

*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 IEM Profile	
Country	EI Salvador
Factory Code	14002203B
JEM	The A&L Group, Inc.
Date of audit	Feb 13, 14 and March 13
Date of Verification	June 16, 2003
Company	Lands' End
Number of workers	4090
Product(s)	Garments
Production processes	Washing, cutting, sewing, inspection, packing

FLA Code/ Compliance issue	Findings				Remediation			The A&L Group Verification - June 2003	Remediation Up-date - January 2004			Remediation Up-dates- February 2004			
	Benchmark or legal reference	Monitor's Findings	Documentation	Best Practice	PC remediation plan	Target Completion Date	Documentation		Verification of corrective action. FINDINGS:	PC Follow up	Targeted Completion Date	Documentation	Factory Response	PC follow up	Documentation
<b>1. Code Awareness</b>															
<b>2. Forced Labor</b>															
<b>3. Child Labor</b>															
<b>4. Harassment or Abuse</b>															
<b>5. Nondiscrimination</b>															
<b>6. Health and Safety</b>															
Fire Safety	In compliance with FLA Benchmarks V.B. Health and 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 compiled with and workers shall be trained in proper safety, first aid, and evacuation procedures.	No arrows in principal aisles indicating emergency exit routes.	observations, records, interviews	Alarm –bar-doors are used in emergency exits.	Arrows to match color on exit route maps are planned for all buildings. The process has started in bldg [X] & [X].	[Lands' End] will be advised by [Factory] when all buildings have the arrows in place.	See Pictures of exit maps and floor arrows. Picture #1 & #2	Arrows have been painted in all principal aisles of buildings[5,7,8,9,10, 11 & 1A. Photographs are available for review.							
Fire Safety	In compliance with FLA Benchmarks V.B. Health and Safety: 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.	The batteries of the smoke detectors are not checked every 3 months.	observations, records, interviews		Smoke Detectors are now being checked at 45 day intervals. Hand written logs are kept in each building.	1-Mar-03	New process in place since March 1, 2003. Second check took place on April 16 , 2003 See log sample from building 10 & 11. Picture #3 & #4	Batteries of the smoke detectors are now been checked regularly by the maintenance person in charge of each building.							
Fire Safety	In compliance with FLA Benchmarks V.B. Health and Safety: All production machinery and equipment shall be maintained, properly guarded, and operated in a safe manner.	In Building 5, sample room has a sewing machine with electrical cord spliced.			Sample Room in building 5 had spliced wires and they have been repaired	Prior to [Lands' End] visit on 4/28/03	See picture of sample room. We were told that often times tape is used to hold wires together. To avoid and misunderstanding going forward wires will be held together with plastic zip lock ties. No tape will be used. Picture #4	The spliced cord has now been replaced with new cord.							
Fire Safety	In compliance with FLA Benchmarks V.B. Health and 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 compiled with and workers shall be trained in proper safety, first aid, and evacuation procedures.	In buildings 10 & 11 sewing machine spacing is limited. Worker access is blocked by tables with production bundles on their left and their right, making it difficult for them to leave in case of an emergency.			[Factory] has been advised to allow additional space behind each worker's table to allow for easy exit. All main aisles and secondary aisles are taped off and clear for evacuation.	Work aids sitting next to workers and appear to block in the operator are easy to move in case of emergency but look as if the worker is blocked in. [Factory] will advise when spacing has been increased.		The widths of the main aisles have been reduce to allow for more space but the machine spacing still limited. Photographs are available. Factory management alleges [Company] finds spacing acceptable.							
PPE	In compliance with FLA Benchmarks V.B. Health and Safety: 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.	In Building 5 & 3 employees were not using their metallic mesh glove during cutting process.			All cutters have mesh gloves and there is a posted sign saying that wearing the glove is mandatory.	Prior to [Lands' End] visit on 4/28/03	See attached photo of mandatory cutting gloves. Picture #6 & #7	The factory now has posted signs in the cutting room alerting workers that they must use PPE. During our visit workers were now using PPE.							
