

Monitoring result for Shenzhen Toploud Electronic Co.,Ltd on site Shenzhen Toploud Electronic Co.,Ltd



Monitoring

Monitored Party : Shenzhen Toploud Electronic Co.,Ltd
amfori ID : 156-004991-000
Site : Shenzhen Toploud Electronic Co.,Ltd
Site amfori ID : 156-004991-002
Address : D Building 3-4 Floors, No.44 Keng Wei Road, Shang Wu Community, Shiyan Street, Baoan District
: Shenzhen
: Guangdong Sheng
: China
Monitoring Activity : amfori Social Audit - Manufacturing
Monitoring Type : Follow-up Monitoring
Monitoring Partner : Bureau Veritas Hong Kong Limited
Monitoring Start Date : 23/03/2023
Closing Meeting : 23/03/2023
Finished Date :
Submission Date : 30/03/2023
Expiration Date : 06/04/2024

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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	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 (the name in Chinese was ‘深圳市旭轩电子有限公司’, Business License No. was 91440300695587986F) was established on October 21, 2009 and located at D Building 3-4 Floors, No.44 Keng Wei Road, Shang Wu Community, Shiyan Street, Baoan District, Shenzhen, China. (Address in Chinese was ‘深圳市宝安区石岩街道上屋社区坑尾大道44号D栋三层四层’). The auditee specialized in the manufacture of chargers, Bluetooth earphone and headphone. The main produce processes included injection, assembly, inspection and packing.

The facility occupied the whole 3rd floor and part of 4th floor of one 6-storey building as production floor, warehouse and office. No transportation, dormitory or canteen were provided to employees.

There was a total of 79 employees, which included 38 males and 41 females. The youngest employee noted during this audit was 19 years old.

The factory adopted finger printing attendance system to record working hours of employees. Per management interview and document review, injection workers worked in two shifts, the day shift was 8:00-20:00 and the night shift was 20:00-8:00; other production workers worked in one shift, the working hour was 8:00-12:00, 13:30-17:30. Wages of employee were paid on 7th of the following month by bank transfer with wage stubs issued to employees and the employees’ signatures on the payrolls. Per payroll review and interviews with management and employees, all employees were paid by hourly rate.

During the audit, employees’ time records wage record was sampled as follows for working hour and wage testing: each 5 samples of employees from the current paid month of February 2023, random month of August 2022 and December 2022. According to the sampled time records, it was noted that the maximum overtime working hours were 3 hours per working day, and 86 hours per month. Employees worked consecutive 6 days at most.

According to the sampled payroll records, it was noted that all employees were paid at least RMB13.57 per hour as equivalent to RMB2360 per month during tested period, which was same as local minimum wage standard. Employees’ overtime hours worked on weekdays, weekends were paid with 150%, 200% of employee’s normal wage, which was compliance with legal requirement. No overtime was ever arranged on holiday.

According to the social insurance payment receipt provided by auditee management, it was noted that 31 out of 79 employees (39%) were provided with pension insurance, 41 out of 79 employees (52%) were provided with accident, unemployment, medical and maternity insurance in February 2023. Commercial accident insurance was provided to the rest employees with valid period from September 26, 2022 to September 25, 2023.

A closing meeting was held with the factory representatives and all the findings were discussed. Mr. Yin Xiao Ren/Admin Manager; Ms. Wang Li Xiang/Worker Representative attended the open meeting and the closing meeting and signed the onsite CAP and agreed to take corrective actions.

Remark:

1. There was no contracted or agency worker used, no collective bargaining agreement was signed and no government waiver was obtained, either. Thus, no photo attached for the relevant documents.
2. Basic need wage was quoted from the GLWC website, refer to the attachment for detail.
3. There were more than 10 companies located within the same production building, per factory tour, document review and interview, no sharing of labor or equipment was noted, those others sites were not included in the audit scope.
4. This audit was a partial scope follow up audit where another audit body had carried out the initial audit on March 28 to 29, 2022. Bureau Veritas does not accept any liability for any issues missed in the initial audit. This audit is focusing on issues that audit had raise. No finding was noted in Performance area 12, this section was not check in this audit.
5. Audit Company: Bureau Veritas Consumer Products Service
Audit Company APSCA Number: 11600002
Lead Auditor Name: Jane Li
APSCA Auditor Registered Number: CSCA 21701257
Announcement Type: Fully Announced
Monitoring Date: March 23, 2023

Site Details

Site : Shenzhen Toploud Electronic Co.,Ltd

Site amfori ID : 156-004991-002

GICS Classification

Sector : Consumer Staples

Industry : Personal Products

Industry Group : Household & Personal Products

Sub Industry : Personal Products

amfori Process Classifications

N.A.

