

# Monitoring result for NINGHAI TONY STATIONERY CO., LTD. on site NINGHAI TONY STATIONERY CO., LTD.

## Monitoring

Monitored Party : NINGHAI TONY STATIONERY CO., LTD.  
amfori ID : 156-039643-000  
Site : NINGHAI TONY STATIONERY CO., LTD.  
Site amfori ID : 156-039643-001  
Address : 60# Development Zone Changjie Town Ninghai County  
: Ningbo  
: Zhejiang Sheng  
: China  
Monitoring Activity : amfori Social Audit - Manufacturing  
Monitoring Type : Full Monitoring  
Submission Date : 06/09/2022  
Expiration Date : 06/09/2023

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## Overall rating



## Section rating

PA1: Social Management System	D
PA 2: Workers Involvement and Protection	C
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	B

## General description

[Name and Location]:

NINGHAI TONY STATIONERY CO., LTD. is located at 60# Development Zone Changjie Town, Ninghai County, Ningbo, Zhejiang, China. The factory started their operation since March 2018. The factory's local name is “宁海东妮文具有限公司 (91330226MA2AHAAB3N)”.

[Structure of facility]:

Within the premises, the factory had one 4-storey office building (1F canteen and kitchen) and one 4-storey production building used as workshops and warehouses.

The factory didn't provide dormitory or transportation for workers.

The main business product are magnets, clip boards and other plastic products.

The main production processes include incoming materials, plastic injection, assembling and packing.

[Employee analysis]:

There were 49 employees working in the factory. Among them 35 were production employees, 14 non-production employees. All employees were permanent employees including 12 migrant workers. And there were total 13 male employees and 36 female employees.

There was no Trade Union or worker committee available in the factory, but there was one worker's representative freely elected by workers.

[Summary of working hour]:

The factory recorded workers' working time by electronic attendance system, and provided attendance records from August 2021 to audit date for review. The auditor randomly selected 8 samples from July 2022 (current month), 8 samples from April 2022 (random month) and 5 samples from November 2021 (random month) for verification. One shift was arranged for production workers and office workers, 8:00 to 17:00 with 1 hour for lunch break time from 11:00 to 12:00. The factory arranged 2 overtime hours for workers working on weekdays and 8 overtime hours on weekends sometimes, workers had right to choose working overtime or not. No overtime happened on Statutory holidays. One rest day in every 7-day period was guaranteed. No obvious peak season in the factory. No inconsistencies were found during this audit.

[Summary of compensation and social insurance]:

The factory provided payrolls from August 2021 to July 2022 for review. The auditor randomly selected 8 samples from July 2022 (current month), 8 samples from April 2022 (random month) and 5 samples from November 2021 (random month) for verification. The factory paid workers by hourly rate. Wages of each month were issued on or before 30th of the following month through cash. According to the payrolls, the basic wage paid by factory was CNY13.22 per hour which was higher than the local minimum wage CNY1840 per month equal to CNY10.57 per hour since 1 August 2021. Sufficient overtime wage and holiday allowance were paid to all employees. No inconsistencies were found during this audit.

The factory did not know local living wage and did not establish the procedure to calculate local living wage. The basic living wage was calculated by auditor based on Anker's methodology. The wages for regular working time for 5 out of 5 sampled workers in November 2021, 7 out of 8 sampled workers in April 2022, 7 out of 8 sampled workers in July 2022 (CNY2300-CNY2550 per month) were paid less than local living wage (CNY2879.02 per month).

[Summary of findings]:

Ms. Wang Haisong / Sales Manager, Mr. Tan Donggui/Production Manager and Ms. Wu Rongqiao/ Worker representative attended in the opening and closing meetings. The opening meeting started at 09:00 on 2 September 2022, and the closing meeting ended at 17:30 on 2 September 2022. The facility management and workers (representative) showed a positive attitude to this audit during the whole process. At the end of the audit, all the findings were accepted by the audited factory. The performance areas needed improvements are as follows: PA1, PA2, PA5, PA6, PA7, PA12 and PA13.

Remark:

1. This full audit was conducted on 2 September 2022 by ALGI auditor Alison Gao (Lead auditor)-APSCA registration No. CSCA 21700816.
2. The following documents were not applicable or provided for the auditee: A. No agencies or contractor were used by the factory; B. No government waivers were provided by the factory; C. Currently, no collective bargaining existed in the factory.

## Site Details

Site : NINGHAI TONY STATIONERY CO., LTD.

Site amfori ID : 156-039643-001

### GICS Classification

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Sector : Consumer Discretionary

Industry : Household Durables

Industry Group : Consumer Durables & Apparel

Sub Industry : Housewares & Specialties

### amfori Process Classifications

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N.A.

### GS1 Classifications

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N.A.

### NACE Classification

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N.A.

### Water Stress Situation

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N.A.