PPE	In compliance with FLA Benchmarks V.B. Health and Safety: 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.	In building 9, employees from laundry room do not have ear protection, it is difficult to maintain a conversation due to noise levels generated by 6 washer and 13 dryer machines.			Ear protection is available to all laundry employees. Decibel levels were checked and at times were found to exceed acceptable levels. [Factory] has implemented a mandatory rule to use ear protection at all times.	Mandatory ruling was made on 5-14-03. See attached test documentation.	[Factory] has documents signed by each worker saying they have been issued ear protection. #8 Decibel test report #9 Example of employee signature of received ear protection. #10 Ear Plug in use at cleaning station #11 Notice from [Factory] of new mandatory ear protection in the laundry.	All employees of laundry room area were given hearing protection. During walkthrough they were observed using this protection.							

	Findings				Remediation			The A&L Group Verification - June 2003	Remediation Up-date - January 2004			Remediation Up-dates- February 2004		
FLA Code/ Compliance issue	Benchmark or legal reference	Monitor's Findings	Documentation	Best Practice	PC remediation plan	Target Completion Date	Documentation	Verification of corrective action: FINDINGS:	PC Follow up	Targeted Completion Date	Documentation	Factory Response	PC follow up	Documentation
Exits	In compliance with FLA Benchmarks V.B. Health and Safety: All applicable legally required or recommended elements of safe evacuation (such as posting of evacuation plans, unlocked aisles/exits, employee education, evacuation procedures, etc.) shall be complied with and workers shall be trained in proper safety, first aid, and evacuation procedures.	In buildings 10 & 11, a roller door is kept 25 inches open from the floor and it is considered as an emergency exit.			Emergency roller doors are in addition to two other exit doors with push bars. The doors are only open 25" since the building is air conditioned and they don't want air-con El Salvador.	Not an issue.		The door is now maintained partially opened. The factory is air conditioned and for this reason leaving the gated door open would let the cold air escape. Other doors are now kept open allowing workers easy form of egress in case of emergency.						
Exit lights	In compliance with FLA Benchmarks V.B. Health and Safety: 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.	Emergency lamp located in the stairway that leads to a mezzanine was turned off.			Emergency light in the mezzanine stairway has been turned on and it is working order. We requested that the light style be changed to one that cannot be manipulated.	Prior to [Lands' End] visit on 4/28/03 New Light style was installed the week of 5/5/03	See attached pictures of correct lights. #12 working light #13 New light style installed	Lamp has been replaced and it is operable.						
Other		Urinal in men's bathrooms in building 9 is visible from outside.			Recommendation to extend the wall at the urinals did not provide the desired privacy. Swinging door was installed to hide the urinal	Prior to [Lands' End] visit on 4/28/03 Swinging door was installed the week of 5/5/03	See attached pictures of swinging door and wall extension. #14 Wall Extension #15 Swinging Door at urinal #16 Additional correction of urinal area - swinging door added for privacy	Urinals are no longer visible, a swing door was installed.						
First Aid	In compliance with FLA Benchmarks V.B. Health and Safety: 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.	No first aid procedures posted.	observations, records, interviews		First Aid boxes are clearly marked. Procedure for medical emergencies are posted in general employee areas and there are clinics on site.	Not an issue.	See pictures of first aid box, clinic, posted procedures and a copy of the medical emergency procedure that is posted: #17 - 1st Aid Box Marked #18 Posted procedure for medical emergencies #19 Picture of posted documents and policies Other Posted Policies: #20 Code of Conduct - Spanish / #21 in English #22 Lands' End code of conduct posted in Spanish / #23 in English #24 Policy on forced labor #25 Example of Pay slip #26 Anti discrimination policy #27 Child Labor Policy	First aid procedures are now found posted in prominent areas of all buildings.						
							#30 Sunday hours and OT Memo from [Factory] #31 Harassment & Abuse Policy - Spanish / #32 in English #33 Work Hours #34 Evacuation Procedure #35 Occupational Safety Policy							
Hygiene					The water that workers drink has an excellent purifying system and control.									
Hygiene					The canteen has a large cold food storage system.									
Ergonomics					All sewing machines have ergonomic chairs.									
Clinic					Clinics are air conditioned and have a well organized patient record keeping system.									