GS1 Classifications

N.A.

NACE Classification

N.A.

Water Stress Situation

N.A.

Metrics

Key Metrics

Total workforce	79 Workers
Legal minimum wage in local currency	2360 Monthly
Lowest wage paid for regular work at the site	2360 Monthly
Calculated living wage in local currency	3235 Monthly
Total sample	5 Workers

Other Metrics

Male workers	38 Workers
Female workers	41 Workers
Permanent workers - Male	38 Workers
Permanent workers - Female	41 Workers
Temporary workers - Male	0 Workers
Temporary workers - Female	0 Workers
Seasonal workers - Male	0 Workers
Seasonal workers - Female	0 Workers
Management - Male	2 Workers
Management - Female	2 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	5 Workers
Workers with night shift - Female	5 Workers
Workers with disabilities - Male	0 Workers
Workers with disabilities - Female	0 Workers
Domestic migrant workers - Male	37 Workers
Domestic migrant workers - Female	37 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	38 Workers
Workers hired directly - Female	41 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	3 Workers

Findings

PA1: Social Management System

Previous finding: The factory had implemented laws and BSCI requirement via establishing social management system. However, the management system needed to be improved because non-compliances are identified in below Performance Areas such as Fair Remuneration, Decent Working Hour, and OHS etc. Corrective action not taken: The factory had implemented laws and BSCI requirement via establishing social management system. However, the management system needed to be improved because non-compliances are identified in below Performance Areas such as Fair Remuneration, Decent Working Hour, and OHS etc.

前次问题：工厂通过建立社会责任管理体系来执行法规和BSCI的要求。然而，因为在以下的体面公平报酬，工作时间，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地方。尚未改善：工厂通过建立社会责任管理体系来执行法规和BSCI的要求。然而，因为在以下的体面公平报酬，工作时间，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地方。

Previous finding: The factory did not conduct effective production cost calculation and employees' monthly overtime has exceeded the legal limit. Corrective action not taken: The factory had established the production capacity and costs procedure and arranged the production plan corresponding, but the factory did not organize its workforce capacity effectively to meet the expectations of the delivery order, which resulted workers' monthly OT hours exceeded local legal requirement. In accordance with Performance Area 1: Social Management System and Cascade Effect 1.4

前次问题：工厂未进行有效的生产成本核算，另外工人的月加班时间也超过了法规限值。尚未改善：工厂建立产能及成本核算程序并依此安排生产计划，但是因工厂未能有效的组织起员工的生产能力以满足订单需求而导致员工的月加班时间超出法规要求。根据执行领域1：社会管理体系和级联效应1.4

PA 2: Workers Involvement and Protection

Previous finding: Trainings on BSCI code of conduct & TOI were provided to workers' representatives and managements, however, no training effectiveness evaluation had been conducted, interviewed worker representatives were not clear about basic requirement and concept on BSCI code of conduct and TOI. Corrective action not taken: Trainings on BSCI code of conduct & TOI were provided to workers' representatives and managements, however, no training effectiveness evaluation had been conducted, some of the interviewed workers were not clear about basic requirement and concept on BSCI code of conduct and TOI.

前次问题：工厂对员工代表和管理层进行了BSCI行为守则和商业伙伴实施条款的主题的培训，但是，工厂没有做培训效果评估，受访的员工代表都不清楚基本的BSCI行为守则和商业伙伴实施条款要求和概念。尚未改善：工厂对员工代表和管理层进行了BSCI行为守则和商业伙伴实施条款的主题的培训，但是，工厂没有做培训效果评估，受访的部分员工代表都不清楚基本的BSCI行为守则和商业伙伴实施条款要求和概念。

PA 5: Fair Remuneration

Previous finding: As per records of March 2022, there were total 96 employees in the facility (0 retiree worker and 0 newly joined worker in the facility in March 2022. No temporary/dispatched employee), according to the social insurance receipts of March 2022, the facility provided injury insurance, unemployment insurance, maternity insurance and medical insurance to 46 out of 96 employees who are entitled to purchasing social insurances, the coverage rate was 47.92%. The facility provided retirement insurance to 31 out of 96 employees who are entitled to purchasing social insurances, the coverage rate was 32.29%. As per interviews, the reason for workers not joining social insurance was they felt it was useless because they did not have chance to use it for a long time. Group commercial insurance had been provided for 87 out of 96 employees, the coverage rate was 90.63%, the valid period is from February 22, 2022 to February 21, 2023. (China Labor Law, Article 72 and 73) Corrective action not taken: Social insurance was not provided to all employees. According to the social insurance payment receipt provided by auditee management, it was noted that 31 out of 79 employees(39%) were provided with pension insurance, 41 out of 79 employees (52%) were provided with accident, unemployment, medical and maternity insurance in February 2023. Commercial accident insurance was provided to the rest employees with valid period from September 26, 2022 to September 25, 2023. In accordance with Article 73 of the Labor Law of the People's Republic of China.