## Metrics

### Key Metrics

Total workforce	49 Workers
Legal minimum wage in local currency	1840 Monthly
Lowest wage paid for regular work at the site	2300 Monthly
Calculated living wage in local currency	2879 Monthly
Total sample	8 Workers

### Other Metrics

Male workers	13 Workers
Female workers	36 Workers
Permanent workers - Male	13 Workers
Permanent workers - Female	36 Workers
Temporary workers - Male	0 Workers
Temporary workers - Female	0 Workers
Seasonal workers - Male	0 Workers
Seasonal workers - Female	0 Workers
Management - Male	4 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	3 Workers
Domestic migrant workers - Female	9 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	13 Workers
Workers hired directly - Female	36 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	6 Workers

## Findings

### PA1: Social Management System

The factory had established social compliance policy and procedures based on BSCI Code of Conduct, conducted internal audit and management review in January 2022 and February 2022 respectively, and conformed to BSCI requirements and relevant local law requirements in some performance areas and no zero tolerance findings were identified. However, the facility did not establish a fully effective management system to implement the BSCI Code of Conduct and some noncompliance was identified during the audit in some performance areas, such as PA1, PA2, PA5, PA6, PA7, PA12 and PA13.

工厂基于BSCI标准建立起了一套社会责任政策和程序，分别在2022年1月和2022年2月进行了内审及管理评审，在部分执行领域符合BSCI要求和相关的法规要求，未识别到零容忍发现点。但是，被审核方未能建立一个完全有效的BSCI管理体系以执行BSCI行为守则的要求，当前审核在几个执行领域发现一些有待完善的地方，如PA1, PA2, PA5, PA6, PA7, PA12和PA13。

The factory had established the production capacity calculation procedure, but the production capacity calculation was not conducted by the factory which caused workers' monthly overtime exceeded 36 hours as per the finding of 6.2. (Article 41 of Labor Law of the People's Republic of China.)

工厂建立了产能评估程序，但是工厂没有进行生产能力评估，导致工人的月加班时间超了36小时，依据6.2的发现点。（中华人民共和国劳动法第41条）

### PA 2: Workers Involvement and Protection

The long term goals to protect workers according to BSCI Code of Conduct (such as related on working hours and benefits, protection of young workers, health and safety, protection of environment and etc.) were not established by the factory.

工厂未根据BSCI行为守则（比如关于工时和福利、未成年工保护、健康安全、环境保护等方面）制定对员工保护的长期目标。

The factory had established its grievance mechanism, but the established grievance mechanism did not include potential conflicts of interest and how to overcome them; and regular satisfaction survey on the grievance procedure was not conducted by the factory.

工厂建立了申诉机制，但是申诉机制没有包含潜在的利益冲突以及如何克服这些冲突；且没有对申诉机制进行满意度调查。

### PA 5: Fair Remuneration

The factory did not know local living wage and did not establish the procedure to calculate local living wage. The basic living wage was calculated by auditor based on Anker's methodology. The wages for regular working time for 5 out of 5 sampled workers in November 2021, 7 out of 8 sampled workers in April 2022, 7 out of 8 sampled workers in July 2022 (CNY2300-CNY2550 per month) were paid less than local living wage (CNY2879.02 per month).

工厂不了解当地生活工资，也没有建立程序来计算当地生活工资。所以审核员使用的基本生活工资是由审核员通过恩格尔的方法计算出来的。2021年11月的5名抽样工人其中5名，2022年4月的8名抽样工人其中7名，以及2022年7月的8名抽样工人其中7名的正常工作时间的工资(每月2300元-2550元) 低于当地生活工资每月2879.02元。

Insufficient social insurance participated. There were total 49 employees of the factory, 6 retired employees, no newly employees within one month, no temporary employees and dispatched employees in the factory. The factory provided social insurance voucher of May 2022, June 2022 and July 2022 for review, but the factory purchased the maternity insurance, unemployment insurance, medical insurance, injury insurance and retirement insurance for 14 out of 43 employees (about 33%) per the social insurance voucher of July 2022. The factory purchased commercial accident insurance for 12 employees (about 24%), valid from 22 October 2021 to 21 October 2022. No social insurance waiver in the factory. Known from management interview and workers interview, the reason for workers not joining the social insurance was that they bought rural pension insurance at their hometown and could not repeat purchase social insurance. (Article 72&73 of the Labor Law of the People's Republic of China)

社会保险参保不足。工厂有49人，有6个退休工人，没有新进工人，没有临时工人和派遣工人。工厂提供了2022年5月，2022年6月和2022年7月的社保记录供审核，但是2022年7月的社保记录显示工厂给14个固定工人购买了生育保险、失业保险、医疗保险、工伤保险和养老保险，社保比率大约33%。工厂给12名工人购买了商业保险，商业保险比率大约是24%，有效期从2021年10月22日到2022年10月21日。工厂没有社保批文。通过管理层访谈和工人访谈，工人不参加社会保险的原因是他们在家乡购买了农村养老保险，不能再重复购买社会保险。（中华人民共和国劳动法 第72&73条）

### PA 6: Decent Working Hours

Workers' monthly overtime hours exceeded legal requirement. The factory provided workers' attendance records from August 2021 to audit date and payroll records from August 2021 to July 2022 for review, the auditor randomly selected the attendance records and payrolls of 8 samples from July 2022 (current month), 8 samples from April 2022 (random month), and 5 samples from November 2021 (random month), based on which it was noted that all sampled workers' monthly overtime hours exceeded 36 hours in all above mentioned months, and were up to 82 hours, 80 hours and 76 hours respectively. (Article 41 of Labor Law of the People's Republic of China.)

