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. \texttt{[some]}, \texttt{[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></th>
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</thead>
<tbody>
<tr>
<td>China</td>
<td>1. Code Awareness</td>
<td>Art. 12 of PRC Labor Law: Laborers shall not be discriminated against in employment due to their nationality, race, gender or religious belief.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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</tr>
<tr>
<td></td>
<td>2. Forced Labor</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td>3. Child Labor</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td></td>
<td>4. Harassment or Abuse</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td></td>
<td>5. Nondiscrimination</td>
<td>Policy Art. 15 of PRC Labor Law: Employer shall be responsible for implementing and enforcing nondiscrimination policies and procedures to ensure that no person will be treated unfairly on the basis of gender, race, religion, age, disability, sexual orientation, or national origin.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**1. Code Awareness**

*Art. 12 of PRC Labor Law: Laborers shall not be discriminated against in employment due to their nationality, race, gender or religious belief.*

**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**

*Every employee will be treated with respect and dignity. No employee will be subject to any physical, sexual, psychological or verbal harassment of abuse.*

**4. Harassment or Abuse**

*Parents and teachers shall have no written policy regarding Harassment or Abuse.*

**5. Nondiscrimination**

*Policy Art. 15 of PRC Labor Law: Employer shall be responsible for implementing and enforcing nondiscrimination policies and procedures to ensure that no person will be treated unfairly on the basis of gender, race, religion, age, disability, sexual orientation, or national origin.*

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**Assignment 1:**

1. **FLA Compliance Issue:** Code Awareness
   - **Country Law/Legal Reference:** Art. 12 of PRC Labor Law
   - **FLA Benchmark:** Laborers shall not be discriminated against in employment due to their nationality, race, gender or religious belief.
   - **Non-compliance:** N/A
   - **Risk of Non-compliance:** N/A
   - **Evidence of Non-compliance:** N/A

2. **FLA Compliance Issue:** Forced Labor
   - **Country Law/Legal Reference:** N/A
   - **FLA Benchmark:** N/A
   - **Non-compliance:** N/A
   - **Risk of Non-compliance:** N/A
   - **Evidence of Non-compliance:** N/A

3. **FLA Compliance Issue:** Child Labor
   - **Country Law/Legal Reference:** N/A
   - **FLA Benchmark:** N/A
   - **Non-compliance:** N/A
   - **Risk of Non-compliance:** N/A
   - **Evidence of Non-compliance:** N/A

4. **FLA Compliance Issue:** Harassment or Abuse
   - **Country Law/Legal Reference:** N/A
   - **FLA Benchmark:** N/A
   - **Non-compliance:** N/A
   - **Risk of Non-compliance:** N/A
   - **Evidence of Non-compliance:** N/A

5. **FLA Compliance Issue:** Nondiscrimination
   - **Country Law/Legal Reference:** Policy Art. 15 of PRC Labor Law
   - **FLA Benchmark:** Employer shall be responsible for implementing and enforcing nondiscrimination policies and procedures to ensure that no person will be treated unfairly on the basis of gender, race, religion, age, disability, sexual orientation, or national origin.
   - **Non-compliance:** N/A
   - **Risk of Non-compliance:** N/A
   - **Evidence of Non-compliance:** N/A
## Remediation

**Findings:**
- Factory tour: The fire extinguishers are placed in very obvious places for quick access. On May 31, 2007, the safety responsible assigned a person to inspect and maintain the first aid boxes.
- Factory did not post national or local labor laws.
- All safety and medical equipment (such as fire fighting equipment, PPE, medicines in first aid kits) were not sufficiently maintained. Scissors and absorbent cotton were missing.
- Factory tour: The fire drill has been conducted and recorded. Two earplugs were provided. 2. Workers dealing with chemicals were not using masks and gloves. 3. No signs or diagrams were posted indicating the need for PPE.
- Factory tour: The MSDS have been obtained and posted in the workshops for worker's information.
- Factory tour: The fire extinguishers are placed in very obvious places for quick access. On May 31, 2007, the safety responsible assigned a person to inspect and maintain the first aid boxes.
- Factory tour: The fire drill has been conducted and recorded. Two earplugs were provided. 2. Workers dealing with chemicals were not using masks and gloves. 3. No signs or diagrams were posted indicating the need for PPE.

**Follow-up Documentation:**
- Verification of finds:
  - Factory has provided the PPEs and provided training and encouragement to workers to use those PPEs.
  - Factory tour: The fire extinguishers are placed in very obvious places for quick access. On May 31, 2007, the safety responsible assigned a person to inspect and maintain the first aid boxes.
  - Factory tour: The fire drill has been conducted and recorded. Two earplugs were provided. 2. Workers dealing with chemicals were not using masks and gloves. 3. No signs or diagrams were posted indicating the need for PPE.
- Factory tour: The fire extinguishers are placed in very obvious places for quick access. On May 31, 2007, the safety responsible assigned a person to inspect and maintain the first aid boxes.
- Factory tour: The fire drill has been conducted and recorded. Two earplugs were provided. 2. Workers dealing with chemicals were not using masks and gloves. 3. No signs or diagrams were posted indicating the need for PPE.

**Follow-up Documentation:**
- Verification of finds:
  - Factory has provided the PPEs and provided training and encouragement to workers to use those PPEs.
  - Factory tour: The fire extinguishers are placed in very obvious places for quick access. On May 31, 2007, the safety responsible assigned a person to inspect and maintain the first aid boxes.
  - Factory tour: The fire drill has been conducted and recorded. Two earplugs were provided. 2. Workers dealing with chemicals were not using masks and gloves. 3. No signs or diagrams were posted indicating the need for PPE.
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- Factory tour: The fire drill has been conducted and recorded. Two earplugs were provided. 2. Workers dealing with chemicals were not using masks and gloves. 3. No signs or diagrams were posted indicating the need for PPE.
Worker interviews, no case of work. Workers interviewed said uncorroborated, will follow up during our next visit.

While according to Factory should devise strategy to gradually and sustainably lower the OT hours, the long term goal should be to comply with the labour law requirement. In addition, the capacity reported to the buyers should be based on normal working hours.

Review of time records and payrolls according to Consecutive Working Art. 38 of PRC Labor Law (Chapter IV: Working Hours, Rest and Vacations): Employer shall guarantee that its laborers have at least one day off per week.

Workers will be paid for holidays and leave as required by law. [Workers interviewed] stated that from January to October 2006, it was observed that in January, February and March, workers were subject to excessive daily overtime, commonly four hours, which exceeded the three hour limitation stipulated by law.

Working Hours, Rest and Vacations): The employer shall pay laborers no less than 300% of their regular wages if an extension of working hours is arranged.

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 applicable law is not present, the limits on regular and overtime hours allowed by the ILO’s “Hours of Work Recommendation”.

Factory should keep correct and updated the employee lists, time records and payroll and can be identified by their respective numbers.

Document review and management interview. Factory should create a fair framework for implementing the existing annual leave policy and create the procedure for annual leave application and maintain the records.

Verification (Date) Document review and management interview. Factory should take measures to make sure they are in compliance with legal requirement for social security.

Factories should take the responsibility to manage the social security benefit for workers and inform workers about the changes. The purpose of paying social security is to ensure a minimum level of living for workers after retirement or in case of unemployment, injury or death.

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

PC Remediation plan. Target Completion Date Manually, the annual leave policy is not in actual implementation. Workers are not entitled to paid annual leaves even though they have worked continuously for one year or more.

Note: In the example above, the plant was subject to inspection in a number of areas, including working hours, overtime, leave, and social security. The report outlines the findings and recommendations for improvement.