

*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 Audit Profile	
Country	Sri Lanka
Factory Name	0700794D
IEM	T GROUP SOLUTIONS PVT. LTD
Date(s) in Facility	AUGUST 24 & 26, 2005
PC(s)	Nike, Inc.
Number of Workers	460
Product(s)	Knits
Production Processes	Cutting, Sewing, Finishing & Packing.

**Please note:**  
Nike is no longer ordering product to be manufactured with this factory. This factory was used primarily as a back up production facility – the last production run from this factory occurred on March 24th. Nike and the factory discussed the divesture option. The factory has other customers to serve, therefore Nike was informed that the decision to divest has no impact on workers. Nike was able to work with the factory to remediate most issues.

FLA Code/ Compliance Issue	Country Law/Legal Reference	FLA Benchmark	Non-compliance	Risk of Non-compliance	IEM Findings Evidence of Non-compliance (uncorroborated)	If not corroborated, explain why	Sources/Documentation used for corroborating	Notable Features implemented by Factory Management or Company	Remediation			Documentation	[Status] Completed, Pending, On-going	Updates (Cite Date of Follow up)	
									PC Remediation plan	Target Completion Date	Factory Response (Optional)			Company follow up (Cite date of follow up)	Company Follow up
<b>1. Code Awareness</b>															
Confidential non-compliance reporting channel		FLA Principle of Monitoring, Obligation of Companies: 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 non-compliance with the workplace standards, with security that they shall not be punished or prejudiced for doing so.	Nike's COC has been posted but does not have any contact details of the local or the head office.				Visual observation and interview with Management.		The objective of Nike is to strengthen contract manufacturers' internal grievance systems, so that direct involvement by PC in employee grievances should be considered a last resort. Nike request that factory establish a formal system of dialog between management and workers in order to allow workers to voice workplace grievances, develop internal procedures for resolving workplace disputes, and resolve grievances in good faith. In an effort to encourage internal grievance systems to be effective, Nike opts not to print contact information on its Code of Conduct. Monitors from Nike conduct one-on-one confidential interviews with factory employees during labor compliance audits of their contract facilities. During Nike audits at contractor sites, Nike internal auditors provide contact information to workers who desire to contact them directly.	30th Jan 06.		Completed	Nike visited the factory on the 12/05/05 and verified that Nike Code of Conduct had been posted at the prominent areas of the production floor. During the audit at the factory, contact information was provided to workers who desire to contact Nike auditor directly.  Nike visited the factory on 2nd Oct 06. 1. The factory has established a formal confidential grievance process that includes the channels of grievance box and hotline number. 2. The written grievance policy details the grievance channels and investigation procedures. 3. All workers were trained on this written grievance policy.	Grievance policy	
<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.															
<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															
Evacuation Procedure	Factories ordinance of Sri Lanka, ordinance no. 45 of 1942, No. 22 of 1946, Acts nos. 54 of 1961, 17 of 1965 & 29 of 1971, Law no. 12 of 1976, Acts 17 of 1982, 32 of 1984, 18 of 1998 & 33 of 2000	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 completed with and workers shall be trained in proper safety, first aid, and evacuation procedures	1. Evacuation route markings have faded in the Fabric store. Also these markings are too small and need be prominent. 2. Aisle from fabric store leading to second Exit is not marked. 3. Emergency Lights are not installed on staircase landings in the Accessories store. 4. Second emergency staircase from Accessories stores is a vertical ladder with side hand rails. It does not facilitate quick and easy evacuation, as workers have to turn around and then climb down. 5. Aisles and evacuation route in the Training and Sampling sections are partially blocked with fabric bundles & Aisle and evacuation route markings from Sampling section leading to the Second Exit are not marked				Visual Inspection & interview with management.		1. The factory should re-paint evacuation route markings clearly and prominently in the Fabric store. 2. Aisle from fabric store leading to second Exit should be marked. 3. The factory should install Emergency Lights on staircase landings in the Accessories store. 4. The factory should construct an alternative emergency staircase from Accessories stores that would facilitate quick and easy evacuation in an emergency. 5. The factory should ensure all aisles and evacuation routes are clear and unobstructed at all times. 6. Aisle and evacuation route from Sampling section leading to the Second Exit should be marked	1. As per the fly response this is already completed 2. 25th Nov 05 3. 30th Nov 05 4. Quotation obtained to build an alternative staircase by Jan 31st 2006. 5. 30th Nov 05. 6. 30th Nov 05	5th Dec 05	Completed	Re-arrangement of the factory floor is complete. Markings are done and exits / evacuation routes kept free of obstruction. The factory had installed emergency lights on staircase landings in the accessories store and an alternative emergency staircase was constructed for accessories stores.		
