

FLA Audit Profile		Independent External Verification
Country	India	India
Name of Factory	050032693F	050032693FV
Independent External Monitoring Organization	Bureau Veritas Consumer Products Services Pvt. Ltd	IEV: Association for Stimulating Know-How (ASK)
Date(s) in Facility	August 30, 2007	February 19 & 20, 2009
FLA Affiliated Company(ies)	Liz Claiborne, Inc.	Liz Claiborne, Inc.
Number of Workers	128	
Product(s)	Leather Garments & Accessories	
Production Processes	Sampling, Cutting, Sewing, Finishing ,Checking and Packing	

FLA Code/Benchmark	Compliance Status	Describe noncompliance, risk of noncompliance or uncorroborated evidence of noncompliance	List sources/documentation used for reference and corroborating evidence (e.g. worker interviews, factory walkthrough, records review, etc.)	Cite and describe local and/or country laws used for additional reference	Describe notable features implemented by factory management or Company
1. Code Awareness					
GEN 3: 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.	Noncompliance	The PC's code of conduct posted at the factory for the workers did not have any reference to any direct phone numbers of the PC or the monitoring agency that could be used by the workers if need be.	Factory tour, document / code review, management interview and workers interview.		
Other	Uncorroborated noncompliance	Around 100 workers were seen leaving the factory premises at the time of the audit. Although the management claimed that few workers (around 20-25) visit the factory almost on a daily basis for want of work, during worker interviews it was reported that these workers were working in the factory. Therefore, the status of this code element could not be verified for these workers.	This was an unannounced audit. One auditor monitored the factory's movement, during the start of the audit and after the entry of two other auditors. It was found that approx. 100 workers left the factory premises within 15 to 20 minutes. Auditor took the digital photos as well as interviewed several of these employees, who said they are working in the factory and were asked to leave the factory premises.		
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.					
F.15 Personal Worker Identification and Other Documents	Noncompliance	Personnel files of Security guards were not available.	Document review	According to Schedule 1B of The Model Standing Orders on Additional items, under 1 (i) Every individual establishment shall maintain a service card for each workmen in the form appended to these orders, wherein particulars of the workman shall be recorded with the knowledge of that workman and duly attested by an officer authorized on their behalf together with the date.	

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F.16 Storage for Employee Documents	Noncompliance	Personnel files of Security guards were not available.	Document review	According to Schedule 1B of The Model Standing Orders on Additional items, under 1 (i) Every individual establishment shall maintain a service card for each workmen in the form appended to these orders, wherein particulars of the workman shall be recorded with the knowledge of that workman and duly attested by an officer authorized on their behalf together with the date.	
Other	Uncorroborated noncompliance	Around 100 workers were seen leaving the factory premises at the time of the audit. Although the management claimed that few workers (around 20-25) visit the factory almost on a daily basis for want of work, during worker interviews it was reported that these workers were working in the factory. Therefore, the status of this code element could not be verified for these workers.	Auditor observation outside the factory, worker interviews outside and inside the factory.		
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.					
CL.3 Proof of Age Documentation	Noncompliance	Age proof documents of security guards were not available.	Document review	According to Item 1(iv) Schedule 1B of The Industrial Employment (SO) Central Rules 1946, Every work(wo)man shall indicate his/her exact date of birth to the employer or the officer authorized by him on his/her behalf, at the time of entering service of the establishment. (e.g.. matriculation certificate, certified copy of date of birth as recorded in the registers of a municipality, local authority or panchayat or register of birth, or doctors certificate or affidavit.)	
Other	Uncorroborated noncompliance	Around 100 workers were seen leaving the factory premises at the time of the audit. Although the management claimed that few workers (around 20-25) visit the factory almost on a daily basis for want of work, during worker interviews it was reported that these workers were working in the factory. Therefore, the status of this code element could not be verified for these workers.	Auditor observation outside the factory, worker interviews outside and inside the factory.		
4. Harassment or Abuse					

