

Monitored Party Foshan X Fun Silicone Technology Co.,Ltd.	amfori ID 156-048677-000	Address (Workshop 1) No.811, Gaoming Avenue East, Hecheng Street, Gaoming, 528511 Foshan, Guangdong Sheng, China
Monitoring Activity amfori Social Audit - Manufacturing	Monitoring Type Full Monitoring	Monitoring Partner TÜV SÜD
Monitoring Start Date 09/10/2024	Closing Meeting Finished Date 17/10/2024	Submission Date 17/10/2024
Expiration Date 17/10/2025	Announcement Type Semi Announced	
Site Foshan X Fun Silicone Technology Co.,Ltd.	Site amfori ID 156-048677-001	

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OVERALL RATING



SECTION RATING

PA1: Social Management System	D	
PA 2: Workers Involvement and Protection	A	
PA 3: The Rights of Freedom of Association and Collective Bargaining	A	
PA 4: No Discrimination, Violence or Harassment	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, Forced Labour or Human Trafficking	A	
PA 12: Protection of the Environment	A	
PA 13: Ethical Business Behaviour	A	

GENERAL DESCRIPTION

Name of lead auditor: Jack Zheng; APSCA membership number: CSCA 21703745.

Monitoring partner name: TÜV SÜD

Audit schedule details: The audit is planned for 1 auditor x 1 day (October 9, 2024).

Announcement Type: semi-announced.

Business partner information: Foshan X Fun Silicone Technology Co., Ltd (Business license No. 91440608MA4UNQH14Q) started their operation since 2016, it was located at (Workshop 1) No. 811, East Gaoming Avenue, Hecheng Street, Gaoming District, Foshan, Guangdong, China. The company was established on April 21, 2016. The size of workshops, warehouse and office are 1960 square meters in total. (Remark: 1. The factory name is changed from “Foshan Dragon Electronic Technology Co., Ltd” to “Foshan X Fun Silicone Technology Co., Ltd” since December 2023 due to consideration of business strategy. Besides changing of name, everything remain the same; 2. The address on factory’s business license is “Workshop 1”, actually the factory occupied one 4-storey production building.)

The main products were consumer electronics products, silicone night lights, adult products. The productive operation includes Molding, Silk-screen, Assembly, Inspection and Packing etc. etc.

Audited location information: Within the premises, the audited factory occupied one 4-storey production building. No dormitory, kitchen or canteen is provided for workers’ use. 4/F is empty and not in use during the audit day; The work processes in 3/F are Assembly, Inspection and Packing, warehouse; The work processes in 2/F are Silk-screen, Assembly, warehouse; The work process in 1/F is molding. The workshops are rented form landlord (Mr. Chen XX).

Operating shifts and hours: According to managers/supervisors & workers interview, no obvious peak or non-peak seasons is existed in factory. Attendance records from September 2023 to the audit date are provided for review. 5 workers’ time attendance records & payroll records of December 2023 (random selected), July 2024 (random selected) & August 2024 (current paid month) are sampled for review. There was one working shift for all employees, which are 8:00 to 12:00, 13:30 to 17:30. The normal work time was 8 hours per day & 40 hours per week. 1.5 hours overtime on some working days, 8 hours overtime is arranged on Saturday regularly. The maximum working time was 9.5 hours per day, 55.5 hours per week. The maximum weekly overtime hours are 15.5 hours, the maximum monthly overtime hours are 66.5 hours. No overtime work is arranged on Sunday or Public holiday. All workers can enjoy at least one day off per week (on Sunday).

Time recording system: Facility used electronic attendance system to record workers’ working hours.

Salary payment details: The factory provided the payrolls from September 2023 to August 2024 for review. 5 workers’ wage records of December 2023 (random selected), July 2024 (random selected) & August 2024 (current paid month) are sampled for review. Legal minimum wage was RMB1900 per month (equal to $1900 / 21.75 / 8 = \text{RMB}10.92/\text{hour}$) since December 1, 2021. Wages are paid in cash on or before 30th of each month which met legal requirement. Payslip was provided to every employee when wage is issued. All employees were paid as per their posts and working hours etc., same salary was paid for the same work. As per the provided payrolls, the lowest normal wage (excluded OT premium) for workers was RMB14.46 per hour, which was higher than the local minimum wage rate of RMB10.92 per hour since December 1, 2021. The overtime was paid as 150% and 200% of normal rate for the overtime on weekdays and Saturday respectively.