Evacuation Procedure	Factories ordinance of Sri Lanka, ordinance no. 45 of 1942, No. 22 of 1946, Acts nos. 54 of 1961, 17 of 1965 & 29 of 1971, Law no. 12 of 1976, Acts 17 of 1982, 32 of 1984, 18 of 1998 & 33 of 2000	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 completed with and workers shall be trained in proper safety, first aid, and evacuation procedures	7. Workers were seen standing on aisles and working in the cutting section. 8. Emergency lights are not installed above exits in the Sampling section. 9. Evacuation plans posted in all work areas, do not conform to the floor layout. 10. Few aisles in the cutting section are not marked. 11. Evacuation routes are not marked near table No. 1 in the cutting section. 12. Training section in the sewing floor has 1 functional exit only. The second exit is blocked with spare machines				Visual Inspection & interview with management.		7. The factory should ensure enough working space is available for cutting section workers. 8. Emergency lights should be installed above exits in the Sampling section. 9. The factory should re-look at their evacuation plans and revise according to the floor layout whenever the layout changes. 10. 11 All aisles and evacuation routes to be marked after the re-arrangement of cutting section. 12. Exits should be unblocked.	7. 30th Jan 2006. 8. Already fixed. 9. 30th Jan 06. 10. 22nd Nov 05. 11. 22nd Nov 05. 12. 25th of Nov 05.	5th Dec 05	Completed	Cutting section was not moved out. However, a mezzanine floor was built as a solution for the space constraint. Re-arrangement of the factory floor complete. Pathways arranged, marked and new evacuation plan drawn.		

FLA Code/ Compliance issue	Country Law/Legal Reference	FLA Benchmark	Non-compliance	Risk of Non-compliance	IFM Findings			Sources/Documentation used for corroborating	Notable Features implemented by Factory Management or Company	Remediation		Factory Response (Optional)	Company follow up (Cite date of follow up)	Documentation	[Status] Completed; Pending; On-going	Updates (Cite Date of Follow up)	
					Evidence of Non-compliance (unsubstantiated)	If not corroborated, explain why	PC Remediation plan			Target Completion Date	Company Follow up					Documentation	
Evacuation Procedure	Factories ordinance of Sri Lanka, ordinance no. 45 of 1942, No. 22 of 1946, Acts nos. 54 of 1961, 17 of 1965 & 29 of 1971. Law no. 12 of 1976. Acts 17 of 1982, 32 of 1984, 18 of 1988 & 33 of 2000	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	13.Sewing machines were seen placed on evacuation routes and aisles at 2 sewing lines. 14 Aisles and evacuation routes are not marked in the training section. Evacuation plans are also not posted here. As per the management, this is a temporary arrangement and the section will be merged with the main sewing hall. 15 On the sewing floor, 5 workers were seen working on 2 work stations adjacent to each other, blocking access to passage for 2 workers who were actually sitting and working on these machines. 16 Instances of workers on the sewing floor, being completely 'caged in' at their work stations by tables and machines were noticed. (Team - 7). 17 Few areas on the sewing floor are over crowded.				Visual Inspection & interview with management.		13.The factory should maintain clear aisles, and pathways for safe evacuation in an emergency. 14 Aisles and evacuation routes should be marked in the training section and evacuation plans should be drawn and posted after the re-arrangement. 15/16/17 All workstations should have enough work space and clear access to the evacuation passages  Nike suggests the factory assign a qualified individual or create a safety committee to routinely monitor safety in these areas.	13. 31st Dec 2005. 14. 25th Nov 2005. 15/16/17 By 31st Jan 06	13. 31st Dec 2005. 14. 25th Nov 2005. 15/16/17 By 31st Jan 06 Cutting will be moving out and this will increase the production floor space. 30th Jan 06.	5th Dec 05	Evacuation plan/ESH committee minutes	Completed	Cutting section was not moved out. However, a mezzanine floor was built as a solution for the space constraint. Re-arrangement of the factory floor complete. An ESH committee was formed and a compliance officer in-charge to routinely monitor these areas. Regular inspections done.		
Safety Equipment		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	1.First aid boxes contain Cotton, Gauze, skin ointment and open latex gloves. No antiseptic cream or lotion, scissors, band aids, eye wash cup and lotion are available. As per the management since the clinic is within the factory, they do not keep these items in the first Aid box. 2. Approach to 1 first aid box was blocked with a trolley in the cutting section.	No procedures on first Aid are posted next to First Aid boxes.			Visual Inspection and interview with the management.		1.The factory should have first aid boxes meeting the specifies requirements of the factories ordinance in order to provide first aid before taken into medical center. 2.The factory must maintain clear access to first aid boxes in order reach in case of an emergency. 3.Clear procedure to be followed in medical and first aid should be available near the first aid boxes.	1. 30th Nov 05. 2. Obstruction cleared already. 3. Procedure available	1. First aid boxes will be in place by 30th Nov 05. 2. Obstruction cleared already. 3. Procedure available	5th Dec 05	Medical and first aid procedure.	Completed	Clear procedure on medical and first aid made available near the first aid boxes.  Nike visited the factory on 2nd oct 06 Since the clinic is staffed with a qualified nurse, most workers prefer to use the clinic than the first aid boxes. However, the first aid boxes now contain antiseptic cream, scissors, band aids, eye wash cup and lotion.		
