

Monitoring result for Dongguan Cheerful Kids Toys Co., Ltd on site Dongguan Cheerful Kids Toys Co., Ltd

Monitoring

Monitored Party	: Dongguan Cheerful Kids Toys Co., Ltd
amfori ID	: 156-029788-000
Site	: Dongguan Cheerful Kids Toys Co., Ltd
Site amfori ID	: 156-029788-001
Address	: No. 5,Xiakeng jiyuan Street,Tangjiao Village,Chashan Town
	: Dongguan
	: Guangdong Sheng
	: China
Monitoring Activity	: amfori Social Audit - Manufacturing
Monitoring Type	: Full Monitoring
Submission Date	: 28/08/2022
Expiration Date	: 28/08/2023

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Overall rating



Section rating

PA1: Social Management System	D
PA 2: Workers Involvement and Protection	C
PA 3: The Rights of Freedom of Association and Collective Bargaining	A
PA 4: No Discrimination	A
PA 5: Fair Remuneration	C
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 factory was established on September 20, 2018 and specialized in the manufacture of plush toys. Business license number was 91441900MA52A17E48. Factory name in English was Dongguan Cheerful Kids Toys Co., Ltd. Factory local name was 东莞市贝铭玩具有限公司. Factory address in English was No. 5, Xiakeng jiyuan Street, Tangjiao Village, Chashan Town, Dongguan, Guangdong. Factory local address 广东省东莞市茶山镇霞坑吉园街5号. Remark: The factory moved to this new address since May 2022.

The factory occupied one 4-storey production building, one flat production and warehouse building and one 6-storey dormitory building (dining area was located one 1st floor). No kitchen was provided by factory. The construction area was approximately 11180 square meters.

The main production processes included cutting, sewing, filling and packing. There was a total of 47 employees with 36 production workers and 11 non-production staffs in the factory. The youngest employee noted during this audit was 18 years old. According to factory management representation, the peak season in the factory was not obvious.

The factory adopted a finger printing attendance system to record working hours of employees. There was only one shift for production workers. The regular shift was from 8:00 to 17:30 with a lunch break from 12:00 to 13:30. Employees wages were paid at the end of each month after the payment period via cash with wage stubs issued. Per payroll review and interviews with management and employees, all employees were paid by hourly rate.

During the audit, 15 employees time records and payrolls were sampled as follows for working hour and wage testing: 5 samples from current paid month of June 2022, 5 samples from random month of March 2022 and 5 samples from random month of January 2022. It was noted that all sampled employees were paid at least RMB 10.92 per hour for normal working hours, which was in compliance with local minimum wage of RMB 1900 per month or RMB10.92 per hours since Dec 1, 2021. Based on the samples, all employees were compensated with no less than 150% and 200% of normal wages for overtime hours on regular days and rest days respectively, which was compliance with legal requirement. No overtime was noted on statutory holidays.

According to the sampled time records, the maximum monthly overtime hours were 72 hours while maximum daily overtime hours were 2 hours. All sampled employees obtained at least one day off in every seven consecutive days.

According to the social insurance payment receipt provided by factory management, it was noted that 15 out of 47 employees (31.9%) were provided with pension insurance, medical insurance, accident insurance and unemployment insurance, 14 out of 47 employees (29.7%) were provided with maternity insurance in August 2022. The factory provided commercial insurance to 40 employees with a valid period from December 14, 2021 to December 13, 2022.

Further, 5 employees were selected for private interviews from different workshops. No negative comment was issued during employee interviews. Interviewed employees were satisfied with the working environment, compensation, working hour and management team in the factory.

During the closing meeting, auditor provided the factory representatives with a general overview and explained all of the findings to them. Ms. Zhang Li/ Financial and Mr. Su Mingyu / Worker Representative signed the onsite CAP and agreed to take corrective action.

Remark:

1. No agency or contractor was used by the auditee. No government waiver was obtained by the auditee. No Collective bargaining agreement in the auditee.
2. As of the current project category, production process, scale and pollutant status, the construction project was not included in the environmental impact assessment management scope, which made this document not applicable. In accordance with the Article 5 of Classified Administration Catalogue of Environmental Impact Assessments for Construction Projects (2021 Revision), construction projects not specified in this catalogue shall not be included in the environmental impact assessment management of construction projects.
3. Audit Company: Bureau Veritas Consumer Products Service;
Audit Company APSCA Number: 11600002
Announcement Type: Semi-announced; Monitoring Date: August 23, 2022
Lead Auditor Name: Twinkle Tan; APSCA Auditor Registered Number: CSCA 21701151

Site Details

Site : Dongguan Cheerful Kids Toys Co., Ltd

Site amfori ID : 156-029788-001

GICS Classification

Sector : Consumer Discretionary

Industry : Leisure Products

Industry Group : Consumer Durables & Apparel

Sub Industry : Leisure Products

amfori Process Classifications

N.A.