前次问题：根据2022年3月份的记录，工厂一共有96人，（有0个退休员工，有0位在2022年3月新进厂员工。无临时工/派遣工），2022年3月社保收据显示工厂为96位应该购买社保的员工中的46名提供了工伤保险，失业保险，生育保险和医疗保险，参保率47.92%。工厂为96位应该购买社保的员工中的31名提供了养老保险，参保率32.29%。根据访谈得知，员工没有参加社保的原因是他们觉得社会保险用处不大，在很长一段时间内他们没有机会使用。工厂给96名员工中的87名提供了团体商业保险，参保率90.63%，有效期为2022年2月22日到2023年2月21日。尚未改善：审核员发现工厂的社会保险覆盖不足。根据厂方提供的2023年2月社会保险缴费记录显示工厂为31/79名员工(39%)提供了养老保险，为41/79名员工（52%）提供了失业，生育，工伤和医疗保险。工厂为余下员工提供了有效期为2022年9月26日到2023年9月25日的商业意外保险。根据《中华人民共和国劳动法》第73条。

PA 6: Decent Working Hours

Previous finding: 11 workers' time attendance records and payroll records of November 2021 (random selected), December 2021 (random selected) and February 2022 (current paid month) are sampled, it is noted that all 11 workers' monthly overtime hours are 67-84 hours in November 2021, 74-84 hours in December 2021, which exceed legal law limit of 36 hours per month. All 11 workers' monthly overtime hours are 20-22 hours in February 2022, which have not exceeded legal law limit of 36 hours per month. (Labor Law of the People's Republic of China (1995), Article 41.) Corrective action not taken: It was noted that 15 out of 15 sample population employees worked in excess of the statutory overtime hour limits. A review of 15 sample population employees' time records (5 samples from current paid month of February 2023, 5 samples from month of August 2022, 5 samples from month December 2022) yielded the following: 5 out of 5 sample population employees' monthly overtime in February 2023 reached 62 to 64 hours, which had exceeded the legal limited of 36 hours per month. 5 out of 5 sample population employees' monthly overtime in December 2022 reached 74 to 86 hours, which had exceeded the legal limited of 36 hours per month. 5 out of 5 sample population employees' monthly overtime in August 2022 reached 80 to 86 hours, which had exceeded the legal limited of 36 hours per month. In accordance with Article 41 of the Labor Law of the PRC.

前次问题: 抽取了11名员工2021年11月(随机抽选), 2021年12月(随机抽选)和2022年2月(当前发薪月)的考勤及工资记录, 发现全部11个员工2021年11月加班时间为67-84小时, 2021年12月加班时间为74-84小时,超过了法律限定的月36小时。全部11个员工2022年2月加班时间为20-22小时, 没有超过法律限定的月36小时。尚未改善: 根据厂方提供的工时记录, 审核员发现员工加班时间超出了法定标准。审核员从厂方提供的工时记录中抽取15个样本(从最近工资支付月份2023年2月, 从2022年8月, 从2022年12月各抽取5个), 发现共有15名员工加班时间超出了法定标准, 具体为: 5/5名抽样员工在2023年2月的加班时间为62-64小时, 超出法定月加班不能超过36小时的标准。5/5名抽样员工在2022年12月的加班时间为74-86小时, 超出法定月加班不能超过36小时的标准。5/5名抽样员工在2022年8月的加班时间为80-86小时, 超出法定月加班不能超过36小时的标准。根据《中华人民共和国劳动法》第41条。

PA 7: Occupational Health and Safety

1. Previous finding: The OHS system such as policies and procedures as per local law requirements & customers' requirements are built. However, the factory did not fully comply with applicable laws and regulations due to health and safety issues are found. Corrective action not taken: The OHS system such as policies and procedures as per local law requirements & customers' requirements are built. However, the factory did not fully comply with applicable laws and regulations due to health and safety issues are found. 2. Previous finding: The factory had conducted health and safety risk assessment in the factory as per work positions. However, 8 workers involved in operation exposed to occupational disease hazards, for example, positions exposing to noise and chemical etc., the factory did not arrange occupational health check for them. (PRC Law on Prevention and Control of Occupational Diseases (2002) Amendment (2018), Article 35) Corrective action not taken: The factory had conducted health and safety risk assessment in the factory as per work positions. however, it was noted that the factory had only provided the occupational health checks to employees in workshop who were in contact with hazardous materials (e.g., hazardous chemicals, noise and dust) when working in the position, no such occupational health checks were provided before taking the post and after leaving the post. (PRC Law on Prevention and Control of Occupational Diseases (2002) Amendment (2018), Article 35) Finding noted in previous audit regarding the occupational health checks was moved from 7.3 to 7.1, finding No.2 per the updated guidance.

