

*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.

<b>FLA Audit Profile</b>		
Country	Thailand	Thailand
Factory name	09027443C	09027443CV
IEM	Kenan Institute Asia & BVCPs (Thailand)	Kenan Institute Asia
Date of audit	July 5-6, 2004	May 17-18, 2006
Days in the facility	2 days	2 days
PC(s)	Patagonia, Inc. & Cutter & Buck, Inc.	Patagonia, Inc. & Cutter & Buck, Inc.
Number of workers	1550	1550
Product(s)	Apparel: men's shirts and pants	Apparel: men's shirts and pants
Production processes	Cutting, Sewing, QC, Packing	Cutting, Sewing, QC, Packing

FLA Code/ Compliance Issue	Country Law/Legal Reference	FLA Benchmark	Findings	Monitor's Findings	Documentation	Best Practice	PC Remediation plan	Remediation			Documentation	[Status] Completed: Pending: On-going	Updates		Third-Party Verification		Company Verification Follow		Factory Response	
								Target Completion Date	Factory Response (Optional)	Company Follow up (Cite date of follow up)			Documentation	Company Follow up (Cite date of follow up visit)	Documentation	External Verification (Date)	Documentation	Company Follow up (Cite date of planned or follow up visit, if appropriate)		Documentation
<b>1. Code Awareness</b>																				
Code posting/information		<b>FLA Principle of Monitoring, Obligation of Companies:</b> Establish and articulate clear, written workplace standards. Formally convey those standards to Company factories as well as to licensees, contractors and suppliers.				Factory was certified in SA8000 program by SGS, and TLS 8001 by the Labor department.										May 17-18, 2006				
Confidential non-compliance reporting channel		<b>FLA Principle of Monitoring, Obligation of Companies:</b> Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable Company employees and employees of contractors and suppliers to report to the Company on noncompliance with the workplace standards, with security that they shall not be punished or prejudiced for doing so.	Based on the workers testimony, it was stated that they did not know who would take messages from the suggestion box and who would take responsibility for their grievance. <b>Remediation audit:</b> As workers were interviewed, they were able to explain who would be responsible for each suggestion and also who will be trained about the channel, so that they can raise their concern and grievance to the top management.	Workers' interviews		Confirm who is responsible for receiving employee communications on noncompliances and grievances and how they are handled. How do you ensure that employees are not punished?	10/15/04		3/23/2006	Interview- Suggestion box and SA8000 committee	Completed				May 17-18, 2006	Management and workers' interview	This has not been fully remediated. Grievances will go directly to SMR and responses will be posted on board.	Photo documentation of suggestion box and written statement from factory.		
<b>2. Forced Labor</b>																				
There will not be any use of forced labor, whether in the form of prison labor, indentured labor, bonded labor or otherwise.																				
<b>3. Child Labor</b>																				
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.																				
<b>4. Harassment or Abuse</b>																				
Every employee will be treated with respect and dignity. No employee will be subject to any physical, sexual, psychological or verbal harassment of abuse.																				
<b>5. Nondiscrimination</b>																				
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.																				
Hiring Discrimination Practices		Employment decisions will be made solely on the basis of education, training, demonstrated skills or abilities. All employment decisions will be subject to this provision. They include hiring, job assignment, wages, bonuses, allowances, and other forms of compensation, promotion, discipline, assignment of work, termination of employment, provision of retirement.	One of the job announcements for apprenticeship was specific about the age of applicants being between 18-27 years old, and that those apprentice workers would become an employee after two weeks of apprenticeship. <b>Remediation audit:</b> The job announcement was not specific about the age of the apprentice and the line worker.	Job advertisement, documentation reviews		Remove all age specifications from job announcements.	10/1/04		3/23/2006	Age indication was removed from announcement in 2004.	Completed				May 17-18, 2006	Job advertisement, documentation reviews, and interview HR staffs				
Hiring Discrimination Practices		Employment decisions will be made solely on the basis of education, training, demonstrated skills or abilities. All employment decisions will be subject to this provision. They include hiring, job assignment, wages, bonuses, allowances, and other forms of compensation, promotion, discipline, assignment of work, termination of employment, provision of retirement.	A note regarding physical appearance of applicants is made on the worker application form, the applicant's physical appearance is noted on the document along with the factory requirement of a urine and math test as well as an eye check up. <b>Remediation audit:</b> Urine tests for Amphetamines were tested on all new applicants; however, new applicants interviewed did not know the purpose of a urine test. The factory did not have a written procedure or have proper communication to support this activity.	Application form reviews					3/23/2006	No restriction on worker appearance.	Completed				May 17-18, 2006	Review the medical check up report and interview the new applicant, workers and management.	Purpose and procedure of urined test was posted in factory medical room.	Photo verification sent 5/30/07.		