<b>7. Freedom of Association and Collective Bargaining</b>														
Right to Freely Associate	Chapt 1, Article 204.205 of Salvadorian Labor Code. In accordance with FLA Benchmarks, VI.B. Freedom of Association: Workers will have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization. The right to freedom of association begins at the time that a worker seeks employment, and continues through the course of employment.	Factory management systematically discriminated against, other wise qualified, former workers of a closed factory known as TAINAN solely because they were affiliated with the union of the closed facility.	(1) Interviews of six union members from the closed TAINAN factory who allegedly were denied employment. (2) Interviews of current employees who at one time worked at TAINAN. (3) Review of over 100 employment applications.	Post [Factory's] Hiring requirement and Anti Discrimination plan on outside door for applicants to see. Accounting of x-tainan workers applications - those hired / not hired / hired and no longer working at [Factory]	Completed week of 5/5/03	#36 Posted hiring and Anti discrimination policy on out side door. #37 - Long view of #36 posting #38 Accounting of x-Tainan workers - pulled from all files #39 chart of #38	Management claims these issues are being handled by their legal Counsel, their U.S owner, their customer Lands' End and the WRC	Remedy the Discrimination: 1. Provide employment opportunities to the 19 workers [named in a list provided by the Worker Rights Consortium] * Lands' End and the Factory will present offer letters to all the workers they can contact through contacts at the FLA, CEAL and by directly contacting the workers. * The factory will insure the workers have access to enter the zone.				1. Lands' End hand delivered invitation letters to 9 former Tainan workers in January 2004. These letters invite the workers to apply for positions at the factory discussed here and these workers will be given preference, over other applicants, to new positions provided their skills match available jobs. CEAL (the labor NGO group) and Lands' End were unsuccessful in locating the balance of the 10 workers during the three visits Lands' End staff made to [other factory] (1/7/04, 1/28/04, 1/29/04). Lands' End will arrange a third trip to attempt to present the remaining 10 invitation letters.		

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								2. Support alternative employment opportunities at [other factory]. * Lands' End will evaluate [other factory] technical capacity and ability to produce Lands' End products. * If the factor is determined to meet the needs of Lands' End or Sears equality and production standards, Lands' End will encourage one or more of its suppliers or Sears to consider employing [other factory].				2.Lands' End and Sears conducted three separate factory evaluations of [otherfactory] (1/7/04, 1/28/04 and 2/3/04) to assess their capabilities to produce quality product for either company. This is the facility where some of the former Tainan workers periodically work. Lands' End will reassess their capabilities if it develops its manufacturing capabilities. Lands' End, FLA and WRC are actively working toward remediation based on a plan which has been submitted to the FLA and WRC. This plan includes various support efforts for [other factory].		
								Prevent any recurrence: 1. Re-assess the Factory's hiring practices / procedures. * Lands' End will work with the Factory to enhance / formalize their procedures to ensure proper hiring, promotion and termination. * Format will be set up by end February 2004. 2. Conduct Periodic Training. * Once procedures are in place Lands' End will work with the Factory to develop and administer an in-depth training program for all employees. * Training will be formatted and provided for all policies at the Factory with an emphasis on anti- discrimination and freedom of association.				1.Lands' End reviewed the factory Application and Hiring processes (1/27 28/04). Lands' End requested changes to tighten the processes and procedures to ensure fairness in hiring process. Lands' End will conduct 2-3 internal monitorings of this factory application and hiring processes to ensure compliance and adherence to the changes implemented. In addition to the regular compliance monitoring that already takes place. Lands' End will also engage an independent monitor to verify the Lands' End findings of these processes. The factory will provide all applicants a copy of their non discrimination policy at application time. This is in addition to the current posting on their door and publishing in the employee handbook. The factory will provide each applicant a summary sheet of the applicant test results so they know if they passed or failed each test taken. The factory modified the interview form to delete the "economic reasons" questions as it could be perceived as discriminatory. 2. This factory management staff and workers will be trained, by 4/30/04, on the updated employee handbook which will include Legal Awareness training on their legal rights.		
								3. Independent Monitoring. * To verify ongoing adherence to the hiring policies and procedures and to ensure that the Factory does not discriminate against current or future employees based on non-job related criteria. * The monitor will be selected by the FLA with input from Lands' End. * A 12 month monitoring program will be implemented by end March 2004.				3. Lands' End will also engage an independent monitor to verify the Lands' End findings of these processes.		
