

Monitoring result for Jinhua Forever Easy Remembered Commodity Co., Limited on site Jinhua Forever Easy Remembered Commodity Co., Limited

Monitoring

Monitored Party	: Jinhua Forever Easy Remembered Commodity Co., Limited
amfori ID	: 156-029102-000
Site	: Jinhua Forever Easy Remembered Commodity Co., Limited
Site amfori ID	: 156-029102-001
Address	: No. 88, Jiugui Road, Chengxi New District, Yongkang City : 321300, Jinhua : Zhejiang Sheng : China
Monitoring Activity	: amfori Social Audit - Manufacturing
Monitoring Type	: Full Monitoring
Submission Date	: 03/03/2022
Expiration Date	: 03/03/2023

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Overall rating



Section rating

PA1: Social Management System	C
PA 2: Workers Involvement and Protection	A
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	C
PA 13: Ethical Business Behaviour	A

General description

Jinhua Forever Easy Remembered Commodity Co., Limited (金华市永憶日用品有限公司) was located at No. 88, Jiugui Road, Chengxi New District, Yongkang City, Jinhua City, Zhejiang Province, China (中国浙江省金华市永康市城西新区九桂路88号).

There was total 3 blocks of buildings within the individual boundary which were owned by a tool manufacturer. The auditee rented half side of a block of 3-storey building, about 6000m² from 1st floor to 3rd floor. The 1st floor was used was metalworking, cleaning, welding workshops by the auditee, the 2nd floor was used as semi-finished products warehouse, office, polishing workshop by the auditee, and the 3rd floor was used as painting, heat transfer printing, assembly and packing workshop by the auditee. The other side of the 3-storey building was used by a wood door manufacturer. The other two buildings were used as production workshops and dormitories by the landlord. The auditee did not share workshops and workers with other factories within the same location.

The management was positive and cooperative. The management permitted auditor take photos, review documents, interview workers confidentially. The management signed finding report without opposition and claimed would like to be continuous improvement. The management confirmed that peak season was not obvious. The auditee didn't provide transportation, canteen or dormitories for workers. All the 49 workers were hired by the auditee directly.

The main products manufactured by the auditee were stainless steel cup and bottle; the main production processes included metalworking, cleaning, welding, printing, painting, assembly, inspection and packaging. No production process was sub-contracted.

Remark: 1) No contractor or agency labor was used in the factory, which makes the contractor license or permit, agency labor contract not applicable. No government waivers or collective bargaining agreements obtained by the factory, which makes the government waivers and collective bargaining agreements not applicable for the auditee.

2) Lead auditor : Rocky Gao, CSCA, registration number 21701948. Auditing company: TUV Rheinland, APSCA Number:11600007

3) The actual production area of the auditee was inconsistent with the registered address on the business license. The registered address on the business license was "Third Floor, Building 3, No. 265, Yuquan Road, Xinshi street, Wucheng District, Jinhua City, Zhejiang Province", and the actual production address of the auditee was "No. 88, Jiugui Road, Chengxi New District, Yongkang City, Jinhua City, Zhejiang Province". After on-site verification, it was found that the sales office of the auditee was located on "Third Floor, Building 3, No. 265, Yuquan Road, Xinshi street, Wucheng District, Jinhua City, Zhejiang Province". There was no production plants and production processes in the registered address area, and the registered address was about 50km away from the production address. The mentioned information was informed to RSP before audit and which was approved by RSP.

Site Details

Site : Jinhua Forever Easy Remembered Commodity Co., Lim ited
Site amfori ID : 156-029102-001

GICS Classification

Sector	: Consumer Discretionary	Industry	: Household Durables
Industry Group	: Consumer Durables & Apparel	Sub Industry	: Housewares & Specialties

amfori Process Classifications

N.A.

NACE Classification

N.A.

GS1 Classifications

N.A.

Water Stress Situation

N.A.

Metrics

Key Metrics

Total workforce	49 Workers
Legal minimum wage in local currency	2070 Monthly
Lowest wage paid for regular work at the site	2400 Monthly
Calculated living wage in local currency	2403 Monthly
Total sample	10 Workers

Other Metrics

Male workers	29 Workers
Female workers	20 Workers
Permanent workers - Male	29 Workers
Permanent workers - Female	20 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	29 Workers
Domestic migrant workers - Female	19 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	29 Workers
Workers hired directly - Female	20 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	6 Workers
Sample - Female	4 Workers

Findings

PA1: Social Management System

The auditee had not set up effective management system to implement the requirement of amfori BSCI Code of conduct and local laws. 1) The auditee had not set up systemic planning to comply with the established compliance procedure. For example, the management knew that all employees had not purchased social insurance locally and that the monthly overtime of workers in the past 12 months had exceeded the requirements of laws and regulations, but the management did not check and rectify in its daily work; 2) During the interview, employees and employee representatives also had no strong desire to buy social insurance locally and reduce monthly overtime.