Pregnancy Testing		Employers will not use pregnancy tests or the use of contraception as a condition of hiring or of continued employment. Employers will not require pregnancy testing of female employees, except as required by national law.		Application form review		Please report the purpose of the urine test.	10/1/2004		3/23/2006	Urine test was a former requirement of Thai Labor for a drug free program. It was only practiced until [the factory] became certified drug free.	Completed				May 17-18, 2006	Application form reviews and interview HR staffs.				
<b>6. Health and Safety</b>																				
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.																				
Sanitation in Facilities		All facilities including factory buildings, toilets, canteens, kitchens, and clinics, shall be kept clean and safe and be in compliance with applicable laws.				The factory provided a drinking cap for the workers which is only used one time to prevent any infection that may occur.														

FLA Code/ Compliance Issue	Country/Law/Legal Reference	FLA Benchmark	Findings	Monitor's Findings	Documentation	Best Practice	Remediation				[Status]		Updates		Third-Party Verification		Company Verification Follow		Factory Response
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PPE	According to The Notification of Ministry of Interior Machinery Safety Chapter 1 Section 2. The employer shall have the employees, working with machinery, to wear helmets, gloves, goggles, masks, ear plugs, rubber shoes or gears for the personal protection of other parts according to the condition and nature of the work performed and it shall be observed as the work performance rules of the operation premises throughout the time of performance of work by the employees.	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.	The workers who worked with bend knives were only provided one mesh-steel glove. <b>Remediation audit:</b> Workers in building 2 did not wear mesh steel-gloves when using a hand knife, the factory did not provide this PPE to them.	Visual inspection			Provide two gloves for workers that operate hand knives. Clarify who is responsible for Health and Safety review at the factory - Recommendation: Charge either staff member of H&S committee with responsibility for weekly H&S review	10/1/04		3/23/2006	Gloves are provided	Completed			May 17-18, 2006	Visual inspection	Safety officer instructed to conduct weekly check that PPE is being used properly.	Photo verification of operator using hand knife wearing two gloves, written commitment to periodic safety checks sent 5/30/07.	
Safety Equipment	According to the Notification of the Ministerial Regulation Occupation Health Welfare Section, 2 (1): A working place having ten or more employees shall be provided with first-aid equipment as follow: rubber tourniquet; a pair of scissors; cotton wool; swabs; bandage and adhesive tapes; measuring vessel for medicine; eye cup; medicine dropper; wazer glass medicine applicator; safety pin; forceps; thermometer; mercurochrome; acriflavine or tincture of iodine; ethyl alcohol, 70% pure; medicine for burns and scalds; boric acid solution eye wash; aromatic Spirit of Ammonia; headache and fever remedy; tincture opium camphor; misc. bismuth and soda; misc. stomachic; medicine for dysentery; bicarbonate of soda; and White petroleum jelly.	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.	Most of the first aid kits have insufficient medical supplies and some were empty. <b>Remediation audit:</b> Factory arranged for basic first aid training to the workers in each section, s/he then will be appointed responsibility for the first aid kit and take care of the workers in case of injuries occurred. Thus, the first aid box has fulfilled the necessary medical supplies at all times.	Visual inspection			Inspect and fill all first aid kits. Also, ensure first aid kits are checked and filled weekly. Clarify who is responsible for Health and Safety review at the factory - Recommendation: Charge either staff member of H&S committee with responsibility for weekly H&S review.	10/1/04							May 17-18, 2006	Visual inspection			
Machinery Maintenance	According to the Notification of Ministry of Interior Machinery Safety Chapter 1 Section 5(b): The machine which transmits its energy by means of shaft, belt, pulley, and flywheel shall have a steel colander for the complete covering of the moving and power transmission part is higher than two meters it shall have steel colander or fence by not less than two meters to surround it completely.	All production machinery and equipment shall be maintained, properly guarded, and operated in a safe manner.	Some sewing machines were not equipped with the lower pulley guards. <b>Remediation audit:</b> Some sewing machines were missing upper and lower pulley guards.	Visual inspection			Make sure all sewing machines have pulley guards. Clarify who is responsible for Health and Safety review at the factory - Recommendation: Charge either staff member of H&S committee with responsibility for weekly H&S review.	10/15/2004							May 17-18, 2006	Visual inspection	Safety officer will check for pulley guards and install on those sewing machines without, w/o fcty visit, difficult to ensure pully guards on all machines.	Photo verification of machines with pully guards sent 5/30/07.	
