

Monitoring result for SHANTOU JINFANGNI KNITTING INDUSTRIAL CO., LTD on site SHANTOU JINFANGNI KNITTING INDUSTRIAL CO., LTD

Monitoring

Monitored Party	: SHANTOU JINFANGNI KNITTING INDUSTRIAL CO., LTD	amfori ID	: 156-026637-000
Site	: SHANTOU JINFANGNI KNITTING INDUSTRIAL CO., LTD	Site amfori ID	: 156-026637-001
Address	: Yanghuiyang, On the right side of Hougou Village, Gurao Town, Chaoyang District	Monitoring Activity	: amfori Social Audit - Manufacturing
	: 515159, Shantou	Monitoring Type	: Full Monitoring
	: Guangdong Sheng	Submission Date	: 27/10/2021
	: China	Expiration Date	: 27/10/2022

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Overall rating



Section rating

PA1: Social Management System	C
PA 2: Workers Involvement and Protection	B
PA 3: The Rights of Freedom of Association and Collective Bargaining	A
PA 4: No Discrimination	A
PA 5: Fair Remuneration	B
PA 6: Decent Working Hours	D
PA 7: Occupational Health and Safety	A
PA 8: No Child Labour	A
PA 9: Special Protection for Young Workers	A
PA 10: No Precarious Employment	A
PA 11: No Bonded Labour	A

PA 12: Protection of the Environment	A
PA 13: Ethical Business Behaviour	A

General description

The auditee SHANTOU JINFANGNI KNITTING INDUSTRIAL CO., LTD was located at Yanghuiyang, On the right side of Hougou Village, Gurao Town, Chaoyang District, Shantou City, Guangdong Province, China (中国广东省汕头市潮阳区谷饶镇后沟村口右侧洋灰洋). Within the factory boundary, there were one flat dormitory building (350 square meters) and one 4-storey production building (3910 square meters) with canteen and kitchen in the first floor. No other company or factory sharing the land or buildings with the auditee. There was no transportation provided to workers.

The factory was specialist in underwear. The main production processes were cutting, sewing and packaging. No process was subcontracted by other factory. All employees were recruited directly by the auditee and no dispatched or seasonal workers. There was one security guard in the factory. The auditee had installed some CCTV for monitoring the safety. The peak season was not obvious.

During the audit, one management representative accompanied with the auditor, and all the area was open for review.

Remark:

1. No contractor or agency labor was used in the factory, which made the Contractor license/permit, Agency labor contract not applicable. No Government waivers or Collective bargaining agreements obtained by the factory, therefore the Government waivers and Collective bargaining agreements were not applicable for the auditee.
2. Auditor APSCA information for this audit: Kyle Zhang, CSCA 21701964.
3. Auditing company: TUV Rheinland, APSCA Number: 11600007.
4. The factory had upgraded from individual business to limited company since 22 May 2020. Therefore, some official documents such as pollutant discharging online declaration remained as the previous name (Shantou Chaoyang Gurao Jinfangni Underwear Factory).

Site Details

Site : SHANTOU JINFANGNI KNITTING INDUSTRIAL CO., LTD

Site amfori ID : 156-026637-001

GICS Classification

Sector : Consumer Discretionary

Industry : Textiles, Apparel & Luxury Goods

Industry Group : Consumer Durables & Apparel

Sub Industry : Apparel, Accessories & Luxury Goods

GS1 Classifications

N.A.

Product Process Classifications

N.A.

Metrics

Key Metrics

Total workforce	50 Workers
Legal minimum wage in local currency	1550 Monthly
Lowest wage paid for regular work at the site	2200 Monthly
Calculated living wage in local currency	1827 Monthly
Total sample	10 Workers

