

Monitoring result for Dongguan Boyuan Eastar Co.,Ltd on site Dongguan Boyuan Eastar Co.,Ltd

Monitoring

Monitored Party : Dongguan Boyuan Eastar Co.,Ltd
amfori ID : 156-015796-000
Site : Dongguan Boyuan Eastar Co.,Ltd
Site amfori ID : 156-015796-001
Address : No.129, Qingxi Dongfeng Road, Qingxi Town,
523660, Dongguan
Guangdong Sheng
China
Monitoring Activity : amfori Social Audit - Manufacturing
Monitoring Type : Full Monitoring
Submission Date : 26/07/2022
Expiration Date : 26/07/2023

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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	C
PA 6: Decent Working Hours	D
PA 7: Occupational Health and Safety	B
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

The audited factory was established on December 18, 2019; its business license number was 91441900MA5478KG8B. The factory name in Chinese on Business License was 东莞市博源易思达益智科技有限公司, the factory address in Chinese on Business License was 广东省东莞市清溪镇清溪东风路129号一栋101室.

The audited factory occupied two 2-storey production buildings, one flat warehouse building, one 3-storey office building and one 4-storey dormitory building, the canteen was located on the 1st floor of the dormitory building. No transportation was provided.

The factory specialized in the production of Toys. Production processes included injection, paint spraying, pad printing, assembly and packing. The peak season was not obvious during the past 12 months.

There were 98 employees in the factory, included 54 male employees and 44 female employees. The youngest employee in the factory was 18 years old.

The factory adopted finger scan system to record working hours of employees. As per the factory management, the factory arranged one shift for employees excepted the injection workshop, which was from 8:00 to 17:30 with lunch break from 12:00 to 13:30. There were 2 shifts arranged for the injection workshop, day shift was from 8:00 to 20:00 and night shift was from 20:00 to 8:00. Wage of employee was paid before the end of the following month by cash with wage stubs issued to employees.

Per payroll review and interview with management and employees, they were paid by hourly rate. During the audit, 30 employees' attendance records and payrolls were sampled as follows for working hour and wage testing: 10 samples from current paid month of May 2022, 10 samples from February 2022 and 10 samples from December 2021 respectively. Auditors noted that all sampled employees were paid no less than local minimum wages and were paid per law requirement for the overtime hours worked during the test period. According to all samples' time records, auditors noted that they worked at most 86 overtime hours per month and 2 overtime hours per day. The longest consecutive working day was 6 days.

According to the social insurance payment receipt provided by factory management, it was noted that 40 out of 98 employees (41%) were provided with pension, accident, medical, maternity and unemployment insurance in June 2022. The factory had provided commercial accident insurance to 40 employees with valid period from June 29, 2022 to June 28, 2023.

A closing meeting was held with factory representatives and all findings were communicated to them along with corresponding corrective action plans and they signed the onsite CAP and agreed to take corrective actions.

Remarks:

1. Attendance person list: Mr. Zhang Hongchen/Supervisor and Ms. Duan Daiyu/Worker Representative

2. There were no agency or contractor was used by the factory, which made the agency labor contract and the contractor license/permit not applicable. No collective bargaining agreement/ government waivers/social insurance waivers were noted, which made these documents not applicable.

3. Audit Company: Bureau Veritas Consumer Products Service.

Audit Company APSCA Number: 11600002

Lead Auditor Name: Jane Li; APSCA Auditor Registered Number: CSCA 21701257

Member Auditor Name: Winking Guo; APSCA Auditor Registered Number: CSCA 21701131

Announcement Type: Fully Announced

Monitoring Date: July 19, 2022

Site Details

Site : Dongguan Boyuan Eastar Co.,Ltd
Site amfori ID : 156-015796-001

GICS Classification

Sector	: Consumer Discretionary	Industry	: Leisure Products
Industry Group	: Consumer Durables & Apparel	Sub Industry	: Leisure Products

amfori Process Classifications

N.A.

NACE Classification

N.A.

GS1 Classifications

N.A.

Water Stress Situation

N.A.