被审核方没有建立有效的管理系统来实施amfori BSCI行为守则和当地法律法规的要求。1) 被审核方没有建立系统性的规划来符合已建立的符合性程序，如管理层知道所有的员工都没有在当地购买社保、知道过去12个月工人们的月加班时间超过了法规要求，但是管理层并没有在日常的工作中去检查和整改；2) 访谈中员工和员工代表也没有在当地购买社保以及减少月加班时间的强烈愿望。

The auditee had established a written capacity planning procedure, but the management had not effectively implemented the capacity planning procedure. Because the 10 sampled workers had excessive monthly overtime work in 11 out of 12 past months.

被审核方建立了书面的产能规划程序，但管理层没有有效执行产能规划程序，因为抽样的10名工人在过去12个月中有11个月的月加班超时。

PA 2: Workers Involvement and Protection

The auditee set the long-term goal of protecting employees, but the workers and worker representative were not involved, and the workers and worker representative were not clear about the long-term goal of protecting employees in the interview.

被审核方制定了保护员工的长期目标，但是工人和工人代表没有参与，访谈中工人和工人代表也不清楚保护员工的长期目标。

PA 5: Fair Remuneration

The auditee did not purchase social insurances for anyone out of total 49 employees in local Social Security Bureau. The management confirmed that they did not purchase social insurance for anyone, since domestic migrant workers' mobility were high and workers were not willing to buy social insurance locally. Workers and worker representative confirmed that the auditee did not buy social insurance for them, they had rural cooperative medical care and rural insurance, and were unwilling to buy social insurances in Yongkang. All 49 staff members, including 1 local worker and 48 domestic migrant workers, all of them joined more than one month, among them, 5 out of 49 workers were re-employed after retirement, and no temporary workers. (Reference law: Social Insurance Law of P.R.C, Article 10, Article 23, Article 33, Article 44, Article 53)

被审核方没有给全部49名员工中的任何人在当地的社保局购买了社会保险。管理层确认没有给任何员工在当地购买社会保险，因为外地工人流动性大且工人本身不愿意在本地购买社保。员工和员工代表确认被审核方没有为他们/她们购买社保，他们/她们有农村合作医疗和农保，不愿意在永康购买社保。全部49名员工包括1名本地工人和48名外地工人且入职均超过1个月，其中有5名工人是退休返聘的，没有临时工。（参考法律法规：《中华人民共和国社会保险法》第10、23、33、44及53条）

PA 6: Decent Working Hours

The attendance records of 10 workers sampled from 01 February 2021 to 25 February 2022 showed that 10 workers worked excessive overtime for more than 36 hours in the 11 out of past 12 months, violating the requirements of laws and regulations. The monthly overtime hours of 10 workers in three months were listed randomly as follows: 1) in January 2022, the monthly overtime hours of 10 workers was 44 hours; 2) In July 2021, the monthly overtime hours of 10 workers was 62 hours; 3) In May 2021, the monthly overtime of 10 workers was 56 hours. (Reference law: Labor Law of the P.R.C, Article 41) Note: 1) the maximum monthly overtime from 01 February 2022 to 24 February 2022 was 16 hours. 2) The production manager claimed that they controlled daily overtime no more than 2 hours, but never controlled monthly overtime. 3) Workers and worker representative confirmed that the auditee never controlled monthly overtime, but controlled daily overtime within 2 hours.

抽样的10名工人从2021年2月1日到2022年2月25日的考勤记录显示，10名工人在过往的12个月里有11个月的月加班时间超过了36个小时，违反了法律法规的要求。现随机列举了其中3个月里，10名工人的月加班时间如下：1) 在2022年1月，10名工人的月加班时间为44个小时；2) 在2021年7月，10名工人的月加班时间为62个小时；3) 在2021年5月，10名工人的月加班时间分别为56个小时。（参考法律法规：《中华人民共和国劳动法》第41条）备注：1) 2022年2月1日到2022年2月24日的最大月加班时间是16个小时。2) 生产经理确认他们控制日加班时间不超过2个小时，但是他们不控制月加班时间；3) 员工和员工代表确认被审核方不控制月加班，但每天的加班控制在2小时内。

PA 7: Occupational Health and Safety

1) The auditee did not carry out the detection of occupational hazard factors. The possible occupational hazards in the auditee included noise, dust and chemical hazards. The hazards came from metalworking, polishing, painting and other processes.

