

Monitoring result for YILAI ENLIGHTING LTD on site YILAI ENLIGHTING LTD

Monitoring

Monitored Party : YILAI ENLIGHTING LTD
amfori ID : 156-004323-000
Site : YILAI ENLIGHTING LTD
Site amfori ID : 156-004323-001
Address : Floor 6-8, Yilai building, No 3 Commercial Street, 3rd industrial Zone, Wuguishan Town
: 528400, Zhongshan
: Guangdong Sheng
: China
Monitoring Activity : amfori Social Audit - Manufacturing
Monitoring Type : Full Monitoring
Monitoring Partner : TUV Rheinland
Monitoring Start Date : 21/02/2023
Closing Meeting : 22/02/2023
Finished Date :
Submission Date : 01/03/2023
Expiration Date : 01/03/2024

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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

The auditee was established in June 2006 and located at Floor 6-8, Yilai building, No 3 Commercial Street, 3rd industrial Zone, Wuguishan Town, Zhongshan, Guangdong, China(中国广东省中山市五桂山第三工业区商业大街3号之一亿莱大厦第六、七、八层). The auditee used the 6-8 floors of one 8-storey building with a construction area of about 6660 square meters for warehouse, office and production workshop. The rest floors of the building was used by other factories or vacant during the audit period based on site tour. Based on worker interview, management representatives confirmation and onsite tour, no shared workforce or workshop were used between the auditee and the other factories in the same building. The auditee specialized in manufacturing of electronic scales and the main production process included assembly, testing, QC and packing. No dormitory, canteen/kitchen and transportation were provided by the auditee. The peak season in production was not obvious, no subcontracted workers, temporary workers, agent labor and student workers were hired by the auditee. The management representatives adopt cooperative and open attitude throughout the audit. A private and independent room was provided for document review and worker interview. All required documents were provided in a timely manner. A closing meeting was held with the management representatives and all of the findings were discussed and agreed by the auditee. The management representatives and worker representative signed on the finding report and demonstrated their willingness to improve the identified findings.

Remark:

- 1) There was no agency used by the auditee, which made the agency labor contract not applicable. The auditee did not obtain government waiver, which made government waiver not applicable. No collective bargaining agreements was signed in the factory, which made the collective bargaining agreements not applicable. There was no contractor used by the auditee, which made the contractor license not applicable.
- 2) The auditee address in English per the business license should be "Floor 6-8, No 3 Commercial Street, 3rd industrial Zone, Wuguishan Town, Zhongshan" (中山市五桂山第三工业区商业大街3号之一第六、七、八层), however, to make the auditee easily found in the industrial zone, the auditee management representatives confirmed that "Yilai building"(亿莱大厦) should be added in the English address. The auditee relocated from NO. 6 OUYA ROAD, TORCH DEVELOPMENT ZONE, Zhongshan (中山市火炬开发区欧亚路6号, "old location" hereafter as) to Floor 6-8, Yilai building, No 3 Commercial Street, 3rd industrial Zone, Wuguishan Town, Zhongshan, Guangdong, China (中国中山市五桂山第三工业区商业大街3号之一亿莱大厦第六、七、八层, "current location" hereafter as) since November 2022 and more than 90% employees came from the old location to the current location for working. There was no change in the management teams. No security guards were hired by the auditee and the landlord hired the security guards in charge of the safety affairs of the whole industrial zone. On 21 February 2023, after the lunch meal, the auditor conducted the document review without the accompany of the management representatives from 12:45-13:15.
- 3) For living wage, a. No anker wage was available for the producers' location, so we used the data provided by auditing company. b. The calculation methodology refers to anker living wage structure. c. The data comes from the local bureau of statistics for the current year.
- 4) Announcement type: Semi-Announced, Monitoring date: 21-22 Feb.,2023.
- 5) Lead auditor: Cathy Duan, CSCA, registration number: 21700031
- 6) Auditing company: TUV Rheinland, APSCA Number: 11600007

Site Details

Site : YILAI ENLIGHTING LTD

Site amfori ID : 156-004323-001

GICS Classification

Sector : Consumer Discretionary

Industry Group : Consumer Durables & Apparel

Industry : Household Durables

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	79 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	2233 Monthly
Total sample	13 Workers

Other Metrics

Male workers	32 Workers
Female workers	47 Workers
Permanent workers - Male	32 Workers
Permanent workers - Female	47 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	2 Workers
Apprentices - Male	0 Workers
Apprentices - Female	0 Workers
Workers on probation - Male	4 Workers
Workers on probation - Female	3 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	20 Workers
Domestic migrant workers - Female	27 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	32 Workers
Workers hired directly - Female	47 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	7 Workers

Findings

PA1: Social Management System

According to the amfori BSCI Code of Conduct and the requirements of local laws and regulations, the auditee established relevant procedures of social responsibility management system and implemented the procedures into daily production. However, there were gaps between the actual implementation of the auditee and the requirements of amfori BSCI and local laws and regulations, such as insufficient social insurance, excessive overtime work and so on. The management representatives of the auditee said that it took time to improve the issues of excessive overtime hours and insufficient social insurance coverage, for the other identified issues, the auditee would analyze the root cause and make improvements and establish preventive measures.