Metrics

Key Metrics

Total workforce	97 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	2090 Monthly
Total sample	10 Workers

Other Metrics

Male workers	53 Workers
Female workers	44 Workers
Permanent workers - Male	54 Workers
Permanent workers - Female	44 Workers
Temporary workers - Male	0 Workers
Temporary workers - Female	0 Workers
Seasonal workers - Male	0 Workers
Seasonal workers - Female	0 Workers
Management - Male	7 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	12 Workers
Workers with night shift - Female	9 Workers
Workers with disabilities - Male	0 Workers
Workers with disabilities - Female	0 Workers
Domestic migrant workers - Male	48 Workers
Domestic migrant workers - Female	42 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	54 Workers
Workers hired directly - Female	44 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	5 Workers
Sample - Female	5 Workers

Findings

PA1: Social Management System

It was noted that the facility partially respected the principle 1.1 because it was noted that the social accountability management system was not operated effectively, which resulted in the findings identified on PA1, PA2, PA5, PA6, PA7 and PA12. Please refer to BSCI PA1.1: The auditee has set up an effective management system to implement the BSCI Code of Conduct.

审核发现工厂部分遵守本原则1.1，因为工厂的管理体系没有有效运行，导致PA1, PA2, PA5, PA6, PA7 and PA12区域发现问题。请参看BSCI PA1.1：审核方（生产商）已确立执行BSCI行为守则的有效管理体系。

The factory did not recruit enough employees or organize its workforce capacity to meet the expectations of the delivery order and/or contracts, so that employees' overtime hours exceeded legal limit. The facility established capacity planning procedure, but it was not implemented effectively. Please refer to BSCI PA 1.4: The auditee should organize its workforce capacity to meet the expectations of the delivery order and/or contracts.

审核发现工厂没有足够的员工或者进行良好的生产组织来达成交付订单和/或合同预期，以至于员工加班超出法律规定。工厂制定了产能规划程序，但未有效实施。请参看BSCI PA1.4：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

1. It was noted that no evidence was provided to prove that grievance satisfaction surveys had been conducted by the factory. Please refer to BSCI PA2.5: The auditee establishes or participates in an effective grievance mechanism for individuals and communities. 2. The audited factory had established an effective grievance mechanism for individuals. However, no satisfactory evidence was provided to show that the audited factory had established an effective grievance mechanism for communities. Please refer to BSCI PA2.5: The auditee establishes or participates in an effective grievance mechanism for individuals and communities.

1. 审核员发现没有证据显示工厂有进行过申诉机制的满意度调查。请参看BSCI PA2.5：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。2. 被审核工厂有建立有效的个人申诉机制，但是没有满意证据显示被审核工厂有建立有效的团体申诉机制。参看BSCI PA2.5：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

The factory didn't collect the figure of decent living wage of its region to identify the possible gap and take potential action to fill the gap. Please refer to BSCI PA 5.4: The auditee provides sufficient remuneration that allows workers to meet a decent living standard.

工厂未能收集当地的体面生活工资，从而发现与其实际支付工资的差距，并致力于提供能满足员工基本生活需求的工资。请参看BSCI PA5.4：被审核方（生产商）提供让工人达到体面生活标准的足够报酬。

The social insurance was not provided to all employees. According to the social insurance payment receipt provided by factory management, it was noted that 40 out of 98 employees (41%) were provided with pension, accident, medical, maternity and unemployment insurance in June 2022. Commercial accident insurance was provided to 40 employees with valid period from June 29, 2022 to June 28 2023. In accordance with Article 73 of the Labor Law of the People's Republic of China.

审核员发现工厂的社会保险覆盖不足。根据厂方提供的2022年6月社会保险缴费记录显示工厂为所有40/98名员工(41%)提供了养老，工伤，医疗，生育和失业保险。工厂为40员工提供商业意外保险，有效期是2022年6月29日到2023年6月28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 30 out of 30 sample population employees worked in excess of the statutory overtime hour limits. A review of 30 sample population employees' time records (10 samples from current paid month of May 2022, 10 samples from month of February 2022, 10 samples from month December 2021) yielded the following: 10 out of 10 sample population employees' monthly overtime in December 2021 reached 78 to 86 hours; 10 out of 10 sample population employees' monthly overtime in February 2022 reached 54 to 60 hours; 10 out of 10 sample population employees' monthly overtime in May 2022 reached 70 to 80 hours, which had exceeded the legal limited of 36 hours per month. In accordance with 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30个样本(从最近工资支付月份2022年5月，从2022年2月，从2021年12月各抽取10个)，发现共有30名员工加班时间超出了法定标准，具体为：10/10名抽样员工在2021年12月的加班时间为78-86小时，10/10名抽样员工在2022年2月的加班时间为54-60小时，10/10名抽样员工在2022年5月的加班时间为70-80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

