform to applicable laws.

6. **Environment**
   - **Details:** The factory agreed to provide a safe and healthy working environment to prevent accidents and injury to health among workers involved, or incurring in the course of work or as a result of the operation of employer facilities.
   - **Remediation:** The factory agreed to provide the necessary environment to prevent accidents and injury to health among workers involved, or incurring in the course of work or as a result of the operation of employer facilities.

7. **Harassment or Abuse**
   - **Details:** In the workplace, no harassment or abuse was observed.
   - **Remediation:** The factory agreed to set up a Health and Safety guard to check the fire extinguishers and first aid kits on a weekly basis.

8. **Health and Safety**
   - **Details:** The factory agreed to ensure that the temperature of the workshop be maintained at a comfortable level.
   - **Remediation:** The PC visited the factory on Jan 21, 2005 and noted that the temperature of the workshop was maintained below 28°C. The factory confirmed that the temperature of the workshop was maintained at a comfortable level.

9. **Freedom of Association and Collective Bargaining**
   - **Details:** The factory agreed to provide consultation on the selection of the representative for the workers.
   - **Remediation:** The PC visited the factory on Jan 21, 2005 and noted that the selection of the representative was conducted in a fair and transparent manner.

10. **Facilities/Equipment**
    - **Details:** All ventilation, plumbing, electrical, and lighting services shall be provided and maintained to conform to applicable laws and prevent hazardous conditions to employees in the facility.
    - **Remediation:** The factory agreed to provide the necessary ventilation, plumbing, electrical, and lighting services to conform to applicable laws.

11. **Environment**
    - **Details:** The factory agreed to provide a safe and healthy working environment to prevent accidents and injury to health among workers involved, or incurring in the course of work or as a result of the operation of employer facilities.
    - **Remediation:** The factory agreed to provide the necessary environment to prevent accidents and injury to health among workers involved, or incurring in the course of work or as a result of the operation of employer facilities.

12. **Harassment or Abuse**
    - **Details:** In the workplace, no harassment or abuse was observed.
    - **Remediation:** The factory agreed to set up a Health and Safety guard to check the fire extinguishers and first aid kits on a weekly basis.

13. **Health and Safety**
    - **Details:** The factory agreed to ensure that the temperature of the workshop be maintained at a comfortable level.
    - **Remediation:** The PC visited the factory on Jan 21, 2005 and noted that the temperature of the workshop was maintained below 28°C. The factory confirmed that the temperature of the workshop was maintained at a comfortable level.

14. **Freedom of Association and Collective Bargaining**
    - **Details:** The factory agreed to provide consultation on the selection of the representative for the workers.
    - **Remediation:** The PC visited the factory on Jan 21, 2005 and noted that the selection of the representative was conducted in a fair and transparent manner.

15. **Facilities/Equipment**
    - **Details:** All ventilation, plumbing, electrical, and lighting services shall be provided and maintained to conform to applicable laws and prevent hazardous conditions to employees in the facility.
    - **Remediation:** The factory agreed to provide the necessary ventilation, plumbing, electrical, and lighting services to conform to applicable laws.

16. **Environment**
    - **Details:** The factory agreed to provide a safe and healthy working environment to prevent accidents and injury to health among workers involved, or incurring in the course of work or as a result of the operation of employer facilities.
    - **Remediation:** The factory agreed to provide the necessary environment to prevent accidents and injury to health among workers involved, or incurring in the course of work or as a result of the operation of employer facilities.
<table>
<thead>
<tr>
<th>FLA Code/Compliance Issue</th>
<th>Country Law/Legal Reference</th>
<th>FLA Benchmark</th>
<th>Monitor's Findings</th>
<th>Recommendation if finding was corroborated/verified through multiple sources, list all sources</th>
<th>Was Finding Corroborated? Yes or No</th>
<th>Best Practice</th>
<th>Company Remediation Plan</th>
<th>Target Completion Date</th>
<th>Factory Response (Option)</th>
<th>Correct a follow-up (Date of follow up)</th>
<th>Company follow-up visit (Date of planned or follow up visit, if appropriate)</th>
<th>Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employees will recognize and respect the right of employees to freedom of association and collective bargaining</td>
<td><strong>FLA Comment:</strong> The Chinese constitution guarantees Freedom of Association; however, the Trade Union Act prevents the establishment of trade unions independent of the sole official trade union—the All-China Federation of Trade Unions (AFCFU). According to the U.S. mine law, employers must fully comply with the International Labor Organization's (ILO's) fundamental principles of freedom of association, including the non-repression of the right to strike. As a consequence, all factories in China fall short of the U.S. standards on the right to organize and bargain collectively. Recently, however, the government has introduced new regulations that could improve the functioning of the labor relations mechanisms. The Amended Trade Union Act of October 2007 does stipulate that union committees have to be democratically elected at members' assemblies and cannot be government appointed. The trade union has the responsibility to consult with the worker to grant the trade union an enhanced role in dispute resolution. In December 2003, the Collective Contracts Act of 2003 introduced the obligation for the representative role advice and employees to negotiate collective agreements, in contrast to the previous system of non-negotiated administrative agreements.</td>
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<tr>
<td>Pay statement</td>
<td>Employees are provided with a pay statement each period, which will show earned wages, regular and overtime pay, bonuses and deductions</td>
<td>The factory does not provide workers with a pay statement, workers only sign a form to confirm that they have already received the payment.</td>
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<td>Hours of Work</td>
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<tr>
<td>Overtime Compensation</td>
<td>Employers will recognize and respect the right of employees to freedom of association and collective bargaining</td>
<td>The factory confirmed that the corrective actions had been taken on Jan 15, 2005. The PC planned to visit the factory on Dec 21, 2005 to ensure that the factory had started issuing the pay statement/slip.</td>
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<tr>
<td>Miscellaneous</td>
<td>Employers will recognize and respect the right of employees to freedom of association and collective bargaining</td>
<td>The factory confirmed that all corrective actions would have been taken on Jan 30, 2005. The PC planned to visit the factory on Dec 21, 2005 to review the progress of the corrective actions.</td>
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