

Monitoring result for SHENZHEN XINHAOLI ELECTRONIC CO.,LTD on site SHENZHEN XINHAOLI ELECTRONIC CO.,LTD

Monitoring

Monitored Party : SHENZHEN XINHAOLI ELECTRONIC CO.,LTD
amfori ID : 156-045356-000
Site : SHENZHEN XINHAOLI ELECTRONIC CO.,LTD
Site amfori ID : 156-045356-001
Address : 201, 2nd Floor, Building 2, No. 92#, Pinglong West Road, Shanxia Community, Pinghu Street, Longgang District
: 518111, Shenzhen
: Guangdong Sheng
: China
Monitoring Activity : amfori Social Audit - Manufacturing
Monitoring Type : Full Monitoring
Monitoring Partner : TUV Rheinland
Monitoring Start Date : 22/03/2023
Closing Meeting : 22/03/2023
Finished Date :
Submission Date : 29/03/2023
Expiration Date : 29/03/2024

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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

Announcement type: Fully-Announced

Monitoring date: March 22, 2023

The auditee was located at 201, 2nd Floor, Building 2, No. 92#, Pinglong West Road, Shanxia Community, Pinghu Street, Longgang District, Shenzhen, Guangdong, China (中国广东省深圳市龙岗区平湖街道山厦社区平龙西路92号第2栋二楼201). There were two 3-storey production buildings, one 2-storey production building and one 3-storey dormitory building in the industrial area. The auditee only rented the 2/F of one 3-storey production building (Named Building 2) as office, workshop and warehouse. Other areas were used by at least 4 factories with independent business licenses. No shared workers or production process with other factories. This audit only covered the auditee rented area. No dormitory/canteen/transportation was provided by the auditee.

The auditee specialized in manufacturing LED lights, and its main production processes were assembly and packing. No obvious peak season identified. While in close meeting, the factory showed a willingness to improve the non-compliance identified. There was no concealed area identified, and all the production area was open for visit. No double book was identified. There was no dispatching worker, or seasonal workers. Workers were all recruited by the facility directly.

Remark: 1. No production process was subcontracted by the auditee. 2. There are no agencies used by the auditee, which makes the agency labor contract not applicable. 3. There are no contractor, Government waivers and collective bargaining agreement, which makes them not applicable. 4. The auditor took photos, reviewed documents and worker interviewed freely and the factory representative signed the audit finding report. 5. Auditor: Lucas Huang, CSCA, registration number 21701891; Auditing company: TUV Rheinland, APSCA Number:11600007.

Site Details

Site : SHENZHEN XINHAOLI ELECTRONIC CO.,LTD
Site amfori ID : 156-045356-001

GICS Classification

Sector	: Consumer Discretionary	Industry	: Household Durables
Industry Group	: Consumer Durables & Apparel	Sub Industry	: Consumer Electronics

amfori Process Classifications

N.A.

NACE Classification

Manufacture of consumer electronics

GS1 Classifications

N.A.

Water Stress Situation

N.A.

Metrics

Key Metrics

Total workforce	37 Workers
Legal minimum wage in local currency	2360 Monthly
Lowest wage paid for regular work at the site	2600 Monthly
Calculated living wage in local currency	3235 Monthly
Total sample	8 Workers

Other Metrics

Male workers	8 Workers
Female workers	29 Workers
Permanent workers - Male	8 Workers
Permanent workers - Female	29 Workers
Temporary workers - Male	0 Workers
Temporary workers - Female	0 Workers
Seasonal workers - Male	0 Workers
Seasonal workers - Female	0 Workers
Management - Male	1 Workers
Management - Female	3 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	23 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	8 Workers
Workers hired directly - Female	29 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	2 Workers
Sample - Female	6 Workers

Findings

PA1: Social Management System

The auditee has established a social responsibility management system in accordance with the amfori BSCI Code of Conduct and the requirements of laws and regulations. The auditee management also understands the importance of social responsibility. But according to the document review, management interview and employee interviews, some aspects of the auditee's social responsibility management system did not meet the requirements of laws and regulations, such as monthly overtime hours more than the 36 hours required by the labor law and social insurance is not fully covered.

被审核方有根据amfori BSCI行为准则和法律法规的要求建立社会责任管理体系。通被审核方管理人员也了解社会责任的重要性。但根据文件查看，管理人员访谈和员工访谈，被审核方的社会责任管理体系还有一些方面没有达到法律法规的要求，如月加班时间超过劳动法要求的36小时和社会保险没有全员覆盖。

The auditee has developed production cost calculation and capacity planning procedures. However, according to the time records review, management interview and employees interview, the auditee did not pay attention to whether the monthly overtime hours of employees exceeded the requirements of the labor law in the production arrangement, which led to the widespread occurrence of excessive monthly overtime work in the past year.

被审核方有制定生产成本计算和产能规划程序。但根据工时记录查看，管理人员访谈和员工访谈，被审核方在生产安排时没有关注员工月加班时间是否超过劳动法的要求，因此导致过去一年普遍存在月加班超时的情况。

PA 2: Workers Involvement and Protection

The workers and workers representatives were not involved in defining the long-term goals.