PA 7: Occupational Health and Safety

(Laws and Regulations: Regulations on occupational health management in workplace, Article 20) 2) The auditee did not provide pre-job, on-the-job and off-the-job physical examination for metalworkers, welding and painting workers exposed to noise, dust and chemicals. (Laws and Regulations: Occupation Disease Prevention Law of P.R.C, Article 35)

1) 被审核方没有开展职业危害因素检测, 被审核方内可能的职业危害因素噪音, 粉尘危害以及化学品危害等, 危害来自于金工, 抛光, 喷漆等工序。(参考法律法规:《工作场所职业卫生管理规定》第 20 条) 2) 被审核方没有给接触到噪音, 粉尘, 化学品的金工, 焊接, 喷漆工人提供岗前、在岗和离岗的健康体检。(参考法律法规:《中华人民共和国职业病防治法》第 35 条)

All the 49 workers of the auditee did not purchase work related injury insurance or commercial accident insurance. (Reference law: Social Insurance Law of P.R.C, Article 33)

被审核方的全部49名工人均没有购买工伤保险或者商业性意外伤害保险。(参考法律法规:《中华人民共和国社会保险法》第 33 条)

Three polishing workers did not wear protective eye masks during operation, and the masks they wore were disposable non-woven masks rather than dust masks. (Laws and Regulations: The Production Safety Law of P.R.C, Article 45)

3名抛光的工人在作业时没有佩戴防护眼罩, 且佩戴的口罩是一次性无纺布口罩而不是防尘口罩。(参考法律法规:《中华人民共和国安全生产法》第 45 条)

The barreled diluent in the painting area was directly placed on the ground, without secondary containers, material safety data sheets and safety signs. (Laws and Regulations: The Regulation for Chemical Usage Safety in Work Place, Article 14; Regulation for Safety of Hazardous Chemical, Article 20; The Regulation for Chemical Usage Safety in Work Place, Article 27)

喷漆区域的桶装稀释剂直接放置在地面, 没有配备二次容器, 没有物料安全数据表, 也没有安全标识。(参考法律法规:《工作场所安全使用化学品规定》第 14 条;《危险化学品安全管理条例》第 20 条;《工作场所安全使用化学品规定》第 27 条)

1) The auditee failed to provide the completion acceptance report or house property certificate of a block of 3-storey production building. (Laws and Regulations: Construction Law of the P.R.C, Article 61) 2) The auditee failed to provide the fire acceptance certificate or filing record of a block of 3-storey production building. (Laws and Regulations: Fire Prevention Law of the P.R.C, Article 11 & 13) Note: 1) it was found that the building was solid and had no obvious potential safety hazard. Production workshops, offices and warehouses were equipped with fire-fighting equipment. 2) The management failed to provide written evidence to prove the area and completion time of the building. During the interview, the management did not know the specific information.

1) 被审核方未能提供1幢3层生产厂房的竣工验收报告或者房产证。(参考法律法规:《中华人民共和国建筑法》第61条) 2) 被审核方未能提供1幢3层生产厂房的消防验收合格证书或备案记录。(参考法律法规:《中华人民共和国消防法》第 11 和 13 条) 备注: 1) 现场发现该幢建筑结构坚固, 没有明显的安全隐患。生产车间, 办公室和仓库配备了消防器材。2) 管理层未能提供书面的证据来证明该幢的建筑面积和完工时间。访谈中管理层也不清楚具体的信息。

The auditee failed to provide the qualified annual inspection report and special equipment registration certificate of one freight elevator in use. (Reference law: Regulations on Safety Supervision of Special Appliance, Article 28; Safety Law of the people's Republic of China on special equipment, Article 33) It was found that a punching machine in the metalworking area on the first floor was not equipped with protective grid, and the foot pedal was not equipped with protective cover. (Reference law: The General Design Principles for the Safety and Sanitation of Production Devices, Article 6.1.4)