Worker number information:

Currently 22 employees are working in the company. Among them 15 are production employees (3 males and 12 females) and 7 are non-production employees (included 4 managements, 2 males and 2 females). All employees are permanent employees, 15 employees are domestic migrant employees (4 males and 11 females). And there are total 15 female employees and 7 male employees. There is no foreign migrant, young, pregnant, seasonal, temporary, disabled, home-based, interns, apprentices, contractor worker in the facility.

Good practices: Position and transportation allowance are provided to employees. 15 minutes paid break is provided in the morning and afternoon respectively (1st break: from 10:00-10:15, 2nd break: from 15:30-15:45) since September 2024.

Worker organization details: No Trade Union was founded in facility, 2 workers' representatives are freely elected by workers in 2024.

Circumstances: 1. There is no labor agency/contractor used by facility, also no waiver was obtained. Therefore, no documentations of agency labor/contractor contract or government waivers are attached. There are also no inconsistencies between time records and production records, therefore no such record was attached. There is no collective bargaining agreement in place, therefore no photo of such documentations is taken.

2. There is a Personal Information Protection Law in China, auditor has hid all related information on the reports and attachment (such as payroll records, time attendance records etc.).

3. The factory rented the production site, so the names on fire certificate and construction certificate were not that of the audited factory.

4. The factory name is changed from "Foshan Dragon Electronic Technology Co., Ltd" to "Foshan X Fun Silicone Technology Co., Ltd" since December 2023 due to consideration of Business Strategy. Besides changing of name, everything remain the same. Therefore, the names on EIA, EIA approval and environment protection equipment acceptance check report were the old name of the factory, which is "Foshan Dragon Electronic Technology Co., Ltd".

Summary of findings: In this audit, non-conformances are observed in 5 performance areas, please refer to PA1, PA2, PA5, PA6, PA7 for details.

Living wage calculation: #For living wage, we do not use the data on GLWC website, but the calculation method still follows Anker's methodology. The data are mainly manually collected through local market investigation and worker interview by auditor.

SITE DETAILS

Site
**Foshan X Fun Silicone
Technology Co.,Ltd.**

Site amfori ID
156-048677-001

GICS Classification

Sector
Consumer Discretionary

Industry Group
Consumer Durables & Apparel

Industry
Household Durables

Sub Industry
Consumer Electronics

amfori Process Classifications

N.A.

GS1 Classifications

N.A.

NACE Classification

Manufacture of consumer electronics

Water Stress Situation

N.A.

METRICS

Key Metrics

Total workforce	22	Workers
Legal minimum wage in local currency	1,900	Monthly
Lowest wage paid for regular work at the site	2,516	Monthly
Calculated living wage in local currency	2,431.82	Monthly
Total sample	5	Workers

Other Metrics

Male workers	7	Workers
Female workers	15	Workers
Non-binary workers	0	Workers
Permanent workers - Male	7	Workers
Permanent workers - Female	15	Workers
Permanent workers - Non-binary	0	Workers
Temporary workers - Male	0	Workers
Temporary workers - Female	0	Workers
Temporary workers - Non-binary	0	Workers
Seasonal workers - Male	0	Workers
Seasonal workers - Female	0	Workers
Seasonal workers - Non-binary	0	Workers
Management - Male	2	Workers
Management - Female	2	Workers
Management - Non-binary	0	Workers
Apprentices - Male	0	Workers
Apprentices - Female	0	Workers
Apprentices - Non-binary	0	Workers
Workers on probation - Male	0	Workers
Workers on probation - Female	0	Workers
Workers on probation - Non-binary	0	Workers
Workers with night shift - Male	0	Workers
Workers with night shift - Female	0	Workers
Workers with night shift - Non-binary	0	Workers
Workers with disabilities - Male	0	Workers
Workers with disabilities - Female	0	Workers
Workers with disabilities - Non-binary	0	Workers
Domestic migrant workers - Male	4	Workers
Domestic migrant workers - Female	11	Workers
Domestic migrant workers - Non-binary	0	Workers
Foreign migrant workers - Male	0	Workers