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Every employee will be treated with respect and dignity. No employee will be subject to any physical, sexual, psychological or verbal harassment or abuse.					
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5. Non-Discrimination					
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.					
Other	Uncorroborated noncompliance	Around 100 workers were seen leaving the factory premises at the time of the audit. Although the management claimed that few workers (around 20-25) visit the factory almost on a daily basis for want of work, during worker interviews it was reported that these workers were working in the factory. Therefore, the status of this code element could not be verified for these workers.	Auditor observation outside the factory, worker interviews outside and inside the factory.		
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.					
H&S.9 Evacuation Requirements and Procedure	Noncompliance	1. Most of the doors would open inward in the factory. 2. Operating instructions were not posted on fire extinguishers. 3. Fire drills were not conducted as per law requirement. 4. Two fire extinguishers found with refilling date expired in basement.	Factory Walk-through	1.) According to Rule 68 (9u) of The Model 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. No door when opened shall reduce the required width of a stairway or landing too less than 90 cm. Overhead or sliding doors shall not be installed for this purpose. 2.) According to Rule 68(12c) of The Model Rule of The Factories Act, 1948, Fire fighting drills shall be held as often as necessary and at least once in every period of 2 months.	

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				<p>3.) According to Provision 7 of Schedule I of Model Rules of The Factories Act, 1948, the operating instructions of the fire 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. 4.) According to Section 38 (1 & 2) of The Factories Act, 1948, Every factory shall provide and maintain a) safe means of escape for all person in the event of fire and b) the necessary equipment and facilities for extinguishing fire.</p>	
H&S.10 Safety Equipment and First Aid Training	Noncompliance	No first aid trained person is available in the factory.	Document review, workers interview, management interview		
H&S.11 Personal Protective Equipment	Noncompliance	<p>1. Rubber mats were not provided in Diesel Generator area and electrical room and panels. 2. Thimbles were not provided to the hand needle users. 3. Face masks were not provided to adhesive applier.</p>	Factory walkthrough, workers interview, management interview	According to Section 7A (2b) of The Factories Act, 1948, Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.	
H&S.17 Ventilation/Electrical/Facility Installation and Maintenance	Noncompliance	Open electrical panels were found in the factory.	Factory walkthrough	According to Rule 68 4(a) of the Model Rules of The Factories Act, 1948, all electrical apparatus shall either be excluded from the area of risk or they shall be of such construction and so installed and maintained as to prevent the danger of their being a source of ignition.	
H&S.18 Machinery Maintenance and Worker Training	Noncompliance	<p>1. No Needle guards were found on sewing machines. 2. No pulley guards, eye guards were provided to the sewing machines and over lock machines.</p>	Factory walkthrough	According Rule 71 of Factories Act 1948 Machinery and Plant: No machinery, plant or equipment shall be constructed, situated, operated or maintained in any factory in such a manner as to cause risk of bodily injury.	

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H&S.21 Medical Facilities	Noncompliance	1. No procedure to deal with first aid was posted in the factory. 2. No records of first aid trained person available onsite.	Document review, workers interview, management interview	According to Section 45(1) of The Factories Act, 1948, There shall in every factory be provided and maintained so as to be readily accessible during all working hours first-aid boxes or cupboards equipped with the prescribed contents, and the number of such boxes or cupboards to be provided and maintained shall not be less than one for every one hundred and fifty workers ordinarily employed (at any one time) in the factory.	
H&S.22 Sanitation in Factory Facilities	Noncompliance	It was noted that toilets and urinals were not covered and properly cleaned.	Factory walkthrough	According to Section 19(d) of The Factories Act, 1948, All such accommodations shall be maintained in a clean and sanitary condition at all times.	
H&S.26 Drinking Water	Risk of noncompliance	Factory provides drinking water in the facility. Factory provided drinking water test reports, but according to the report the samples were not drawn by the agency, it was delivered by the factory.	Document review	According to Rule 40 of Model Rules of The Factories Act, 1948, All practicable measures shall be taken to ensure that water is free from contamination.	
Other	Uncorroborated noncompliance	Around 100 workers were seen leaving the factory premises at the time of the audit. Although the management claimed that few workers (around 20-25) visit the factory almost on a daily basis for want of work, during worker interviews it was reported that these workers were working in the factory. Therefore, the status of this code element could not be verified for these workers.	Auditor observation outside the factory, workers interview outside and inside the factory.		
7. Freedom of Association and Collective Bargaining					
Employers will recognize and respect the right of employees to freedom of association and collective bargaining.					
Other	Uncorroborated noncompliance	Around 100 workers were seen leaving the factory premises at the time of the audit. Although the management claimed that few workers (around 20-25) visit the factory almost on a daily basis for want of work, during worker interviews it was reported that these workers were working in the factory. Therefore, the status of this code element could not be verified for these workers.	Auditor observation outside the factory, workers interview outside and inside the factory.		
8. Hours of Work					