被审核方未能提供1部在用货梯的合格年检报告以及特种设备登记证。(参考法律法规:《特种设备安全监察条例》第 28 条,《中华人民共和国特种设备安全法》第 33 条) 现场发现 1 楼金工区域的1 台冲压压机没有安装防护格栅, 脚踏板都没有配备防护罩。(参考法规: 生产设备安全卫生设计总则, 第 6.1.4 条)

PA 12: Protection of the Environment

Waste gas and waste water were produced in the production process of the auditee, but the auditee had not obtained the pollutant discharge license. (Reference law and regulations: The list of classified management of discharge permits for fixed pollution sources, Article 2)

被审核方的生产过程中有废气和废水产生, 但是被审核方未取得排污许可证。(参考法律法规:《固定污染源排污许可分类管理名录》第2条)

1) The auditee had not supervised its waste air emission generated from welding and painting processes on periodic basis to meet the legal requirement. (Reference law: Measures for the Administration of Environmental Surveillance, Article 21) 2) Noise was generated from metalworking process; however, the auditee had not conducted factory boundary noise monitoring, and could not provide the factory boundary noise monitoring report. (Reference law: Law of the People Republic of China on Prevention and Control of Pollution from Environmental Noise, Article 23) 3) The auditee had not established an industrial solid waste management account to record the type, quantity, flow direction, storage, utilization and disposal of industrial solid waste, so as to realize the traceability and query of industrial solid waste, and took measures to prevent and control environmental pollution by industrial solid waste. (Laws and Regulations: China Solid Waste Pollution Prevention Law, Article 36)

1) 被审核方没有定期监测焊接以及喷漆过程中产生的废气排放, 以确保其达标排放。(参考法律法规:《环境监测管理办法》第21条) 2) 金加工过程中有噪音产生, 然而被审核方没有开展厂界噪声的监测, 不能提供厂界噪声监测报告。(参考法律法规:《中华人民共和国环境噪声污染防治法》第23条) 3) 被审核方尚未建立工业固体废物管理台账去记录产生工业固体废物的种类、数量、流向、贮存、利用、处置等信息, 实现工业固体废物可追溯、可查询, 并采取防治工业固体废物污染环境的措施。(参考法律法规:《中华人民共和国固体废物污染环境防治法》第 36 条)

PA 12: Protection of the Environment

Wastewater was produced in the washing process of the factory, but the audited had not carried out wastewater detection, so it was impossible to know whether the wastewater met the discharge standard. (Reference law: Law of the People's Republic of China on Prevention and Control of Water Pollution, Article 14)

工厂的水洗过程中废水产生，但是被审核尚未开展废水检测，无法得知废水是否达标排放。（参考法律法规：《中华人民共和国水污染防治法》第14条）

PA 13: Ethical Business Behaviour

The actual production area of the auditee was inconsistent with the registered address on the business license. The registered address on the business license was "Third Floor, Building 3, No. 265, Yuquan Road, Xinshi street, Wucheng District, Jinhua City, Zhejiang Province", and the actual production address of the auditee was "No. 88, Jiugui Road, Chengxi New District, Yongkang City, Jinhua City, Zhejiang Province". After on-site verification, it was found that the sales office of the auditee was located on "Third Floor, Building 3, No. 265, Yuquan Road, Xinshi street, Wucheng District, Jinhua City, Zhejiang Province". There was no production plants and production processes in the registered address area, and the registered address was about 50km away from the production address. (Reference Law: Regulations of PRC for controlling the registration of enterprises as legal persons, Article 17) The production and sales of stainless steel cups / bottles were not within the business scope of the auditee's business license. (Reference Law: Regulations of PRC for controlling the registration of enterprises as legal persons, Article 13)

被审核方的实际生产区域和营业执照上的注册地址不一致。营业执照上的注册地址是“浙江省金华市婺城区新狮街道玉泉路265号3幢三楼”，而被审核方的实际生产地址是“浙江省金华市永康市城西新区九桂路88号”。现场核实后发现被审核方的销售办公室位于“浙江省金华市婺城区新狮街道玉泉路265号3幢三楼”，注册地址区域没有生产厂房和生产工序，注册地址和生产地址相距大约50公里。（参考法律法规：《中华人民共和国企业法人登记管理条例》第17条）不锈钢杯/瓶的生产和销售不在被审核方营业执照的经营范围内。（参考法律法规：《中华人民共和国企业法人登记管理条例》第13条）