

Monitoring

Monitored Party : Shenzhen Yale Electronic Co.,Ltd
 amfori ID : 156-029264-000
 Site : Shenzhen Yale Electronic Co.,Ltd
 Site amfori ID : 156-029264-001
 Address : The 4th Floor, No. 2 Building, Yujingtai Industrial Park, Huarong Road, Dalang Street, Longhua District, (The 2nd Floor, 3rd Floor and 4th Floor of No. 4 Building in the Kaijieda Industrial Park, Dalang Street is the address where we engaged in production activities)
 : 518109, Shenzhen
 : Guangdong Sheng
 : China
 Monitoring Activity : amfori Social Audit - Manufacturing
 Monitoring Type : Follow-up Monitoring
 Monitoring Partner : TUV Rheinland
 Monitoring Start Date : 07/12/2022
 Closing Meeting : 07/12/2022
 Finished Date :
 Submission Date : 14/12/2022
 Expiration Date : 09/12/2023

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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	A
PA 13: Ethical Business Behaviour	A

General description

Announcement type: fully announced

Monitoring date: December 7, 2022

The auditee Shenzhen Yale Electronic Co.,Ltd (深圳市雅乐电子有限公司) was established in 2009 and located on the 4th Floor, No. 2 Building, Yujingtai Industrial Park, Huarong Road, Dalang Street, Longhua District, (The 2nd Floor, 3rd Floor and 4th Floor of No. 4 Building in the Kaijieda Industrial Park, Dalang Street is the address where we engaged in production activities), Shenzhen City, Guangdong Province /广东省深圳市龙华区大浪街道华荣路裕景泰工业园2栋4楼 (在大浪街道华兴路凯杰达工业园4栋2.3.4层设有经营场所从事生产经营活动) .

Regarding the 4-storey building (No. 2 Building) in Yujingtai Industrial Park, there were 3 companies. One was the auditee, located on the 4/F, which was used as the auditee's office; another trading company on the 1/F and the 2/F; and the other was an independent logistics company and located on 3/F. Both the trading company (with independent business license) on the 1/F and 2/F and the auditee belonged to the same boss. Within the 4-storey building (No. 4 Building) in Kaijieda Industrial Park, there were 3 companies, too. The auditee used the 2/F-4/F a 4-storey production building as production and warehouse; and the 1/F was used by two independent companies. As per onsite observation and workers interview, no sharing workers or production existed among the auditee and other companies within the same buildings. Thus, only the auditee was covered into the audit scope. The distances between office building and production building of the auditee were about 500 meters and 5 minutes by walk. No dormitory, canteen or transportation was provided by the auditee. Total used areas of the auditee were about 3500 square meters. The auditee focused on manufacturing of TWS (true wireless stereo) earphone, Bluetooth earphone, Power bank, Cables and other electronics products. The main processes were testing, assembly, quality check and package. No subcontracted production process and needed materials were purchased.

Payroll registers after last audit from November 2021 to November 2022 and related time records were provided for review. As per management interview and document review, there was no obvious peak or low season in the past one year. Private interviews were conducted in the facility with 10 workers. The time records were cross-checked against with production records and no inconsistency regarding working hours were found. All interviewed employees had positive attitudes toward the factory management. Opening and closing meeting were held with the factory representatives and worker representatives. All of the findings were discussed in the closing meeting. Finally, one senior management and the worker representative signed the onsite CAP and agreed to take corrective actions.

Remark 1: The facility did not use contractor, labor agency and did not have government waiver or collective bargain agreement, which made the corresponding document not applicable.

Remark 2: Lead Auditor: Denise Wen, CSCA, registration number 21702579; Auditing company: TUV Rheinland, APSCA Number: 11600007.

Remark 3: the security service was provided by the industrial zone management party.

Remark 4: this was a follow up audit and only covered PA 1-2, PA 5-7 and PA 12. For other PA, the rating was the same as previous audit and only evidence of DE was ticked.