Ventilation/Electrical/facility maintenance		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	Lighting in the Training section, few areas in sewing sections and on Band knife machines was ranging between 210 lux to 380 lux				Visual inspection		Work stations should have adequate lighting.	30th Nov 05, Check light level and take necessary action.	Will check light level and take necessary action.	5th Dec 05	Light level report	On-going	Light level testing was done.  Nike visited the factory on 2nd oct 06. Environmental monitoring was done on 12th Sept 2006, the light levels in all sections are within the acceptable limits as per the report except for the point at Data entry operation and Band knife machine 21 (a new machine which is currently however not in use). Factory agreed to change the lighting by 20th October.		
Machinery Maintenance		All production machinery and equipment shall be maintained, properly guarded, and operated in a safe manner	Pulley guard was missing on 1 sewing machine				Visual inspection		1. All sewing machines inside the factory must have pulley guards. 2. The factory should also develop a process to document the regular inspection of sewing machines by a qualified person so that machines are equipped with the proper safety devices at all times.	1. 30th Nov 05. 2. 30th Jan 05	1. Will fix pulley guards on those machines which does not have guards. 2. Mechanics will attend to this regularly.	5th Dec 05		Completed	Machine guards in place.  Nike visited the factory on 2nd Oct. 06. A monthly inspection card introduced to each machine by mechanics. The card has a checklist of all machine guards and relevant parts for verification during monthly inspection.		
Other	As per BOI standards 7.8 on 'facilities for resting', Suitable facilities for resting have to be provided and maintained for the use of all female workers whose work is done standing.		Workers with standing jobs were seen working bare feet				Visual inspection		Suitable facilities for resting should be provided and maintained for the use of workers whose work is done standing.	Stools will be provided by 30th Dec 05.	Stools will be provided by 30th Dec 05.	5th Dec 05		Completed	Stools provided to take short breaks. Workers are educated to wear suitable footwear.		

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<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																		
Other																		
<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																		
Forced overtime	BOI ( Board of Investments ) standards on Hours of Work. Factories Ordinance Act 6 & 32 of 1984.	Under extraordinary business circumstances, employers will make extensive efforts to secure voluntary overtime work prior to mandating involuntary overtime	1.Security guards work on 12 hour shifts. 2.Security guards have been working without a weekly day off on few occasions.	There is no system in place for outsourced workers ( Security guards and Housekeeping workers) to ensure that overtime is voluntary.	Security and cleaning shifts are fixed with 2 hours OT.	Interview with management			1. The factory policy regarding overtime must be documented in the factory regulations and communicated to all workers including contractor workers. Further, it should be communicated to all contractors and documentary proof must be available. 2. Total work hours including overtime must not be required in excess of the local labor laws or 60 hours per week on a regularly scheduled basis is the Nike standard. Every hour worked above 60 must be voluntary, as evidenced by the employee's signature not less than once each week indicating a desire to work the additional hours.	30th Jan 06		1. Policy regarding overtime will be documented and communicated to all workers including contractor workers. \ 2. Voluntary signature will be obtained	5th Dec 05	OT policy, training records	Completed	1. The factory policy regarding overtime is documented and communicated to all workers including contractor workers. 2. Voluntary signature obtained from workers.		