Foreign migrant workers - Female	0	Workers
Foreign migrant workers - Non-binary	0	Workers
Workers hired directly - Male	7	Workers
Workers hired directly - Female	15	Workers
Workers hired directly - Non-binary	0	Workers
Workers hired indirectly - Male	0	Workers
Workers hired indirectly - Female	0	Workers
Workers hired indirectly - Non-binary	0	Workers
Unionised workers - Male	0	Workers
Unionised workers - Female	0	Workers
Unionised workers - Non-binary	0	Workers
Workers under CBA - Male	0	Workers
Workers under CBA - Female	0	Workers
Workers under CBA - Non-binary	0	Workers
Pregnant workers	0	Workers
Workers on parental leave - Male	0	Workers
Workers on parental leave - Female	0	Workers
Workers on parental leave - Non-binary	0	Workers
Sample - Male	1	Workers
Sample - Female	4	Workers
Sample - Non-binary	0	Workers

FINDINGS



PA1: Social Management System

Site: Foshan X Fun Silicone Technology Co.,Ltd. | Site amfori ID: 156-048677-001

Question: 1.1 Is there satisfactory evidence that the auditee has set up an effective management system to implement the amfori BSCI Code of Conduct?

ENGLISH	LOCAL LANGUAGE
Finding	
<p>As per management, worker and worker's representative interview, documentations review, this part is partial compliance due to only partial implementation was effective: the facility had implemented laws and BSCI requirements via setting up social management system. But management system was only fulfilled on partial PAs, it has room to be improved because non-compliances were found in below Performance Areas such as fair remuneration & OHS etc. The management states that this is because some requirements are very hard to 100% be fulfilled. (BSCI code PA1.1)</p>	<p>通过管理层，工人以及工人代表访谈，文件审阅，这部分部分符合因为仅有部分实施有效：被审方通过建立社会责任管理体系来执行法规和BSCI的要求。然而，因为管理体系仅仅在部分表现区域被满足，在以下的公平报酬，职业健康安全等执行领域发现了不符项，所以该管理体系有需要提高的空间。管理层表示有一些要求很难100%被满足。 (BSCI行为守则表现区域1.1)</p>

Question: 1.4 Is there satisfactory evidence that the auditee's workforce capacity is properly organised to meet the expectations of the delivery order and/or contracts?

ENGLISH	LOCAL LANGUAGE
Finding	
<p>As per management, worker and worker's representative interview, documentations review, this part is not compliance because there is no systematic control on below: the factory did not had implement production cost calculation & employees' monthly overtime does exceeded the law limit. However, production plan related to work hours is not established. The management states that this is because some requirements are very hard to 100% be fulfilled. (BSCI code PA1.4)</p>	<p>通过管理层，工人以及工人代表访谈，文件审阅，这部分不符合因为以下部分没有系统性地控制：被审方进行了生产成本核算，工人的月加班时间超过了法规限值。但是，与工时相关的生产计划没有建立。管理层表示有一些要求很难100%被满足。 (BSCI行为守则表现区域1.4)</p>



PA 2: Workers Involvement and Protection

Site: Foshan X Fun Silicone Technology Co.,Ltd. | Site amfori ID: 156-048677-001

Question: 2.4 Is there satisfactory evidence that the auditee builds sufficient competence among managers, workers and workers representatives to successfully embed responsible practices in the business operation?

ENGLISH	LOCAL LANGUAGE
Finding	
<p>As per management, worker & worker's representative interview, document review, this part was partial compliance because only partial implementation was effective: Trainings on BSCI COC were provided to workers' representative & managers, but there was no "amfori BSCI Business Partners: Zero Tolerance for Violence and Harassment Training" for partial management. The management states that they only required all workers but not all managements to participant such kind of training. (BSCI code PA2.4)</p>	<p>通过管理层，工人以及工人代表访谈，文件审阅，这部分部分符合因为仅有部分实施有效：被审方对员工代表和管理层进行了BSCI行为守则的主题的培训，但是，没有针对部分管理层进行amfori BSCI商业伙伴：对暴力和骚扰的零容忍的培训。管理层表示，他们只要求全部工人不是所有管理层来参加这种培训。（BSCI行为守则表现区域2.4）</p>

PA 5: Fair Remuneration

Site: Foshan X Fun Silicone Technology Co.,Ltd. | Site amfori ID: 156-048677-001

Question: 5.5 Is there satisfactory evidence that the auditee provides workers with the social benefits that are legally granted without negative impact on their pay, level of seniority, position, or promotion prospects?