Victimization	Chapt 1, Article 204.205 In accordance with FLA Benchmarks, VLB. Freedom of Association: Workers will have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization. The right to freedom of association begins at the time that a worker seeks employment, and continues through the course of employment.	At least six former employees of defunct factory known as TAINAN were refused employment because of their previous union affiliation.	(1) Interviews of six union members from the closed TAINAN factory who allegedly were denied employment. (2) Interviews of current employees who at one time worked at TAINAN. (3) Review of over 100 employment applications.		Completed week of 5/5/03	#40 Hiring Policy in Place: .	Management claims these issues are being handled by their legal Counsel, their U.S. owner, their customer Lands' End and the WRC	The Factory has hired 130 x-Tainan workers from both TS-1 & TS2 in 2002-03 Prevent discrimination at other Lands' End factories. 1. Send letters to the El Salvador Ministry of Labor, the Zone Authority and the Maquila that will strongly condemn any form of discrimination against current or future union workers and ask each organization to vigorously enforce the laws of El Salvador. * Letters will be issued by end January / early February 2004. 2. Best Practice Guide for Hiring Policies and Procedures. * Lands' End will use the FLA "tool kit" as a guide to present and incorporation into the training planned for the Factory.				1. Lands' End met individually with the Labor Minister (1/30/04), the Maquila Association (1/29/04) and the Zone Authority (1/28/04) to communicate Lands' End position on Freedom of Association and a workplace free of discrimination. Lands' End followed up with a written letter to each group reiterating our position and seeking their understanding. In addition, we requested their support within their respective influences to support these same principles. We requested each group conduct training/education too. 2. Lands' End will assess FLA's hiring tool kit when available to use as a best practice training tool for our vendors.		
								3. Multi-Factory training. * A training session will be held for all Lands' End and Sears factories in the region the week of January 26, 2004. 4. Consider participation in Industry Ombudsman Project. * The FLA Central American project will be reviewed by Lands' End and Sears. * This project is intended to help ensure factories throughout Central America do not blacklist union members.				3. Lands' End and Sears hosted a Labor Compliance seminar in El Salvador on 1/25/04 for all our Central American vendors. The purpose was to train the factory management on Labor Compliance requirements with focus on Freedom of Association, providing an environment free of discrimination and accurate payment of wages. 4. Lands' End will consider participation in the Central American project sponsored by the FLA once additional information becomes available.		

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<b>8. Wages and Benefits</b>														
Incorrect payment of wages	Title 3, Chap 1, Art. 119 In accordance with FLA Benchmarks, VII.B. Wages and Benefits, Hours of Work and Overtime Compensation: Employees will be paid for all hours worked. Rest break. Calculation of hours worked must include all time that the employer allows or requires the worker to work.	During lunch time some employees were observed rushing back to work while off the clock to meet production goals.	observations and time records		Management agreed to make sure no operator should work during their lunch break, which is unpaid. All supervisors were gathered from every building and advised that as of 5/20/03 there would be no more working during lunch. If a worker was to rest at their machine that was acceptable but no working is to take place. Note that the sewing areas are air-conditioned and operators may want to be in where it's cool after finishing lunch.	4/29/03	[2 representatives from Lands' End] sat in on each meeting where the supervisors were advised of this new company policy. #41 - No work during lunch Policy	Plant was visited during lunch break and no employees observed working. Interviews further confirm that management had been enforcing a strict policy prohibiting work during off hours and rest periods.						
<b>9. Hours of Work</b>														
<b>10. Overtime Compensation</b>														
OT Compensation	Chapt IV, Art. 175 In accordance with FLA Workplace Code Provisions VII.A. 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.	Overtime at the required 300% over regular rate was not paid to employees who came in on one Sunday.	time cards and payroll records		Overtime was paid properly per the labor code and per the legal counsel of [US owner/Factory]		#42 - Labor Law - Spanish #43 Labor Law - English #44 - 49 - Documentation of employee #4761 correct payment. #50 [Factory] legal document regarding day of rest payment.	Different interpretation with Article 175, Chapter 4 of the Local Labor Code, dealing with the proper way to compensate an employee who works on Sunday, their normal day of rest. ALGI agrees to accept employer's explanation until further review and consultation with Salvadorian Labor Officials is possible.						
Miscellaneous							Other Documents: #51 Legal note regarding [Factory]'s vacation days. #52 - 57 Documentation of terminated supervisor that directed a quality inspector to work a second shift and then had him come back the next morning resulting in less than 8 hours between shifts. #58 Lands' End's compliance check list. To be filled in for every factory visit or once per week if daily visits are made.	Retroactive OT pay was given to this employee.						