Site Details

Site : Shenzhen Yale Electronic Co.,Ltd

Site amfori ID : 156-029264-001

GICS Classification

Sector : Consumer Discretionary

Industry : Household Durables

Industry Group : Consumer Durables & Apparel

Sub Industry : Consumer Electronics

amfori Process Classifications

N.A.

GS1 Classifications

N.A.

NACE Classification

N.A.

Water Stress Situation

N.A.

Metrics

Key Metrics

Total workforce	247 Workers
Legal minimum wage in local currency	2360 Monthly
Lowest wage paid for regular work at the site	2500 Monthly
Calculated living wage in local currency	3235 Monthly
Total sample	10 Workers

Other Metrics

Male workers	92 Workers
Female workers	155 Workers
Permanent workers - Male	92 Workers
Permanent workers - Female	155 Workers
Temporary workers - Male	0 Workers
Temporary workers - Female	0 Workers
Seasonal workers - Male	0 Workers
Seasonal workers - Female	0 Workers
Management - Male	5 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	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	74 Workers
Domestic migrant workers - Female	123 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	92 Workers
Workers hired directly - Female	155 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	4 Workers
Sample - Female	6 Workers

Findings

PA1: Social Management System

The factory has established the policies and procedures to implement the amfori BSCI code of conduct and appointed a senior management is responsible for amfori BSCI, but there are some gaps between the actual operation of the factory and the amfori BSCI COC as well as legal requirements. 1) The factory fails to effectively manage the overtime work for employees. The factory does not control the overtime work for employees, resulting in overtime of employees exceeds the law requirements. The employees state the overtime is voluntary. 2) The factory has formulated the welfare policies for the employees, but the facility does not provide social insurance for partially employees. Some workers state they have participated in rural insurance, and they do not want to buy social insurance.

工厂建立了政策和程序来实施amfori BSCI行为守则，并由一名高级管理人员负责推行amfori BSCI 实施，但是工厂的实际运作与amfori BSCI行为守则以及法律要求之间存在差距。1) 工厂在员工加班方面没有有效管理。工厂没有对员工加班管控，导致员工月加班超法律要求。员工表示加班是自愿的。2) 工厂有制定员工福利政策，但是工厂没有给部分员工购买社保。一些员工表示他们买了农保，所以不想买社保。

The factory did not take into account the legal requirement that workers work no more than 36 hours of overtime a month when planning production schedules, resulting in workers' monthly overtime exceeding the legal limit of 36 hours in most months of the past year. Management representatives claimed that some overtime was needed to meet deadlines, and workers also needed some overtime to earn more money.

工厂在制定生产安排计划时，没有将工人月加班不能超过36小时的法律要求考虑在内，导致在过去一年的大部分月份，工人的月加班超过法律限制的36小时。管理代表声称需要一些加班满足交期，工人也需要一些加班赚取更多的钱。

PA 2: Workers Involvement and Protection

The factory had established a complaint mechanism, including suggestion boxes and employee representatives, but has not investigated the effectiveness of the complaint mechanism in order to identify the gap and improve it. In addition, the factory did not establish appeal channels for stakeholders (suppliers and third party organizations).

工厂有建立申诉机制，包含意见箱、员工代表等，但是没有针对申诉机制的有效性进行调查以便识别差距并改善。此外，工厂没有建立针对利益相关方（供应商和第三方机构）的申诉渠道。

PA 5: Fair Remuneration

Social insurance coverage were inadequate. The factory currently had 247 employees (no retired and rehired employee and no new employee), and 247 employees should be covered. According to the most recent year's social insurance purchase records, 68/247 employees did not purchase pension insurance and 67/247 employees did not purchase unemployment, medical, work-related injury and maternity insurance. Management and employee interviews showed that employees who did not buy social insurance did so voluntarily, mainly because of the cost. Remark: The factory had purchased commercial accident insurance for employees who had not purchased social insurance, which was valid from July 2022 to July 2023. Reference law: Social Insurance Law of the People's Republic of China; Article 10, Article 23, Article 33, Article 44, Article 53