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	1.Security guards work on 12 hour shifts. 2.Security guards have been working without a weekly day off on few occasions.			Review of records and interview with management and Security guards.			1. Factory must ensure that every hour beyond regular 8 hours is paid at correct OT rate 2. Factory must comply with the working hour limits stipulated in the local labor law and Nike CoC. Nike's limit for hours of work is no more than 60 hours per week on a regularly scheduled basis. 3. The factory must on a regularly scheduled basis provide employees with one day off in seven. 4. The factory should develop a management system and working hours policy to meet standards and communicate this policy to all workers including contract workers.	30th Jan 05		5th Dec 05	Security guard duty roster and payment slips. Training records	On-going	1. Factory monitors security guard wages and they are paid OT for hours beyond regular 8 hours. 2. Since the whole security guards industry works on 12 hour shift and the local law permits this arrangement, it will take more time to change this practice. However the issue is noted and will be working on the same in the future. 3. Communicated to contractor and regular monitoring done. 4. Working hours policy communicate to all workers including contract workers. Nike visited the factory on 2nd oct 06. This item is still open. Factory verifies that the security guards do not exceed the 12 hours shift. However due to the 12 hour shift, security employees work more than 60 hours per week. (around 66 hours, 11*6). Though they are within the limits of local law, the work hours are above the Nike weekly work hour standard. Since this issue arises in all companies in Sri Lanka that employ security services, a more broader forum needs to be held with all brands, all security companies, department of labour and other relevant parties. Such forum will be organized before the end of December 06. Nike request			
<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	BOI ( Board of Investments ) standards on Wages and overtime payment. Factories Ordinance Act 7 & 32 of 1984 stipulates 8 hours as regular standard working hours per day. Extra hours worked beyond 8 hours a day are considered overtime and should be compensated at legally mandated premium as required by law.	The factory shall comply with applicable law for premium rates for overtime compensation	As per the Company policy and practice, the regular working hours are 9 hours per day. Overtime is calculated beyond 9 hours of regular work per day.			Interview with management and review of records.			1. Factory should obtain written consent from the department of Labor for practicing 5 day week.	30th Dec 05.		Factory planning to go for double shift operation to avoid this confusion.	5th Dec 05		On-going	Factory reports it is not in a position to operate a double shift system due to difficulty in finding manpower in the Free trade zone area. However, factory is still open to other options. PC interviews with employees report they are comfortable with the current work arrangement. Factory reports that employees accept this work arrangement during their appointment. By this arrangement factory is spreading the 45.5 hour work week within five days (9 hours each day totaling up to 45 hours) where as it should be 8 hours on five days and 5.5 hours on Saturday. Factory pays overtime for any work done on Saturday as the Saturday work hours are covered during the week days by working one hour extra each day (9 hours instead of 8 hours). Through interviews, PC has generally concluded that workers and staff prefer this 5-day week arrangement as they can take off on Saturday and Sunday both, when there is no need for overtime on Saturday. The Department of Labour does not mark this as an industrial violation though they are aware of this practice throughout the industry because in their view it benefits both the emp		
<b>Miscellaneous</b>																		
Outsourced Workers			Personnel files are not maintained for House keeping workers who are outsourced. This also includes Proof of age records for house keeping workers. The Wage records of outsourced workers are also not maintained. Therefore the age, wage, OT payments, benefits of the outsourced workers could not be verified.			Interview with Management.			Regarding the outsourced services (Canteen & Housekeeping workers, and Security Guards), the factory should have an agreement with each of the outsourced parties. The agreement should stipulate the outsourced parties to treat their workers pursuant to the local regulations, (for example, working hours, minimum wages and OT compensations, and legally mandated benefits). The outsourced parties are required to keep track of the working hours and to maintain the time cards and payroll records and furnish copies of records maintained in respect of workers to the principal employer/factory. On the other hand, the factory is required to monitor the outsourced parties to verify if they treat the workers properly.	30th Jan 06		New agreement will include this area and monitoring on the same will be done by the factory.	5th Dec 05	Written agreement between factory and contractor.	On-going	The personal files are now maintained which include copies of birth certificates ID card, contract letter, application, and pay records. As per the interviews with contract workers they are paid full wages on time. Nike visited the factory on 2nd oct 06. The verification process still needs to be streamlined to ensure that regular monitoring is conducted by the factory. Management agreed to have a proper flow by December 06.	Personal files of outsourced workers	

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					Evidence of Non-compliance (unsubstantiated)	If not corroborated, explain why			PC Remediation plan	Target Completion Date	Company Follow up					Updates (Cite Date of Follow up)			
Other								1. Annual outing for all employees.2. Soup and Milk for pregnant ladies.3. Subsidized lunch for all employees.4. Factory has a Doctor visiting once a week so that all employees can consult him free of cost. 5. Sports meet and cultural events day held annually. 6. ' GO BEYOND INITIATIVE ' started by the factory as a CSR strategy for women. Through this program, factory identifies and recognizes who has GONE BEYOND and has been able to balance her career and family life. 7. Training provided by factory internally and through out side agencies to employees to help them come up in their careers. 8. Factory conducts health camp in the local school.											
Other								9. Factory aids dormitories run by Y.M.C.A.10. Factory has been awarded the "AAFA" - American Apparel and Footwear Association award in 2005 for Excellence in Social Responsibility Winner - Women's issues.11. Management and Workers have extended financial aid to a blind village ( Parents are all blind however children can see). Few workers have now been recruited from that village. 12. The Group has set up 2 villages along with funds from all buyers for Tsunami											
Other								13. Female workers are provided and required to wear head scarves for identification as follows: a. Yellow Head Scarves - New workers, under 6 months of service b. Green Head Scarves - Trainees c. Pink Head Scarves - Experienced workers, above 6 months of service. d. Orange Head Scarves - Pregnant Workers											