Machinery Maintenance	According to the Notification of Ministry of Industrial Issue 4 (BE 2514) Chapter 12 Section 3: Employer has to provide the strong protective equipment to any moving parts of machine which may cause the danger during operating the machine. Such equipment has to be equipped or installed on the machine without removing it in any case.	All production machinery and equipment shall be maintained, properly guarded, and operated in a safe manner.	Some sewing machines did not have needle guards. <b>Remediation audit:</b> Some sewing machines were missing a needle guard.	Visual inspection			Make sure all sewing machines have needle guards. Clarify who is responsible for Health and Safety review at the factory - Recommendation: Charge either staff member of H&S committee with responsibility for weekly H&S review.	10/15/04							May 17-18, 2006	Visual inspection	Safety officer will check for needle guards and install on those sewing machines without, w/o fcty visit, difficult to ensure needle guards on all machines.	Photo verification of machines with needle guards sent 5/30/07.	
Machinery Maintenance	According to the Notification of Ministry of Industrial Issue 4 (BE 2514) Chapter 12 Section 3: Employer has to provide the strong protective equipment to any moving parts of machine which may cause the danger during operating the machine. Such equipment has to be equipped or installed on the machine without removing it in any case.	All production machinery and equipment shall be maintained, properly guarded, and operated in a safe manner.	Some sewing machines did not have a plexiglass shield installed. <b>Remediation audit:</b> Some sewing machines were missing Plexiglass shields.	Visual inspection			Install plexiglass shields on all sewing machines. Clarify who is responsible for Health and Safety review at the factory - Recommendation: Charge either staff member of H&S committee with responsibility for weekly H&S review.	10/15/04							May 17-18, 2006	Visual inspection	Safety officer will check for plexiglass shield guards and install on those sewing machines without.	Photo verification of machines with plexiglass shield guards and written commitment to conduct follow-up checks, schedule will be attached.	
Evacuation Procedure	According to the Notification of Ministry of Interior Fire Safety Chapter 3 Section 19: The employer shall proceed as following concerning the fire extinguishers: (1) Install fire extinguishing equipment where it is clearly seen and can be taken out for use with ease.	All applicable legally required or recommended elements of safe evacuation (such as posting of evacuation plans, unblocked aisles/exits, employee education, evacuation procedures, etc.) shall be complied with and workers shall be trained in proper safety, first aid, and evacuation procedures.	Some fire extinguishers were blocked by production. <b>Remediation audit:</b> Factory painted red boxes in front of each fire extinguisher; thus, this area is prohibited by any obstruction.	Visual inspection			Make sure all fire extinguishers are not blocked. Insure that all supervisors and building maintenance employees monitor this daily to keep extinguishers unblocked at all times.	10/1/04							May 17-18, 2006	Visual inspection			
Evacuation Procedure	According to The Notification of Ministry of Interior Re-Working safety Relating to Protection of Fire for Employees, Chapter 2 Section 13: The employer shall provided fire escape routes which is not obstructed from the spot the employees are working to the spot of safety.	All applicable legally required or recommended elements of safe evacuation (such as posting of evacuation plans, unblocked aisles/exits, employee education, evacuation procedures, etc.) shall be complied with and workers shall be trained in proper safety, first aid, and evacuation procedures.	Aisle space was narrow and blocked by production at building X. <b>Remediation audit:</b> Factory painted yellow lines in each work floor in order to separate the aisle space with working stations. So that, the work floor has nothing blocked and is easily accessible at all times.	Visual inspection			Make sure all aislesways are clear and remain clear at all times. Clarify who is responsible for Health and Safety review at the factory - Recommendation: Charge either staff member of H&S committee with responsibility for weekly H&S review	10/1/04							May 17-18, 2006	Visual inspection			
Evacuation Procedure	According to The Notification of Ministry of Interior Re-Working safety Relating to Protection of Fire for Employees, Chapter 2 Section 13: The employer shall provided fire escape routes which is not obstructed from the spot the employees are working to the spot of safety.	All applicable legally required or recommended elements of safe evacuation (such as posting of evacuation plans, unblocked aisles/exits, employee education, evacuation procedures, etc.) shall be complied with and workers shall be trained in proper safety, first aid, and evacuation procedures.	One emergency exit on the 2nd floor of building X was blocked by old sewing machines. <b>Remediation audit:</b> The walkthrough factory was observed so that no emergency exits were blocked.	Visual inspection			Keep all emergency exits unblocked at all times. Clarify who is responsible for Health and Safety review at the factory - Recommendation: Charge either staff member of H&S committee with responsibility for weekly H&S review	10/1/04							May 17-18, 2006	Visual inspection			