Other Metrics

Male workers	12 Workers
Female workers	38 Workers
Permanent workers - Male	12 Workers
Permanent workers - Female	38 Workers
Temporary workers - Male	0 Workers
Temporary workers - Female	0 Workers
Seasonal workers - Male	0 Workers
Seasonal workers - Female	0 Workers
Management - Male	2 Workers
Management - Female	0 Workers
Apprentices - Male	0 Workers
Apprentices - Female	0 Workers
Workers on probation - Male	0 Workers
Workers on probation - Female	0 Workers
Workers with night shift - Male	0 Workers
Workers with night shift - Female	0 Workers
Workers with disabilities - Male	0 Workers
Workers with disabilities - Female	0 Workers
Domestic migrant workers - Male	7 Workers
Domestic migrant workers - Female	18 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	12 Workers
Workers hired directly - Female	38 Workers
Workers hired indirectly - Male	0 Workers
Workers hired indirectly - Female	0 Workers
Unionised workers - Male	0 Workers
Unionised workers - Female	0 Workers
Workers under CBA - Male	0 Workers
Workers under CBA - Female	0 Workers
Pregnant workers	0 Workers
Workers on parental leave - Male	0 Workers
Workers on parental leave - Female	0 Workers
Sample - Male	3 Workers
Sample - Female	7 Workers

Findings

PA1: Social Management System

The factory did not have an effective management system to implement the amfori BSCI Code of Conduct. For example, even though the factory had set a plan for the implementation of the amfori BSCI management system, the auditee failed to check the implementation of social insurance and supervise the overtime of workers as required by laws and regulations. Through management interview, the factory mainly depended on the past experience and studied from the operation of the social responsibility by the local government departments (including the labor department, fire department, safety bureau, the environmental protection bureau, etc.). According to the workers and worker representatives interview, the factory had provided training of amfori BSCI code of conduct.

工厂没有建立有效的管理系统来执行amfori BSCI行为准则。例如，尽管工厂制定了实施amfori BSCI管理体系的计划，但是没有按照法律法规的要求检查社会保险的执行情况和监督工人加班时数。通过管理层访谈，工厂主要依靠以往的经验，从地方政府部门（包括劳动部门、消防部门、安监局、环保局等）的社会责任运作方面进行学习。根据工人和工人代表的访谈，工厂提供了amfori BSCI行为准则的培训。

Although the auditee had established the production capacity planning and cost accounting procedure, the workers' hours of overtime had exceeded the requirements of the law because of the failure of the execution. On the other hand, there was no effective communication between the management and HR department to solve the issue. The management representative explained that the lack of workforce the main reason for excessive overtime.

虽然被审核方制定了生产能力规划和成本核算程序，但由于执行不力，工人加班时间超过了法律规定。另一方面，管理层和人力资源部之间没有有效的沟通来解决该问题。管理者代表解释说，缺乏劳动力是过度加班的主要原因。

PA 2: Workers Involvement and Protection

Through workers interview and documents review, it was noted that the auditee did not define or establish annual goals or long term goals to protect workers according to the amfori BSCI Code of Conduct. For example, the auditee did not set up goals on increasing the participation of social benefit, or decreasing the overtimes by appropriate measures and the EHS management.

通过员工访谈和文件审核，被审核方没有根据amfori BSCI行为准则来定义和制定工人的年度保护目标或者长期保护目标。例如，没有制定持续提高社会福利的参与度的目标，和通过适当的措施减少员工的加班时数以及健康安全的管理。

PA 5: Fair Remuneration

According to management interview and workers interview, it was identified that there were total 50 workers in the facility and 4 of them were re-employed retirement workers. No newly recruited worker in the recent one month. Thus, the auditee should provide five-type social insurance to 46 workers. Nevertheless, the auditee did not provide medical insurance, accident insurance, pension insurance, maternity insurance and unemployment insurance to 45 out of 46 workers. By workers interview, they confirmed that the auditee had communicated with them to attend the social insurance, but due to personal reason they did not want to participate, such as they could not enjoy the insurance while move to different regions. The management representative provided that, they would like to increase the social insurance coverage, but due to the operation cost and the unwillingness of workers, not all workers were covered with social insurance. Reference law: social insurance law of the People's Republic of China, article 10, 23, 33, 44 and 53. Remark: the social insurance online system was unable to check due to the responsible person was not in the office during audit. No extra commercial accident insurance provided to workers.