员工及员工代表未参与员工长期保护目标的制订。

amfori BSCI COC training was provided to all workers, but 6 out of 8 interviewed workers (75%) were not aware of basic requirement of amfori BSCI.

工厂有给员工提供了amfori BSCI行为守则的培训，但8名接受访谈的工人中有6名（75%）不清楚amfori BSCI的基本要求。。

PA 5: Fair Remuneration

The auditee has 37 employees, including 2 new employees who have been employed for less than one month and 10 employees reached the retirement age. Therefore, the auditee should provide social insurance for 25 employees, but the auditee does not provide pension, maternity, medical, unemployment and industrial injury insurance for 7 of them. The auditee did not count whether the employee participated in other insurance, such as the new rural cooperative medical care. Social insurance records from April 2022 to March 2023 were reviewed. According to the management interview and employees' interview, those who did not participate in the social insurance system has participated at their hometown. Reference law: article 72 of PRC Labor Law. Remark: Social insurance records indicated 26 persons were covered with social insurance, but 8 of them were friends or relative of the boss, not the employees of the auditee.

被审核方有37名员工，包括2名入职未一个月的新员工，以及10名达到退休年龄的员工，因此被审核方应给25名员工提供社会保险，但被审核方没有给其中的7名员工提供养老，生育，医疗，失业，工伤保险。被审核方没有统计员工是否参加别的保险，如新农合等。2022年4月至2023年3月的社会保险记录被查阅。根据管理人员访谈和员工访谈，没参加社保的员工是因为老家有参加。参考法规：中华人民共和国劳动法第72条。备注：社保记录显示有26人参保，但其中有8人是老板的亲友，不是工厂的员工。

PA 6: Decent Working Hours

The auditee has established working hour management procedures, and has collected relevant laws and regulations. The auditee's management also understand the provisions of labor law on overtime hours. But according to the working hours record review, management interview and employee interview, the auditee did not effectively control the monthly overtime hours, therefore excessive monthly overtime work for employees occurred in the past year, and all 8 sampling workers in the sample months of September, December 2022 and February 2023 conducted excessive monthly overtime work, with the maximum monthly overtime hours 61,81 and 67.5 hours respectively. Reference law: article 41 of PRC Labour Law. Through the employee interviews, the overtime work of the employees is voluntary, and they have obtained overtime pay required by the labor law.

被审核方有建立工时管理程序，也收集了相关的法律法规，被审核方管理人员也了解劳动法关于加班时间的规定。但根据工时记录查阅，管理人员访谈和员工访谈，被审核方并没有有效地控制月加班时间，因此导致员工过去一年月加班时间超时的情况，其中8名抽样员工在抽样月份2022年9月，12月和2023年2月都存在月加班超时，最多分别为61，81和67.5小时。参考法规：中华人民共和国劳动法第41条。通过员工访谈，员工加班都是自愿的，且有获得劳动法要求的加班费。

PA 7: Occupational Health and Safety

The factory did not provide pre-job /on-job/ post-job occupational health examination to workers, such as workers contacting glue, methyl alcohol, white oil and soldering workers. Reference Law: Law of the People of Republic of China on Prevention and Control of Occupational Diseases, Article 35.

工厂没有给员工提供岗前，在岗和岗后职业健康体检，比如接触胶水，甲醇，白电油的员工以及焊锡员工等。参考法规：《中华人民共和国职业病防治法》35条。

19 out of 37 employees were not provided with employment injury insurance or commercial accident insurance. Reference law: Social Insurance Law of the People's Republic of China, Article 33

工厂37名员工中有19名未提供工伤保险或者商业意外险。参考法律法规：《中华人民共和国社会保险法》，第三十三条

Workers and their representative were not involved in health and safety risk assessment.

工人和工人代表没有受邀参与进行职业健康安全风险的评估。

Three employees contacting chemical (glue, methyl alcohol, white oil, etc.) were wearing normal one-off mask instead of anti-chemical mask during the audit. Law reference: Law of the PRC on Work Safety article 45.

3名接触化学品（胶水，甲醇，白电油等）的员工都佩戴了一般的一次性口罩，而不是防化学品口罩。参考法规：《中华人民共和国安全生产法》第45条。

The facility didn't post occupation hazard notification card and occupation hazard factor monitoring report on relevant workshop, such as soldering and chemical using areas etc. Reference law: Law of the People's Republic of China on the Prevention and Control of Occupational Diseases, Article 24

未张贴职业危害告知卡以及职业危害因素检测报告，如焊锡和使用化学品区域等。参考法律法规：《中华人民共和国职业病防治法》第二十四条

PA 12: Protection of the Environment

1. The facility did not provide waste air and noise monitoring report for review. Reference law: Measures for the Administration of Environmental Surveillance, Article 21, Law of the People's Republic of China on Prevention and Control of Pollution from Environmental Noise, Article 23 2. The factory did not transferred the hazardous waste (such as waste chemical containers and etc.) to the licensed vendor for disposing. Reference law: Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Wastes Article 57.

1. 未提供废气和噪声的检测报告。参考法律法规：《环境监测管理办法》第21条，《中华人民共和国环境噪声污染防治法》第23条 2. 工厂未将其产生的危险废弃物(如废化学品空桶等)转移给有资质公司处理。参考法律法规：《中华人民共和国固体废物污染环境防治法》第五十七条