Fire Safety Health and Safety legal compliance		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.	There was no yellow box marked in front of the fire extinguishers. <b>Remediation audit:</b> Each fire extinguisher is marked with red lines to prohibit any obstruction.	Visual inspection			Mark all fire extinguisher locations with a box on floor of yellow tape or paint. Clarify who is responsible for Health and Safety review at the factory - Recommendation: Charge either staff member of H&S committee with responsibility for weekly H&S review	10/1/04							May 17-18, 2006	Visual inspection			

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Fire Safety - Health and Safety legal compliance	According to The Notification of Ministry of Industrial Issue 4, BE, 2514 Chapter 12 Section 34: Indicated that the switchboard, transformer, capacitor, battery to 150 voltage that did not install in the specific room. It shall be fenced to avoid the person who was not concerning with this to get close that area.	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.	No fence and yellow box at the electric control panel area. <b>Remediation audit:</b> Factory installed fences and painted red boxes at each electric control panel in order to avoid the obstruction from production on the work floor.	Visual inspection		Electric Panel must be enclosed with a protective fence and marked.	10/15/04								May 17-18, 2006	Visual inspection			
Chemical Management		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.	No secondary containment provided for chemical containers. <b>Remediation audit:</b> No secondary containment provided for chemical containers.	Visual inspection		Provide secondary containment for chemical containers. Clarify who is responsible for Health and Safety review at the factory - Recommendation: Charge either staff member of H&S committee with responsibility for weekly H&S review.	10/15/04							May 17-18, 2006	Visual inspection	Factory says secondary container has been provided to store chemicals.	Photo verification of secondary containment of chemicals provided, sent 5/30/07, difficult to ensure consistency w/o tcity visit.	There are election for health and safety committee every two years. All the worker[s] are free to apply. The last election was April 2007.	
Chemical Management	According to The Notification of Ministry of Interior Chemical Safety Chapter 1 Section 4: The employer shall not transport, store, move or bring a harmful chemical into the place of operation until he shall provide suitable large chemical to be stuck at all packages, containers or wrappers of harmful chemical. The label shall at least have the following details: 1)Symbol indicating harm and the word "harmful chemical" or "Poisonous substance" or other words showing harm according to the type of that harmful chemical, in red or black writing larger than other words, which can be seen clearly.	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.	No MSDS for the oil spot cleaning agent was maintained on site. <b>Remediation audit:</b> It was observed that the chemical containers (Cleaning solvent) are not labeled, thus, unable to indicate the type of chemical as well as method to handle the chemical.	Visual inspection		Create and maintain on site a MSDS for the oil spot cleaning agent. Clarify who is responsible for Health and Safety review at the factory - Recommendation: Charge either staff member of H&S committee with responsibility for weekly H&S review.	10/15/04							May 17-18, 2006	Visual inspection	This has not been remediated. MSDS for all cleaning solvents are maintained on site, but there is no indication that solvents themselves are being labeled properly.	There are MSDS (Material Safety Data Sheet) posted near the area of chemical containment. And a bucket of sand is prepared in case of chemical spill. Photo documentation provided.		
		2) Chemical name or scientific name of harmful chemical. 3) Quantity and composition of harmful chemical. 4) Harm and poisonous condition of harmful chemical. 5)Warning about method of storage, use, moving harmful chemical and method of packaging, container or wrapper of harmful chemical with safety. This is to be with the essence in summary according to the criteria and method prescribed by the Director-General under Clause 3, 6) Method of first aid treatment when there is symptoms or illness due to harmful chemical, and advice to send the patient to the medical officer. For details under 4), 5) and 6) they may be printed as insertion in the container. The label and insertion shall be in Thai, except for the details under 2) and 3) which may be in English.												May 17-18, 2006					
	The Ministry of Interior CE.1991Toilet and First Aid Safety Chapter 2, Section 1, indicated that a factory having more than 1,000 employees has to arrange as follows: (a) Medical treatment room with 2 beds and enough contents of first aid, (b) 2 regular nurses, (c) One regular doctor during working hour at least 2 hours per time, (d) Vehicle for emergency case.		There is one nurse on duty; however, according to legal requirements a factory that has more than 1,000 employees should arrange 2 nurses on duty during regular working hours. <b>Remediation audit:</b> Only one nurse on duty during work hours; this is not in compliance with the legal requirement that stated a factory that has more than 1,000 employees should arrange 2 nurses during regular working hours.	Visual inspection and contract review		Retain two nurses during working hours.	11/1/2004							May 17-18, 2006	Visual inspection and contract reviews	Discrepancy between TC and IEV - IEV states two nurses were on duty, need clarification of findings.			