ENGLISH	LOCAL LANGUAGE
Finding	
<p>As per management, worker & worker's representative interview, document review, this part is not compliance because no systematic control on below: As per records of September 2024, there were total 22 employees in the facility (0 retiree workers & 0 newly joined worker in the facility in September 2024. No temporary/dispatched employee), according to the social insurance receipts of September 2024, the facility provided unemployment insurance, retirement insurance, injury insurance, maternity insurance & medical insurance to 19 out of 22 employees who are entitled to purchasing social insurances, the coverage rate was 86.36%. As per interviews, the reason for workers not joining social insurance was they had purchased it in their hometown. Group commercial insurance had been provided for 8 out of 22 employees, the coverage rate was 36.36%, the valid dates are from September 15, 2024 to September 14, 2025. (China Labor Law, Article 72 & 73)</p>	<p>通过管理层，工人以及工人代表访谈，文件审阅，这部分不符合因为以下部分没有系统性地控制：根据2024年9月份的记录，工厂一共有22人，（有0个退休员工，有0位在2024年9月新进厂员工。无临时工/派遣工），2024年9月社保收据显示工厂为22位应该购买社保的员工中的19名提供了失业保险，养老保险，工伤保险，生育保险和医疗保险，参保率86.36%。根据访谈得知，员工没有参加社保的原因是他们在老家已购买。工厂提供了团体商业保险给22名员工中的8名员工，参保率36.36%，有效期从2024年9月15号到2025年9月14号。（中华人民共和国劳动法 第七十二条和第七十三条）</p>

PA 6: Decent Working Hours

Site: Foshan X Fun Silicone Technology Co.,Ltd. | Site amfori ID: 156-048677-001

Question: 6.2 CRUCIAL: Is there satisfactory evidence that the auditee request of overtime is in line with the requirements of the amfori BSCI Code of Conduct?

ENGLISH	LOCAL LANGUAGE
Finding	
<p>As per management, worker & worker's representative interview, documentations review, this part is not compliance because no systematic control on below: As per documentations review & interview, workers conduct overtime working with voluntary principle. However, the overtime working repeatedly added onto regular working hours with 1.5 hour's overtime on weekdays & 8 hours' overtime on rest days. 5 workers' time attendance records & payroll records of December 2023 (random selected), July 2024 (random selected) & August 2024 (current paid month) from Molding, Silk-screen, Assembly, Inspection and Packing sections are sampled, it is noted that 5 workers' monthly overtime hours were 63.5, 66.5 and 65 hours in December 2023, July 2024 and August 2024, which exceed legal law limit of 36 hours per month. The management stated overtime work is applied because production demand & workers want to make more money. (Labor Law of the People's Republic of China (1995), Article 41.)</p>	<p>通过管理层，工人以及工人代表访谈，文件审阅，这部分不符合因为以下部分没有系统性地控制：根据文件审阅和访谈，工人加班是自愿原则。但是，工作天1.5小时以及休息天8小时的加班重复添加到正常上班时间之上。抽取了5名员工(来成型、丝网印刷、组装、检验和包装部门) 2023年12月(随机)，2024年7月(随机)和2024年8月(当前发薪月)的考勤及工资记录，发现全部5个员工在2023年12月, 2024年7月和2024年8月加班时间分别为63.5, 66.5和65小时, 超过了法律限定的月36小时。管理层解释超时加班是因为生产需求和员工想多赚钱。(《中华人民共和国劳动法(1995)》第四十一条)</p>

PA 7: Occupational Health and Safety

Site: Foshan X Fun Silicone Technology Co.,Ltd. | Site amfori ID: 156-048677-001

Question: 7.1 Is there satisfactory evidence that the auditee observes occupational health and safety regulations applicable for its activities?

ENGLISH	LOCAL LANGUAGE
Finding	
<p>As per managements, worker & worker's representative interview, documents review, this part is partial compliance because that only partial implementation is effective: The OHS system such as policies per local law requirement & customers' requirement are established. However, the management system is only fulfilled on partial areas, the auditee does not comply with applicable legal laws & regulations fully due to health and safety issues are identified. The management states that this is due to some requirements are very hard to 100% be fulfilled. (BSCI code PA7.1)</p>	<p>通过管理层，工人以及工人代表访谈，文件审阅，这部分部分符合因为仅有部分实施有效：被审方基于当地法规和客户要求对于职业健康和安全的建立了机制包括政策。但是, 因为管理体系仅仅在部分区域被满足，由于在健康安全方面存在发现点，因此被审方没有完全遵守所用的法律法规。管理层表示有一些要求很难100%被满足。(BSCI行为守则表现区域7.1)</p>

Question: 7.3 Is there satisfactory evidence that the auditee set up an effective management system that ensures they regularly carry out risk assessments for safe, healthy and hygienic working conditions?