社保购买不充分。工厂目前有247名员工（没有退休返聘的员工，没有新员工），因此247名员工应该参保。根据最近一年的社保购买记录，68/247名员工没有购买养老保险、67/247名员工没有购买失业、医疗、工伤和生育保险。管理和员工访谈显示没有购买社保的员工是自愿不购买的，主要是考虑到费用。备注：工厂给没有购买社保的员工购买了商业意外险，有效期从2022年7月至2023年7月。参考法律：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

Monthly overtime exceeding 36 hours was noted. The auditor reviewed the attendance records from the last audit to the day of the current audit and sampled 10 employees from May, September and November 2022 respectively. It was found that the monthly overtime hours of all sampled employees had exceeded the legal 36 hours in these months, and the maximum was 72 hours, 76 hours and 76 hours respectively. Management explained that they needed employees to work overtime to complete orders on time, but employees had the right to choose whether to work overtime or not. Interviews with employees show that they were willing to work overtime to increase their income, with no penalty for not conducting overtime. Remark: the maximum monthly overtime of sampled workers from December (7th) 2022 was 16 hours. Referenced law: PRC Labor Act, Article 41.

月加班超过36小时。审核员查看了上次审核后至此次审核当天的考勤记录，从2022年5月、9月和11月分别抽样了10名员工，发现抽样员工在这些月份的月加班时间都超过法定的36小时，最大分别达到72小时、76小时和76小时。管理解释需要员工加班来按时完成订单，但是员工有选择是否加班的权利。员工访谈显示他们愿意通过加班来提升收入，不加班没有任何惩罚。备注：抽样员工2022年12月（至7日）最大月加班为16小时。参考法律：中华人民共和国劳动法第41条

PA 7: Occupational Health and Safety

The factory did not provide pre-job, on-job and post-job occupational disease health examinations to employees exposed to occupational hazards, such as soldering workers and workers who used chemical (exposure to chemical hazards). Management

PA 7: Occupational Health and Safety

explained the cost was high and they needed time to gradually improve. Reference law and regulation: Law of the People's Republic of China on Prevention and Control of Occupational Diseases, Article 35

工厂没有给暴露于职业危害的员工提供岗前、岗中和离岗的职业病体检，例如焊锡和使用化学品的员工（与化学危害接触）。管理解释费用较多，需要时间逐步提升。参考法律法规：中华人民共和国职业病防治法 第35条

The safety label information for some chemicals was incomplete or inaccurate. For example, no chemical names were showed, or glue were labeled with safety labels of cleaning agent. Reference law and regulation: Regulation on chemical safe handling in workplace, article 12

部分化学品的安全标签信息不全或者不准确，例如缺少化学品名称或者胶水的容器上张贴的是清洁剂的安全标签。参考法律法规：《工作场所安全使用化学品规定》第十二条

The facility did not provide the building construction certificates of the production building and office building for review, including one 4- floor production building (the facility only used the 2/F to 4/F for production, with an area of 3,150 square meters) and one 4-floor office building (the facility only used the 4/F floor for office, with an area of 827.5 square meters). These buildings were built before 2006 per the management. According to the site observation, there were no cracks, subsidence, tilt or other signs of insecurity in the building. Reference Law: PRC Construction Law, Article 61

工厂没有提供生产楼和办公楼的建筑竣工验收报告供查看，包括一栋4层的生产楼（工厂仅使用2-4楼用作生产，面积为3150平方米）以及一栋4层的办公楼（工厂仅使用第4层作为办公室，面积为827.5平方米）。根据管理层，这些建筑是建于2006年之前。根据现场观察，建筑物没有裂缝、下沉、倾斜或者其他不安全的迹象。参考法律：中华人民共和国建筑法 第六十一条