

Monitoring result for NINGBO BMAG TOY CO.,LTD on site NINGBO BMAG TOY CO.,LTD

Monitoring

Monitored Party : NINGBO BMAG TOY CO.,LTD
amfori ID : 156-005518-000
Site : NINGBO BMAG TOY CO.,LTD
Site amfori ID : 156-005518-002
Address : No.2 MEIFANG ROAD,DONGQIAN LAKE TOURIST RESORT,NINGBO
: 315121, Ningbo
: Zhejiang Sheng
: China
Monitoring Activity : amfori Social Audit - Manufacturing
Monitoring Type : Full Monitoring
Monitoring Partner : TUV Rheinland
Monitoring Start Date : 31/10/2022
Closing Meeting : 31/10/2022
Finished Date :
Submission Date : 07/11/2022
Expiration Date : 07/11/2023

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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	A
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	B
PA 13: Ethical Business Behaviour	A

General description

Announcement type: Semi-announced

Monitoring date: October 31, 2022

The facility was located at No. 2 MEIFANG ROAD, DONGQIAN LAKE TOURIST RESORT, NINGBO, ZHEJIANG, CHINA中国浙江省宁波市东钱湖旅游度假区梅方路2号. In the compound, there were two buildings, including one 3-storey building and one 4-storey building (L shaped). The 3-storey building was used by the landlord, one Machinery Factory. And the first floor, the second floor and the fourth floor of the 4-storey building (L shaped) were used by the audited facility as workshop, warehouse and office, the rented areas were around 5452 square meters, the leased contract was provided for review; the third floor of the 4-storey building was used by one other factory. No dormitory or canteen was provided by the facility.

The main products were Magnetic intelligence toys. The main processes were as: Injection, ultrasonic welding, assembly, inspection and packing. No subcontractor was used. All employees were hired by the facility, including 1 security guard. No obvious peak season or low season was noted.

The document review, onsite walk through and employee interview were conducted during the audit smoothly. The finding report was signed during the closing meeting, the facility management agreed the findings. No comment was provided.

Remark:

1-In the compound, there were 3 factories, including the audited facility, the landlord and one other factory. The production areas were separated with each other. The 3 factories had independent business licenses; the leased contract was provided for review. There was no employee exchange noted or reported. The 3 factories had different uniforms. The facility management stated that there was no business relationship with each other. Due to these reasons, the other 2 factories were not in the audit scope.

2- The unit "set" was not in the Production and Employment Structure. So the auditor choose the unit "piece"

3- The facility provided the copy of the House proprietary certificate for review during the audit, instead of the original file. The facility management explained the building was rented from the landlord and the facility did not have the original file.

4-There was no agencies used by the auditee, which made the agency labour contract not applicable. There was no contractor used by factory, which made contractor license/permit not applicable. Factory was not required to obtain government waiver, which made government waiver not applicable. Workers did not have collective bargaining which made collective bargaining agreements not applicable.

5-Auditor: Lisa Shen, CSCA 21702490

Auditing company: TUV Rheinland, APSCA Number:11600007

6- In the previous audit report, the facility address was No.2, Meifang Road, Dongqian Lake Tourist Holiday Zone, Ningbo City, Zhejiang Province-浙江省宁波市东钱湖旅游度假区梅方路2号. But in the current audit, the facility management confirmed they wanted to use the address of No. 2 MEIFANG ROAD, DONGQIAN LAKE TOURIST RESORT, NINGBO, ZHEJIANG, CHINA中国浙江省宁波市东钱湖旅游度假区梅方路2号. The facility management stated that they did not move location, the 2 addresses were the same location and only the description was different. The current address description was the normal used and the same as the Record registration form for foreign trade dealers.

Site Details

Site : NINGBO BMAG TOY CO.,LTD

Site amfori ID : 156-005518-002

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	2280 Monthly
Lowest wage paid for regular work at the site	2280 Monthly
Calculated living wage in local currency	2472 Monthly
Total sample	10 Workers

Other Metrics

Male workers	14 Workers
Female workers	33 Workers
Permanent workers - Male	14 Workers
Permanent workers - Female	33 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	1 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	12 Workers
Domestic migrant workers - Female	32 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	14 Workers
Workers hired directly - Female	33 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 facility had set up the social accountability management system, but failed to implement its social accountability management system effectively. For example, the facility did not control the monthly overtime and did not provide social insurance to all employees. The management explained that they were lack of manpower and cost budget etc. to correct the problems.

工厂有建立社会责任管理体系，但是没有有效实施其社会责任管理体系。比如，工厂没有控制月加班，没有提供社保给所有员工。工厂管理人员解释他们缺乏人力和成本预算来改善这些问题。

The facility had set up a workforce capacity planning procedure, but did not implement it effectively. Based on document review and management interview, the facility did not control workers' monthly overtime hours within legal requirement when planning production. The management stated that they had to arranged excessive overtime hours for workers due to tight deliver time and lack of workers.