被审核方根据amfori BSCI行为守则和当地法律法规的要求建立了社会责任管理体系的相关程序并在日常生产中执行该程序，但是被审核方在实际执行中与amfori BSCI和当地法律法规的要求存在差距，如社保不足，加班超时等。被审核方管理代表表示，加班超时和社保覆盖率不足问题的改善尚且需要时间，对于识别的其他问题，被审核方会分析根本原因并进行改善和建立预防措施。

The auditee had established written production cost and capacity planning and order delivery control procedures, as well as provided production plan records. However, the production plan was formulated based on orders, delivery time and manpower, which failed to combine with the control of overtime hours, resulting in the monthly overtime work of sampled employees exceeding the requirements of laws and regulations.

被审核方建立了书面的生产成本与产能规划及订单交付控制程序，也提供了生产计划的记录，但生产计划是基于订单，交期和人力来制定的，未能结合加班时间的管控，导致抽样员工的月加班超出法规的要求。

PA 2: Workers Involvement and Protection

The auditee defined long-term goals to protect workers according to the amfori BSCI Code of Conduct and its current situation and performance of social responsibility, but the long-term goals lacked an executable plan for gradual improvement and the auditee did not follow up the implementation of the long-term goals to ensure the achievement of the goals.

被审核方根据amfori BSCI行为准则及其社会责任的现状和表现定义了长期的目标去保护员工，但是长期目标缺少逐步改进的可执行的计划且被审核方未对长期目标的实施情况进行跟进以确保目标的达成。

The auditee posted the amfori BSCI COC in Chinese version on the workshop bulletin board and provided trainings on social responsibility to employees, but approximately 40% of the interviewed workers were not aware of the basic requirements of the amfori BSCI Code of conduct, such as decent working hours and worker participation and protection.

被审核方在车间公告栏张贴中文版的amfori BSCI COC并为员工提供社会责任方面的培训，但是大约40%被访谈的员工不了解amfori BSCI行为准则的基本要求，如体面的工作时间，员工的参与和保护等。

PA 5: Fair Remuneration

During the audit, the auditee had 79 employees, including 7 employees who reached the retirement age and 7 new employees who were hired for less than one month, so 65 employees needed to participate in the insurance. The auditee showed the social insurance records of the past 1 year. According to records of January 2023, the auditee did not provide pension insurance, medical insurance, work-related injury insurance, maternity insurance and unemployment insurance to 16 of the 65 eligible employees. Interviews with management representatives and workers showed that social insurance was purchased voluntarily, some employees were not willing to bear the personal part of social insurance, and some bought the new rural cooperative medical insurance in their hometowns. The auditee did not collect records of workers' participating in the new rural cooperative medical insurance. Reference law: Social insurance Law of PRC, article 10, 23, 33, 44, 53.

审核期间被审核方一共有79名员工，包含7名达到退休年龄员工和7名入职不到一个月的新员工，所以65名员工需要参保。被审核方展示了过去1年的社保记录。根据2023年1月的记录，被审核方没有给符合条件的65个员工中的16名员工提供养老保险，医疗保险，工伤保险，生育保险和失业保险。管理代表和员工访谈显示社保是自愿购买的，有一些员工不愿意承担社保个人部分，有一些已经在老家买了新农合保险。被审核方没有收集员工参加新农合保险的记录。参考法规：中华人民共和国社会保险法，第10条，23条，33条，44条和53条。

PA 6: Decent Working Hours

The auditee had provided the attendance record from 1 February 2022 to 21 February 2023 (the first day of the audit) for review. The auditee's production had no obvious off-peak season. The attendance records of 13 randomly sampled workers in October 2022, December 2022 and January 2023 were analyzed and cross-verified with production records and worker interviews. It was found that the maximum overtime work of sampled workers in these three months was 68 hours, 84 hours and 36 hours respectively. Management representatives understood the upper limit of overtime hours, but currently the auditee did not have an effective mechanism to control overtime hours, but it ensured that worker should have at least 1 day off every 7 days. Worker interviews indicated that overtime work was voluntary and they had no complaints about the current working schedule. Remarks: The maximum monthly overtime of February 2023 (up to 21 February 2023) was 52 hours. Reference law: China Labour Law, article 41.