The accident insurance was not provided to all employees. According to the social insurance payment receipt provided by factory management, it was noted that 40 out of 98 employees (41%) were provided with pension, accident, medical, maternity and unemployment insurance in June 2022. Commercial accident insurance was provided to 40 employees with valid period from June 29, 2022 to June 28 2023. Total accident coverage rate was 82%. In accordance with Article 73 of the Labor Law of the People's Republic of China.

审核员发现工厂的工伤保险覆盖不足。根据厂方提供的2022年6月社会保险缴费记录显示工厂为所有40/98名员工(41%)提供了养老, 工伤, 医疗, 生育和失业保险。工厂为40员工提供商业意外保险, 有效期是2022年6月29日到2023年6月28日。总工伤保险覆盖率为82%。根据《中华人民共和国劳动法》第73条。

It was noted that 3 out of 3 workers handling molds in the tool room were not wearing the steel toed shoes; 2 out of 2 workers handling thinner in the assembly workshop were not wearing the mask. In accordance Article 42 of Law of the People's Republic of China on Production Safety.

审核发现工厂模具车间3/3名处理模具的工人没有穿着钢头皮鞋, 组装车间2/2个使用天那水的员工没有佩戴口罩。根据《中华人民共和国安全生产法》第42条。

1. It was noted that 6 out of 6 thinner containers in the assembly and tempo printing workshop were only posted with content label, but without the safety label. 2. It was noted that no anti-leakage facility (e.g. secondary container) was available for the hazardous chemicals stored in the chemical warehouse. In accordance article 20 of Regulation for Safety of Hazardous Chemical.

1. 审核员发现组装车间和移印车间使用的6/6个天那水容器仅张贴了内容标签, 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。2. 审核员发现工厂没有为化学品仓库存放的危险化学品设置防渗漏设施(如: 二次容器)。根据《危险化学品安全管理条例》第20条。

It was noted that the 2 out of 5 sampled switch boxes were exposed without insulation inner cover. In accordance the Article 6.7 of the General Guide for Safety of Electric User (GB/T13869-2008).

审核员发现工厂2/5个抽样电箱没有绝缘内盖。根据《用电安全导则GB/T13869-2008》第6.7条。

It was noted that the factory management failed to provide the food catering license or food business license for the employee canteen. In accordance Article 35 of the Law of the PRC on the Food Safety and Article 2 of Measures for the administration of food business license.

审核员发现工厂未能提供食堂的餐饮服务许可证或食品经营许可证以供审核。根据《中华人民共和国食品安全法》第三十五条和《食品经营许可证管理办法》第二条。

It was noted that 2 out of 5 sampled dormitory rooms in the dormitory building were not provided with lockable storage space. Please refer to BSCI PA7.24: Housing: When the auditee provides housing to workers, it must ensure living conditions are respectful to workers' dignity: Separate locker for storing personal belongings.

审核发现宿舍楼的员工宿舍2/5个抽样房间没有设置私人储物柜。请参看BSCI PA7.24: 被审核方(生产商)为工人提供住房时必须确保具备尊重工人尊严的住房条件: 用单独的储物箱保管个人物品。

PA 12: Protection of the Environment

1. It was noted that factory management was unable to provide the approval of environmental impact appraisal documents for review. In accordance Article 22 of Law of the People's Republic of China on Appraising of Environment Impacts, Article 3, 7, 12 and 15 of Registration measures on the administration of environmental impact registration forms of construction projects. 2. It was noted that factory management was unable to provide the approval document for on-site inspection and acceptance of completed environmental protection facilities for review. In accordance Article 17 of the Regulations on Environmental Protection Check and Acceptance for Completed Construction Project.

1. 审核员发现工厂未能提供环境影响评价批复以供查看。根据《中华人民共和国环境影响评价法》第22条, 《建设项目环境影响登记表备案管理办法》第3条, 第7条, 第12条, 第15条。2. 工厂未能提供建设项目竣工环境保护验收文件。根据《建设项目竣工环境保护验收管理办法》第17条。