GS1 Classifications

N.A.

NACE Classification

N.A.

Water Stress Situation

N.A.

Metrics

Key Metrics

Total workforce	47 Workers
Legal minimum wage in local currency	1900 Monthly
Lowest wage paid for regular work at the site	1900 Monthly
Calculated living wage in local currency	2530 Monthly
Total sample	5 Workers

Other Metrics

Male workers	16 Workers
Female workers	31 Workers
Permanent workers - Male	16 Workers
Permanent workers - Female	31 Workers
Temporary workers - Male	0 Workers
Temporary workers - Female	0 Workers
Seasonal workers - Male	0 Workers
Seasonal workers - Female	0 Workers
Management - Male	3 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	13 Workers
Domestic migrant workers - Female	29 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	16 Workers
Workers hired directly - Female	31 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	2 Workers

Findings

PA1: Social Management System

It was noted that the audited factory partially respected this principle because that the social accountability management system was not operated effectively, which resulted in the findings identified on PA1, PA2, PA5, PA6, PA7 and PA13. BSCI Code of Conduct: The auditee has set up an effective management system to implement the BSCI Code of Conduct.

审核发现被审核工厂部分遵守本原则1.1, 因为被审核工厂的管理体系没有有效运行, 导致在PA1, PA2, PA5, PA6, PA7, PA13区域发现问题。BSCI行为守则: 审核方(生产商)已确立执行BSCI行为守则的有效管理体系。

The audited factory did not recruit enough employees or organize its workforce capacity to meet the expectations of the delivery production order or contracts, so that employees' monthly overtime hours exceeded legal limit. BSCI Code of Conduct: The auditee should organize its workforce capacity to meet the expectations of the delivery order and/or contracts.

被审核工厂没有招聘足够的员工或者进行良好的生产组织来达成交付生产订单或合同的预期, 以至于员工月加班超出法律规定。BSCI行为守则: 被审核方(生产商)组织其劳工来达成交付订单和/或合同预期和要求。

PA 2: Workers Involvement and Protection

Through employee interviews and documents review, the auditee failed to define and establish long-term worker protection objectives regarding production safety, working hours and social welfare in accordance with the amfori BSCI Code of Conduct. On the other hand, there was no effective communication and investigation with workers through meetings, training or announcements about the goals.

通过员工访谈和文件审查, 受审核方未能根据amfori BSCI行为准则, 就生产安全、工作时间和社会福利确定和建立长期工人保护目标。另一方面, 没有通过会议、培训或公告的形式与工人就相关目标进行有效沟通和调查。

It was noted that the factory had established or participated in an effective grievance mechanism for individuals, the grievance mechanism allowed workers to lodge suggestions or complaints related to the workers' rights, and individuals had alternative ways for lodging a complaint, such as through suggestion box, worker representative or directly to the management. However, the factory had not set up a channel for local communities' coming up with its suggestions or complaints to management for improvement. BSCI Code of Conduct: The auditee establishes or participates in an effective grievance mechanism for individuals and communities.

审核员发现工厂建立和参与了有效的个人申诉机制, 申诉机制赋予了工人提出建议, 投诉的权利, 并且开放了可替代的投诉方式, 例如通过意见箱, 工人代表或直接向管理层投诉。但是, 工厂尚未创建给当地社区提供申诉的渠道。BSCI行为守则: 被审核方(生产商)建立或参与了有效的个人和团体申诉机制。

PA 5: Fair Remuneration

It was noted that the auditee was not aware of living wage and failed to investigate or calculate it systematically. This violated Performance Area 5: Fair Remuneration 5.4

工厂不了解最低生活需求工资, 也没有进行系统性调查分析。根据执行领域5: 公平报酬 5.4

The audited factory's coverage of social insurance was insufficient. According to the social insurance payment receipt provided by factory management, it was noted that 15 out of 47 employees (31.9%) were provided with pension insurance, medical insurance, accident insurance and unemployment insurance, 14 out of 47 employees (29.7%) were provided with maternity insurance in August 2022. The factory provided commercial insurance to 40 employees with a valid period from December 14, 2021 to December 13, 2022. This violated Article 73 of the Labor Law of the People's Republic of China.