<b>7. Freedom of Association and Collective Bargaining</b>																			
Employers will recognize and respect the right of employees to freedom of association and collective bargaining.																			
<b>8. Wages and Benefits</b>																			
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.																			
Accurate recording of wage compensation		All hourly wages, piecework, bonuses, and other incentives will be calculated and recorded accurately.	Piece rate workers worked during rest periods without being paid. <b>Remediation audit:</b> It was observed that workers still worked during the rest period due to wanting more no. of pieces; however, during this period pieces are not paid at a premium rate.	Visual inspection, payroll reviews and worker interview		Workers should not work through rest periods or lunch breaks. Supervisors must enforce break periods are for rest.	11/1/04							May 17-18, 2006	Worker interview, payroll record review and visual inspection	This has not been verified. Factory manager instructed workers to cease work during rest periods, and said power lines were disconnected.			There are frequent announcements that lunch time is the time for worker[s] to take a break. Many posters were posted in working area to persuade them to have a break during lunch time, and all the lighting is turned off. Photo documentation provided.
Accurate recording of wage compensation	The Labor Protection Act, B.E. 2541, Section 60 which stated that "...whereas an employee receives wages calculated on piece rate basis, the employer shall pay wages for holiday or leave equivalent to the average wages of working day received by the employee during the period of payment before such holiday or leave."	All hourly wages, piecework, bonuses, and other incentives will be calculated and recorded accurately.	<b>New Findings:</b> The employees who received wages calculated on a piece rate basis, did not get paid wages for holiday or leave equivalent to the average wages of working days received by the employee during the period of payment before such holiday or leave. However, they were paid the wages for holiday or leave at the daily rate basis.	Payroll reviews and worker interview															

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<b>9. Hours of Work</b>																			
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.																			
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 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.	Sunday work was reported; the management claimed that those workers are working for a department which is not involved with Patagonia and Cutter & Buck production at building X 4 X. <b>Remediation audit:</b> The workers informed, sometimes they worked on Sunday. From time record review, it was found that, during the last 12 months (May 05 to April 06), some randomly selected workers worked on Sunday. Details as follows: - For Nov '05, 4 out of 4 selected samples worked on Sunday for 1-3 times. - For Dec '05, 4 out of 4 selected samples worked on Sunday for 1-2 times. - For Jan '06, 4 out of 25 selected samples worked on Sunday for 1-2 times. - For Feb '06, 6 out of 25 selected samples worked on Sunday for 1-3 times. - For Mar '06, 6 out of 25 selected samples worked on Sunday for 1-2 times.	Worker interviews					3/23/2006	Normal hours are 48 per week and a maximum of 60. Under extreme business cases up to 88 hours may be worked and all OT is voluntary. Sundays are not worked except in extreme cases less than three times per year.	Completed			May 17-18, 2006	Interview the worker and review time record, payroll record, overtime work sheet	This remediation has not been verified. Factory manager has committed to working with production planning to avoid reliance on excessive OT.			
Legal compliance	According to The Labor Protection Act B.E. 2541 Chapter 2 Section 27 During working days, the employer shall let the employee to have a rest period of not shorter than one hour, after the employee has performed work on such day for five consecutive hours. The employer and employee may agree in advance to one rest period lasting less than one hour but the total rest period each day shall not be shorter than one hour per day. In the case where there is overtime work lasting not less than two hours, after normal working, the employer shall let the employee to have a rest period of not less than twenty minutes before the employee starts to work overtime.		Piece-rate workers worked during their rest period. (Early morning: before 8:00 am, lunch break and dining break) <b>Remediation audit:</b> The piece-rate workers still worked during the rest period. Although the factory turned off the lights in the plant, the piece workers could still turn on their operating machine.	Pay roll reviews, HR, Accountant staff and workers interviews			Workers should not work through rest periods or lunch breaks. Supervisors must enforce break periods for rest.		11/1/2004					May 17-18, 2006	Pay roll reviews, HR, Accountant staff and workers interviews	This has not been remediated.			