ENGLISH	LOCAL LANGUAGE
Finding	
<p>As per management, worker & worker's representative interview, document review, site tour, this part is partial compliance due to: The facility has conducted OHS risk assessment in facility per work positions. However, 1. 3 workers involved in operation exposed to occupational disease hazards, such as, positions exposing to chemical etc., the facility did not arrange occupational health check for them. (PRC Law on Prevention and Control of Occupational Diseases (2002) Amendment (2018), Article 35); 2. the occupational hazard factors have not been tested in the facility. (Regulation on Supervision and Control of Occupational Health in Workplaces (2012), Article 20) The management stated they do not have such awareness.</p>	<p>通过管理层，工人以及工人代表访谈，文件审阅，现场走访，这部分部分符合因为：工厂针对工作岗位执行了职业健康安全风险评估，但是，1. 有3名从事职业病危害作业的工人，例如化学品等岗位的工人，但工厂没有安排职业健康检查给他们。（《中华人民共和国职业病防治法(2002年)修正案(2018年)》第三十五条）；2. 工厂没有进行职业危害因素检测。（《工作场所职业卫生监督管理条例》(2012年)第20条）管理层称他们没有这样的意识。</p>

Question: 7.4 Is there satisfactory evidence of active cooperation between management and workers (and/or their representatives) when developing and implementing systems towards ensuring OHS?

ENGLISH	LOCAL LANGUAGE
Finding	
<p>As per management, workers & worker's representatives interview, document review, site tour, this part is partial compliance due to: It was noted the risk assessment had been conducted. However, partial workers and their representatives had not completely understood the process of risk assessment on OHS. The management stated the communication on this is not sufficient. (BSCI code PA7.4)</p>	<p>通过管理层，工人以及工人代表访谈，文件审阅，现场走访，这部分部分符合因为：工厂执行了风险评估。但是，部分员工，员工代表未完全理解健康安全风险评估过程当中。管理层称对此的沟通还未足够。（BSCI行为守则表现区域7.4）</p>

Question: 7.6 Is there satisfactory evidence that the auditee enforces the use of PPE to provide protection to workers alongside other controls and safety systems?

ENGLISH	LOCAL LANGUAGE
Finding	
<p>As per management, workers & worker's representatives interview, document review, site tour, this part is partial compliance due to: Most workers are wearing proper PPEs such as masks</p>	<p>通过管理层，工人以及工人代表访谈，文件审阅，现场走访，这部分部分符合因为：车间大部分员工基于健康安全的原因佩戴了口罩等的劳保用品。但是，丝印部门有2名使用化学品的员工在工作时没有</p>

Finding	
for health & safety in workshops. However, 2 workers in silk-screen section are not wearing hand protection equipment when they are working. The management stated they did not have such awareness. (PRC Safety Manufacturing Law article 42.)	佩戴手部防护设备。管理层称他们没有这样的意识。(《中华人民共和国安全制造法》第42条)

Question: 7.11 Is there satisfactory evidence that the auditee confirms that the equipment and buildings used for production are stable and safe?

ENGLISH	LOCAL LANGUAGE
Finding	
As per management, worker & worker's representative interview, document review, site tour, this part is partial satisfactory because only partial implementation was effective: The fire acceptance check for the production building was provided for review. The production building was safe and stable. However, it was noted that partial goods were stored against the wall in warehouse. (Rules for Storage Fire Prevention Safety Management, Article 18). Management states that they had insufficient awareness.	通过管理层，工人以及工人代表访谈，文件审阅，现场走访，这部分部分符合因为仅有部分实施有效：生产楼的消防验收合格证明被提供查阅。建筑看起来稳固安全。但是，审核发现部分在仓库里发现部分的产品靠墙堆放（《仓库防火安全管理规定》第十八条）。管理层称他们意识不够。