根据管理层访谈和工人访谈，确定厂内共有50名工人，其中4名为再就业退休工人。最近一个月没有新招聘工人。因此，受审核方应为46名工人提供五类社会保险。然而，在46名工人中，被审核方没有向45名员工提供医疗保险、工伤保险、养老保险、生育保险和失业保险。通过工人访谈，他们确认受审核方已与他们沟通参加社会保险，但由于个人原因，他们不想参加，例如他们无法在迁往不同地区时享受保险。管理层代表表示，他们希望增加社会保险覆盖范围，但由于运营成本和工人的不愿意，导致并非所有工人都参加了社会保险。参考法规：《中华人民共和国社会保险法》第10条、第23条、第33条、第44条和第53条。备注：社保在线系统无法查验，由于相关负责人在审核中外出。没有为员工提供额外的商业意外险。

PA 6: Decent Working Hours

The implementation of labor planning had been conducted but still could not guarantee the control of working hours. By reviewing the attendance information from 1 September 2020 to 18 October 2021, it was found that the overtime hours in the past 12 months were more than 36 hours. For the sample of 10 employees, the maximum overtime time in October 2020 was 64 hours; maximum 66 hours of overtime in March 2021; and maximum of 70 hours of overtime in August 2021. According to employee interviews, overtime arrangements would be notified in advance and was voluntary. No leave was required for non-participation. The management representative explained that overtime was sometimes exceeded due to labor shortages. Reference Law: China Labor Law, Article 41. Remark: For the current month up to 18 October 2021, the maximum daily overtime was 2 hours, and the monthly overtime were 26 hours.

劳动计划已经实施，但仍不能保证工作时间的控制。通过查阅2020年9月1日至2021年10月18日的出勤信息，发现过去12个月的加班时间超过36小时。以10名员工为抽样，2020年10月的最大加班时间为64小时；2021年3月最多加班66小时；2021年8月加班时间最长为70小时。根据员工面谈，加班安排将提前通知，并且是自愿的。不参加不需要请假。管理者代表解释说，

PA 6: Decent Working Hours

由于劳动力短缺，有时会加班超时。参考法规：《中国劳动法》第41条。备注：截至2021年10月18日的当月，日最大加班2小时，月加班为26小时。

PA 7: Occupational Health and Safety

The auditee had established procedures for the control of working-related injuries and provided relevant records for review. There was no working-related injuries in the past 12 months. However, the auditee did not provide accident social insurance for 49 out of 50 employees to achieve employment protection. Reference law: Social Insurance Law of the People's Republic of China, Article 33.

受审核方建立了工伤控制程序，并提供了相关记录供审核。在过去12个月内，没有出现任何工伤。但被审核方未为50名职工中的49人提供意外伤害保险，实现就业保障。参考法规：《中华人民共和国社会保险法》第三十三条。

Per onsite observation, it was noted that one worker in the cutting section did not wear the provided protective gloves while operating the machine. The worker mentioned that the gloves were provided but did not remember to wear. Reference Law: PRC Safety Manufacturing Law, Article 42.

根据现场观察，发现裁剪工序有一名工人在操作机器时没有佩戴防护手套。这名工人提到，手套是提供的，但没有记得戴上。参考法规：中华人民共和国安全生产法第42条。

According to documents review, it was noted that the construction acceptance of buildings were provided for review. However, there was no fire control acceptance or fire inspection report for the 4-storey production building (constructed in the year of 2012 with 3910 square meters) and the flat dormitory building (constructed in the year of 2013 with 350 square meters). Reference Law: PRC Fire Prevention Law article 13.

根据文件审查，了解到提供了建筑物的施工验收已供审查。然而，一栋4层生产楼（2012年建造3910平方米）和一栋单层宿舍楼（2013年建造350平方米）没有消防验收或消防检查报告。参考法规：《中华人民共和国消防法》第13条。

During onsite observation, about 5 sets of sewing machines were not installed with needle guards. According to workers interview, no related working accident occurred in the past 12 months. The management representative mentioned that it was hard to find the appropriate guards and they would keep trying. Reference law: General rules for designing the production facilities in accordance with safety and health requirements, 6.1.2.

在现场走场期间，约有5台缝纫机未安装护针挡板装置。根据工人访谈，过去12个月内未发生相关工作事故。管理层代表提到，很难找到合适的挡板，但他们会继续努力。参考法规：生产设备安全卫生设计总则，6.1.2。

According to documents review, it was noted that no health certificate of the kitchen staff. The management representative mentioned that the certificate was applying and did not obtain the feedback yet. Reference law: Food Safety Law of the People's Republic of China, article 45.

根据文件审查，得知到一名厨房工作人员没有健康证明。管理者代表提到证书正在申请中，尚未获得反馈。参考法规：《中华人民共和国食品安全法》第45条。