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 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	Some of the workers worked overtime in excess of 12 hours per week in October 03 and May 04. <b>Remediation audit:</b> Workers informed sometimes they worked overtime in excess of 12 hours per week. From time records review, workers informed sometimes they worked overtime in excess of 12 hours per week. From time records review, it was found that, during last 12 months (May 05 to April 06), some randomly selected workers worked overtime in excess of 12 hours per week. Details as follows: For May 2005, the numbers of overtime in a week for the 2 out of 4 selected samples were 14-15 hours per week; For June 2005, overtime hours for 1 out of 4 selected samples were 16-18 per week; For July 2005, overtime hours for 2 out of 4 selected samples were 15-20 per week; For Sept. 2005, overtime hours for 3 out of 4 selected samples were 13-20 per week; For Oct. 2005, overtime hours for 3 out of 4 selected samples were 13.5-22 per week; For Nov. 2005, overtime hours for 4 out of 4 selected samples were 16.5-22 per week; For Dec. 2005, overtime hours for 3 out of 4 selected samples were 14-15 hours per week; For Jan. 2006, overtime hours for 7 out of 25 selected samples were 13.5-20 per week; For Feb. 2006, overtime hours for 7 out of 25 selected samples were 14-22 hours per week; For March 2006, overtime hours for 6 out of 25 selected samples were 13.5-20 per week; For April 2006, overtime hours for 1 out of 25 selected samples were 14 per week.	Attendance and pay roll records review, Worker's and Management interviews			Make sure total hours do not exceed 48 regular and 12 hours overtime.		11/1/2004					May 17-18, 2006	Interview the worker and review time record, payroll record, overtime work sheet				
<b>10. Overtime Compensation</b>																			
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.																			
OT Compensation for Piece	According to the Ministerial Regulation No. 13 B.E. 2543, Issue under labour Protective Act B.E. 2541, Section 2-"If an employer and employee agree to specify normal working hours under paragraph one of more than eight per day for the employee who does not receive monthly wages, the employer shall pay the wages of a working day for eight hour and shall pay remuneration at the rate of not less than one and a half times of the hourly wages in working day for the work done in excess hours, or of not less than one and a half times of the piece rate of wages day for the work done in the excess hours for the employee who receives wages as a piece rate basis. If an employee works on a holiday, an employer shall pay to the employee for eight working hours and pay remuneration of less than three times of the hourly wages in working day for the excess working hour, or of not less than three times of the piece rate of wages in working day for the work done in the excess number of working hours as a piece-rate basis."	Where workers are paid on a piece rate, the payment for overtime work performed shall result in no less payment than the premium pay required by law.	Piece-rate workers were compensated for overtime at only 0.5 time of the premium piece rate. <b>Remediation audit:</b> The employees who received wages calculated on a piece-rate basis, received overtime pay at a rate of one time of the piece rate of wages of working day for work done and plus 0.5 of their hourly basis wages.	Payroll reviews					3/23/2006	All OT is paid at 1.5 times. This process was changed in 2004. This law does not require this so no back wages were paid.	Completed			May 17-18, 2006	Interview the worker and HR officer who's responsible for payroll. Review time records, payroll records and productivity records.				
<b>Miscellaneous</b>																			
Other	The Labor Protection Act 1998 Chapter 9, section 113. The register of employees' register shall contain at least the following particulars: (1) Name and family name. (2) Sex. (3) Nationality. (4) Date of Birth/day. (5) Present address. (6) Date of commencement of employment. (7) Position or duty. (8) Wages or other remuneration which the employer agrees to pay the employees. (9) Date of termination of employees. If it is necessary to change in any particulars of the employees' register, the employer shall amend such register completely within fifteen days from the date of such change or within fifteen days from the date the employee informs the employer of any changes.		Factory did not mention hiring status in the workers' contract. <b>Remediation audit:</b> The employment contracts mentioned the hiring status as daily workers. However, workers who worked with high performance will be changed to piece-rate worker.	Workers' personnel file review			Personnel file must clarify the status (hourly or piece rate) of each employee.		11/1/2004					May 17-18, 2006	Worker and HR staff interview and Employment contract review				