## PA 6: Decent Working Hours

工人的月加班超过法律要求。工厂提供了工人2021年8月至审核当天的考勤记录以及2021年8月至2022年7月的工资记录，审核员随机抽取了8名工人的2022年7月（当前月），8名工人的2022年4月（随机月），5名工人的2021年11月（随机月）考勤及工资记录，发现所有抽样工人的月加班在上述涉及的月份中都超过了36小时，最大分别达到82小时，80小时和76小时。（《中华人民共和国劳动法》第41条）

## PA 7: Occupational Health and Safety

The factory had set up the occupational health and safety regulations and procedures; however, the actual practice throughout the factory was not fully in compliance with requirements of local law in the parts of insufficient injury social insurance, chemical safety, occupational hazards, Food Operation Permit for its kitchen, the chef without hat and etc.

工厂虽然建立了职业健康安全方面的程序和相关制度，但是工厂在实际的执行过程中还存在问题，比如工伤保险不足，化学品安全，职业危害，食品经营许可证，厨工没有佩戴帽子等问题。

Only 14 out of 49 employees were covered with injury insurance per the social insurance voucher of July 2022 and the factory provided group commercial accident insurance for 12 employees. The rest 23 employees were not covered by injury insurance. (Social Insurance Law of the People's Republic of China; Article 33)

2022年7月的社保记录显示49名员工中只有14名员工参加了工伤保险，工厂为12人购买了团体商业意外保险。剩余的23人没有参加工伤保险。（《中华人民共和国社会保险法》第三十三条）

1.It was noted that occupational hazard was identified in the factory (such as, dust and noise in crushing workstation), which might cause occupational diseases to employee in these workshops. However, the factory failed to provide a valid report for testing occupational hazard factors in this workshop. (Workplace Occupational Health Management Regulations, Article 20); 2. The workers in crushing workstation in contract with dust and noise, but the factory did not provide pre-job, on-the-job and off-the-job occupational health check for all related employees. (Article 35 Law of the People's Republic of China on the Prevention and Treatment of Occupational Diseases).

1. 车间存在职业危害（比如碎料岗位有粉尘和噪声），对车间的员工存在潜在的职业病危害影响。但工厂未提供有效的职业危害因素检测报告供审核。（《工作场所职业卫生管理规定》第二十条）；2. 碎料岗位接触粉尘和噪声，但是工厂没有为相关员工提供岗前，在岗和离岗的职业病体检。（《中华人民共和国职业病防治法》第35条）。

It was noted that about 30% glue were not protected with secondary containment, and no material safety data sheet was posted on site. (Regulations on Dangerous Chemical Safety Management (2002), Amendment (2011), Article 20; Regulations on Chemical Safe Usage in Workplace (1997), Article 27)

审核发现大约30%胶水没有二次容器储存，且现场没有张贴物质安全资料表。（《危险化学品安全管理条例》第二十条；《工作场所安全使用化学品规定》第二十七条）

1.One cook health certificate was provided for review. However, the factory did not obtain Food Operation Permit for its kitchen yet. (Law of the PRC on the Food Safety, Article 35) 2.One chef was wearing mask but without hat when operating food. (Article 33 of the Law of the PRC on the Food Safety)

1.工厂提供了1名厨工健康证。但是，工厂的厨房还未取得食品经营许可证。（《中华人民共和国食品安全法》第三十五条）  
2.一名厨工操作食物的时候有佩戴口罩，但是没有佩戴帽子。（《中华人民共和国食品安全法》第33条）

## PA 12: Protection of the Environment

1.The factory had provided the report form of environmental impacts and the approval of environment impact assessment for verification, but they didn't obtain the final acceptance of completion of environmental projects; ( PRC Measures for Administration of Environmental Protection Acceptance Check upon Completion of Construction Project article 17.) 2.The factory didn't monitor the boundary noise and waste air produced by plastic injection process. (Measures for the Administration of Environmental Surveillance Article 21)

1.工厂提供了环境影响评估报告表和环评批复，但是工厂没有获取环境项目竣工验收报告；（《建设项目竣工环境保护验收管理办法》第十七条）2.工厂没有监控厂界噪声和监控注塑工序产生的废气。（《环境监测管理办法》第二十一条）

## PA 13: Ethical Business Behaviour

The policy and procedure regarding how to collect and process personal data with respect for the individuals' fundamental rights (particularly the right to privacy) were not established by the factory, and the factory management also were not aware of this requirement.

工厂没有建立关于尊重个人基本权利的情况下（尤其是隐私权）如何收集和处理个人信息的方针和程序，管理层也未意识到相关的要求。