被审核工厂的社会保险覆盖不足。根据厂方提供的2022年8月社会保险缴费单据显示工厂为15/47名员工(31.9%)购买了工伤、医疗、养老和失业保险, 为14/47名员工(29.7%)购买了生育保险。另外被审核工厂为40员工提供商业意外保险, 有效期为2021年12月14日至2022年12月13日。根据《中华人民共和国劳动法》第73条

PA 6: Decent Working Hours

It was noted that 15 out of 15 sample population employees worked in excess of the statutory overtime hour limits (no more than 36 overtime hours per month). A review of the sample population employees' time records (5 samples from current paid month of June 2022, 5 samples from March 2022, 5 samples from January 2022) yielded the following: 1) In June 2022, 5 out of 5 sample population employees worked 60 overtime hours; 2) In March 2022, 5 out of 5 sample population employees worked 72 overtime hours; 3) In January 2022, 5 out of 5 sample population employees worked 52-54 overtime hours. This violated Article 41 of the Labor Law of the PRC.

根据厂方提供的工时记录, 审核员发现15/15名抽样员工加班时间超出了法定标准(每月加班时间不能超过36小时)。审核员抽取15个样本(从最近工资支付月2022年6月、2022年3月和2022年1月各抽取5个样本), 具体为: (1) 2022年6月, 5/5名员工的月加班时间为60小时; (2) 2022年3月, 5/5名员工的月加班时间为72小时; (3) 2022年1月, 5/5名员工的月加班时间为52-54小时。根据《中华人民共和国劳动法》第41条。

PA 7: Occupational Health and Safety

It was noted that the factory did not provide the occupational health checks to employees in workshop who were in contact with hazardous materials (e.g. dust and noise etc.) yearly. In accordance with Article 35 Law of the People's Republic of China on the Prevention and Treatment of Occupational Diseases.

审核员发现厂方没有每年为在车间接触有毒有害物质（例如：粉尘和噪声等）的员工提供职业病体检。根据《中华人民共和国职业病防治法》第35条。

The factory had conducted risk assessment upon young workers, pregnant workers, the transmittable and non-transmittable diseases etc. But in view of the assessment scope, the filling area was not included. In accordance with BSCI Code of Conduct:PA7.3.

工厂对未成年工，怀孕女工，传染病和非传染病等进行了风险评估。但总览评估的范围，没有涵盖到充棉区域。根据BSCI COC PA7.3.

It was noted that 1 out of 3 employees working in filling workshop of production building who in contact with dust and noise were wearing disposable mask instead of dust proof mask. In accordance with Article 42 of Law of the People's Republic of China on Production Safety.

审核员发现工厂充棉车间1/3名接触粉尘和噪声的员工佩戴的口罩不是防尘的。根据《中华人民共和国安全生产法》第42条。

It was noted that 5 out of 5 sampled selected sewing machines being used in workshop were not installed with needle guard. In accordance with Article 6.1.6 of Code of Design of Manufacturing Equipment Safety and Hygiene.

审核员发现工厂车间抽样5/5台正在使用的缝纫机没有安装针档。根据《生产设备安全卫生设计总则(GB5083-1999)》第6.1.6条

Per factory tour, it was noted that no soap or tissue was supplied in the toilet during this audit. BSCI Code of Conduct: The auditee provides workers with clean washing facilities, changing rooms and toilets that are respectful of local customs

工厂没有在洗手间提供洗手液以及纸巾。BSCI行为守则：被审核方（生产商）为工人提供尊重当地习俗的干净的洗涤设施、更衣室和洗手间

PA 13: Ethical Business Behaviour

The factory had established the anti-corruption and anti-bribery policy, besides, the factory conducted risk assessment on corruption, but the factory did not establish prevention measures of all risks for different positions. BSCI Code of Conduct: The auditee actively opposes any act of corruption, extortion or embezzlement, or any form of bribery in its activities as a business enterprise.

审核员发现工厂有建立了反腐败反贿赂的政策，并且有进行廉政风险评估，但没有针对各个岗位风险制定对应的预防措施。BSCI行为守则：被审核方（生产商）主动反对商业企业活动中出现的任何腐败、敲诈或挪用公款、或贿赂行为。