工厂制定了一个产能规划程序，但是没有有效实施它。根据文件审查和管理人员访谈，工厂在计划生产时没有控制员工的月加班在法规要求范围内。管理人员说由于交期紧张以及缺少工人，他们不得不安排超量的加班时间给工人。

PA 2: Workers Involvement and Protection

The facility used suggestion box as one channel of grievance mechanism, however the suggestion box was installed outside of the security guard rooms, which was in the view of the security guard, and it could not ensure the privacy of employee who is using it could be protected properly. Besides, the facility did not receive any grievance record from the suggestion box in past one year.

工厂采用了意见箱作为员工的申诉渠道之一，但意见箱安装在保安室外面，是在门卫的视野中，不能确保员工私下申诉时得到合理的保护。且过去一年工厂没有通过意见箱收集到任何申诉记录。

PA 5: Fair Remuneration

There were 47 employees in the facility, no retired employee or new employee. Thus, total all the 47 employees should be provided with social insurance. However, as per the social insurance receipts of the past 12 months and the social insurance system of September 2022, it was noted that the facility did not provide the social insurance (retirement insurance, medical insurance, unemployment insurance, child-bearing insurance and work-related injury insurance) to 9 employees. The interviewed employees stated that some of them did not want to pay for the social insurance and they refused the social insurance. Reference laws: PRC Labor Law article 72 and Social Insurance Law of the People Republic of China, Article 10, 23, 33, 44 and 53.

工厂有47名员工，没有退休员工和新员工。因此，所有47名员工应被提供社保。但是，根据过去12个月的社保发票和2022年9月的社保系统，发现工厂没有提供社保（养老保险，医疗保险，失业保险，生育保险和工伤保险）给9名员工。访谈的员工说他们中的一些不想支付社保，他们拒绝了社保。参考法规：《中华人民共和国劳动法》第72条和《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。

PA 6: Decent Working Hours

The facility did not control the monthly overtime as per the local law. The local law required the monthly overtime within 36 hours. The facility management stated that they arranged the overtime based on the order and they could not ensure the monthly overtime within the limit. The time records of December 2021, April 2022 and September 2022 were sampled for 10 employees, it was noted that all the sampled employees conducted excessive monthly overtime in December 2021, April 2022 and September 2022, up to 58 hours, 58 hours and 50 hours respectively. Remark: The maximum monthly overtime in October 2022 (1st to 31th) were 56 hours for all the sampled employees. Reference laws: Labor Law of the P.R.C, Article 41

工厂没有根据当地法律控制月加班。当地法律要求月加班在36小时内。工厂管理人员说他们根据订单安排加班，并且他们不能确保月加班在限制内。2021年12月，2022年4月和2022年9月有10名员工被抽样，发现所有抽样的员工在2021年12月，2022年4月和2022年9月有超时月加班，分别达到58小时，58小时和50小时。备注：所有抽样员工在2022年10月（1号到31号）的最大月加班56小时。参考法规：《中华人民共和国劳动法》第41条。

PA 7: Occupational Health and Safety

There were total 47 employees in the facility. But the facility only provided work related injure insurance to 38 employees, the other 9 employees were not provided with work related injure insurance or commercial insurance. Reference law: Social Insurance Law of the People's Republic of China, Article 33

工厂一共有47名员工。但是工厂只提供了工伤保险给38名员工，其他9名员工没有被提供工伤保险或者商业险。参考法规：中华人民共和国社会保险法，第33条。

PA 7: Occupational Health and Safety

It was noted that the risk assessment on health and safety was conducted only by the facility management, there was no worker or worker representative participate in the risk assessment.

发现关于健康安全风险评估只是由管理人员做的，没有员工或者员工代表参与风险评估。

PA 12: Protection of the Environment

The facility obtained the EIA report and the EIA approval in 2020. But the facility did not complete the environmental protection acceptance of the construction project so far. Reference law: Measures for Administration of Environmental Protection Acceptance Check upon Completion of Construction Project, Article 17

工厂在2020年获得了环评报告和环评批复。但工厂至今尚未完成建设项目竣工环境保护验收。参考法规：《建设项目竣工环境保护验收管理办法》，第17条

There was waste gas generated in the injection section and ultrasonic welding section. But the facility did not supervise its waste air emission of organic gas on periodic basis to ensure achieve the discharging standard. Reference law: Measures for the Administration of Environmental Surveillance, Article 21.

工厂在注塑车间和超声波焊接车间有产生废气。但是工厂未定期监测有机废气的排放，以确保其达到排放标准。参考法规：环境监测管理办法，第21条。