1. 前次问题: 工厂基于当地法规和客户要求对于职业健康和安全的要求建立了机制包括政策和程序。但是, 由于在健康安全方面存在发现点, 因此工厂没有完全遵守所用的法律法规。尚未改善: 工厂基于当地法规和客户要求对于职业健康和安全的要求建立了机制包括政策和程序。但是, 由于在健康安全方面存在发现点, 因此工厂没有完全遵守所用的法律法规。2. 前次问题: 工厂针对工作岗位执行了风险评估, 但是, 有8名从事职业病危害作业的工人, 噪声和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。尚未改善: 工厂针对工作岗位执行了风险评估, 但审核员发现厂方仅为在车间接触有毒有害物质(例如: 危险化学品, 噪声和粉尘)的员工提供在岗期间的职业病体检, 但暂未有提供上岗前和离岗后的职业健康体检。根据《中华人民共和国职业病防治法》第35条。备注: 前次报告中关于职业健康体检的问题, 根据最新指引, 从7.3移到7.1。

New finding: It was noted that 2 out of 6 employees handling the n-hexane in the assembly workshop on the 3rd floor of production building did not wear the gloves and masks. It was noted that 2 out of 2 soldering employees in the assembly workshop on the 3rd floor of production building did not wear the dust proof mask. In accordance Article 42 of Law of the People's Republic of China on Production Safety.

新问题: 工厂生产楼3楼组装车间2/6名接触白电油的员工没有佩戴口罩和手套。工厂生产楼3楼组装车间2/2名焊接工人没有佩戴防尘口罩。根据《中华人民共和国安全生产法》第42条。

New finding: It was noted that glue and n-hexane containers being used in the assembly workshop on the 3rd floor of production building were not posted with a safety label. In accordance Article 14 of the Regulation For Chemical Usage Safety in Workplace:

新问题: 审核员发现生产楼3楼组装车间正在使用的盛装胶水和白电油的容器没有张贴安全标签。根据《工作场所安全使用化学品规定》第14条。

1. Previous finding: Safety guards are equipped for machines in the workshop and the factory management claims that regular inspection has been conducted to the machinery. However, there are no guard-rail installed on the 3 ladders (which are around 1.5 meters high) of injection molding machine in injection molding section. (Safety of machinery - Permanent means of access to machines and industrial plants - Part 3, Article 7.1, 7.1.1) Corrective action not taken: Safety guards are equipped for machines in the workshop and the factory management claims that regular inspection has been conducted to the machinery. However, there are no guard-rail installed on the 3 ladders (which are around 1 to 1.5 meters high) of injection molding machine in injection molding section. (Safety of machinery - Permanent means of access to machines and industrial plants - Part 3,

PA 7: Occupational Health and Safety

Article 7.1, 7.1.1) 2. New finding: It was noted that the safety latch was missing for the hook of 1 out of 4 hoists in the injection workshop. In accordance Article 6.1.6 of Code of Design of Manufacturing Equipment Safety and Hygiene

1. 前次问题：车间机器上安装了安全护罩，管理层称会定期对机器进行检查。但是，在注塑部门的注塑机的3个梯子（大约1.5米高）没有安装护栏。尚未改善：车间机器上安装了安全护罩，管理层称会定期对机器进行检查。但是，在注塑部门的注塑机的3个梯子（大约1-1.5米高）没有安装护栏。2. 新问题：审核员发现注塑车间1/4个起重机的吊钩缺乏防止脱钩的保险装置。根据《生产设备安全卫生设计总则(GB5083-1999)》第6.1.6条

PA 10: No Precarious Employment

Previous finding: The factory signed labor contracts with all employees, copies of labor contracts were provided to employees, however, not all employees are covered with 5 types of social insurances. Corrective action not taken: The factory signed labor contracts with all employees, copies of labor contracts were provided to employees, however, not all employees are covered with 5 types of social insurances.

前次问题：工厂和所有的员工均签订了劳动合同，劳动合同的副本提供给了员工，但是，不是所有员工都有覆盖5种社保。
尚未改善：工厂和所有的员工均签订了劳动合同，劳动合同的副本提供给了员工，但是，不是所有员工都有覆盖5种社保。