PA 6: Decent Working Hours

被审核方提供了2022年2月1日到2023年2月21日（审核第一天）的考勤以供查阅。被审核方的生产没有明显淡旺季。随机抽样13名员工在2022年10月，2022年12月和2023年1月的考勤记录进行分析并与生产记录和员工访谈交叉验证，发现抽样员工在这三个月的最大月加班分别为68小时，84小时和36小时。管理代表了解加班时间的上限，但是目前被审核方没有有效的机制管控加班时间，但是有确保员工每7天至少有1天休息。员工访谈表示加班是自愿的，他们对目前工作时间安排没有抱怨。备注：2023年2月（截止到2023年2月21日）的最大月加班为52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

1) The auditee collected health and safety laws and regulations, but some of the collected laws and regulations were not the latest. For example, the collected Fire Protection Law of the People's Republic of China was the 2009 version, and the Production Safety Law of the People's Republic of China was the 2014 version, rather than the latest 2021 version. 2) The auditee did not provide pre-job, on-the-job and post-job occupational health examination for workers exposed to occupational hazards, such as the workers of soldering positions exposed to the occupational hazards of soldering dust, etc. Reference law: Law of the People's Republic of China on Prevention and Control of Occupational Diseases, article 35.

1) 被审核方有收集健康和安全的法律法规，但是收集的部分法规不是最新的，如收集的中华人民共和国消防法是2009版本的，中华人民共和国安全生产法是2014版本，而不是最新的2021版本的。2) 被审核方未为接触职业危害的员工提供岗前，在岗和离岗职业健康体检，如焊锡岗位的员工接触焊锡烟尘的职业危害等。参考法规：《中华人民共和国职业病防治法》第三十五条。

During the audit, the auditee had 79 workers and the auditee only bought work-related injury insurance for 49 workers and 30 employees did not participate in any insurance. The management representative said that they had already contacted with the social insurance company and would purchase commercial insurance for employees who did not participate in social insurance as soon as possible. Reference law: Social Insurance Law of the People's Republic of China, article 33.

审核期间被审核方有79名工人，被审核方仅为49人购买了工伤保险，还有30名员工未参加任何保险。管理代表表示已经联系了保险公司会尽快为未参加社保的员工购买商业保险。参考法规：中华人民共和国社会保险法，第三十三条。

The auditee had conducted two fire drills at the old location in the past year and kept relevant records. However, the auditee failed to organize relevant fire drills at the current location. Reference law: the Provisions on the Administration of Fire Safety for State Organs, Organizations, Enterprises and Institutions, article 40.

被审核方在过去1年在旧场所进行了2次消防演习并保存了相关记录，但是被审核方未能在当前场所组织相关的消防演习。参考法规：《机关、团体、企业、事业单位消防安全管理规定》第40条。

Based on the site observation, it was found that one distribution box on the 6th floor of the production workshop was not insulated with insulated inner cover, and part of the live body was exposed. Management representatives confirmed that they would conduct a thorough investigation and ensure that all distribution boxes should be equipped with insulated inner cover. Reference law: Code for Design Of low Voltage Electrical Installations GB50054-2011, article 5.1.1.

现场审核发现生产车间6楼的1个配电箱没有安装绝缘内盖，部分带电体裸露。管理层会进行全面排查并确保所有配电箱有安装绝缘内盖。参考法规：《低压配电设计规范》，第5.1.1条

PA 10: No Precarious Employment

3 out of 13 sampled workers reached retirement age, but the auditee signed a labor contract instead of a retirement re-employment agreement. Reference law: Notice on Several Issues Concerning the Implementation of the Labor Contract System, article 13.

抽样的13名工人中有3名达到退休年龄，但是被审核方签署的是劳动合同而不是退休返聘协议。参考法规：《关于实行劳动合同制度若干问题的通知》，第13条。

PA 12: Protection of the Environment

The auditee had no effective mechanism to ensure that the collected environmental regulations related to its operations were up to date. According to the provided law list, it was found that the collected Environmental Impact Assessment Law of the People's Republic of China was the 2003 version, but not the latest 2018 version; the collected National Hazardous Waste List was the 2008 version, but not the latest 2021 version.

被审核方没有有效的机制确保收集的跟其运营相关的环境方面的法规是最新的。根据提供的法规清单，发现收集的《中华人民共和国环境影响评价法》是2003版本不是最新的2018版本，收集的《国家危险废物名录》是2008版本，不是最新的2021版本的。