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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.					
HOW.1 General Compliance Hours of Work	Noncompliance	Time records were not made available for security guards.	Document review	According to Section 13A (1) of The Payment of Wages Act, 1936, Every employer shall maintain such register 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.	
HOW.14 Annual Leave	Uncorroborated noncompliance	Leave records were not completely filled, missing were Casual Leave, Sick Leave taken by employees.	Document review	According to Rule 112 of Model Rules of The Factories Act 1948 The manager shall keep a register in Form 20 hereinafter called the register of leave with wages: Provided that if the Chief Inspector is of the opinion that any and muster roll or register maintained as part of the routine of the factory, or return made by the manager, gives, in respect of any or all of the workers in the factory, the particulars required for the enforcement of Chapter VIII of the Act, he may, by order, in writing, direct that such muster roll or register shall, to the corresponding extent, be maintained in place of and be traced as the register or return required under this rule in respect of that factory. (2)The register of leave with wages shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector on demand.	
HOW.16 Annual Leave/Restrictions	Uncorroborated noncompliance	Leave records were not completely filled, missing Casual Leave, Sick Leave taken by employees	document review	According to Section 80 (3b) of The Factories Act, 1948, register shall be maintained in a factory for the purpose of securing compliance of leave with wages for those worker who has completed 240 days in work	

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HOW.19 Sick Leave	Uncorroborated noncompliance	Leave records were not completely filled, missing were Sick Leave taken by employees	document review	According to Section 80 (3b) of The Factories Act, 1948, register shall be maintained in a factory for the purpose of securing compliance of leave with wages for those worker who has completed 240 days in work	
HOW.20 Sick Leave/Restrictions	Uncorroborated noncompliance	Leave records were not completely filled, missing were Sick Leave taken by employees.	document review	According to Section 80 (3b) of The Factories Act, 1948, register shall be maintained in a factory for the purpose of securing compliance of leave with wages for those workers who have completed 240 days in work.	
Other	Uncorroborated noncompliance	Around 100 workers were seen leaving the factory premises at the time of the audit. Although the management claimed that few workers (around 20-25) visit the factory almost on a daily basis for want of work, during worker interviews it was reported that these workers were working in the factory. Therefore, the status of this code element could not be verified for these workers.	Auditor observation outside the factory, worker interviews outside and inside the factory.		
9. Wages, Benefits and Overtime Compensation					
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.					
OVERTIME COMPENSATION: 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.					
WBOT.1 General Compliance Wages, Benefits and Overtime Compensation	Noncompliance	Wage records, overtime wages paid records were not made available for security guards	document review	According to Section 13A (1) of The Payment of Wages Act, 1936, Every employer shall maintain such register 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.	

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WBOT.5 Holidays, Leave, Legal Benefits and Bonuses	Uncorroborated noncompliance	Leave records were found incomplete. Therefore the leave wages could not be verified.	document review	According to Section 80 (3b) of The Factories Act, 1948, register shall be maintained in a factory for the purpose of securing compliance of leave with wages for those workers who have completed 240 days in work.	
Other	Uncorroborated noncompliance	Around 100 workers were seen leaving the factory premises at the time of the audit. Although the management claimed that few workers (around 20-25) visit the factory almost on a daily basis for want of work, during worker interviews it was reported that these workers were working in the factory. Therefore, the status of this code element could not be verified for these workers.	Auditor observation outside the factory, worker interviews outside and inside the factory.		
10. Miscellaneous					
Subcontracting, homework and other issues not covered by above benchmarks and code requirements.					
Other	Uncorroborated noncompliance	Around 100 workers were seen leaving the factory premises at the time of the audit. Although the management claimed that few workers (around 20-25) visit the factory almost on a daily basis for want of work, during worker interviews it was reported that these workers were working in the factory. Therefore, the status of this code element could not be verified for these workers.	Auditor observation outside the factory, worker interviews outside and inside the factory.		