

# Monitoring result for MESTAEK PACKAGING CO.,LTD on site FOSHAN MESTAEK PACKAGING LIMITED

## Monitoring

Monitored Party	: MESTAEK PACKAGING CO.,LTD
amfori ID	: 156-016676-000
Site	: FOSHAN MESTAEK PACKAGING LIMITED
Site amfori ID	: 156-016676-001
Address	: 24#LIANHE RD.,LIANHE INDUSTRIAL AREA,LUOCUN,NANHAI DISTRICT
	: 528227, FOSHAN
	: Guangdong Sheng
	: China
Monitoring Activity	: amfori Social Audit - Manufacturing
Monitoring Type	: Follow-up Monitoring
Submission Date	: 26/06/2022
Expiration Date	: 07/07/2023

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## Overall rating

A	B	C	D	E	None
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## Section rating

PA1: Social Management System	D
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

FOSHAN MESTAEK PACKAGING LIMITED (佛山市美时达环保包装有限公司) was established on 28 Aug. 2015. The auditee was located at 24# Lianhe RD., Lianhe Industrial Area, Luocun, Nanhai District, Foshan, Guangzhou, Guangdong, China (中国广东省佛山市南海区狮山镇罗村联和工业区联合大道24号). Within the boundary, there was one 5-storey production building. And the auditee rented 1/F of the 5-storey production building used as office, warehouse and production, the total used construction area is about 1250 square meters. 2/F of the 5-storey building was rented to two factories by the landlord which produce belts and lighting device respectively, 3/F was rented to other factory by the landlord which produce lighting device, 4/F was rented to other factory by the landlord which produce lighting device, 5/F was rented to other factory by the landlord which produce lighting device. Canteen, dormitory or transportation was not provided to workers. The main products manufactured by the factory were Aluminium foil lunch box. The main production processes were listed as follows: Molding, die cutting and packing. Based on the management interview, there was no obvious production season in the factory. Based onsite observation, workers and management interview, the auditee does not share business, production and workers with other factories. The management cooperated with the auditor's work actively. There were totally 26 employees recruited by the factory. No any contractor or dispatched worker in the factory. The auditee's management agreed all findings. Remark: 1. There is no agency used by the auditee, which makes the agency labour contract not applicable. The factory does not obtain government waiver, which makes government waiver not applicable. No collective bargaining agreements is signed in the factory, which makes the collective bargaining agreements not applicable. There are no contractor used by the auditee, which makes the contractor license not applicable. 2. Auditor: Todd Zhang, CSCA, registration number 21702028. Auditing company: TUV Rheinland, APSCA Number: 11600007

3. The Chinese address of business license is 中国广东省佛山市南海区狮山镇罗村联和工业区恒桂中路5号厂房B座, and it should be translated into English as Building B, No. 5 Workshop, Henggui Middle Road, Lianhe Industrial Zone, Luocun Town, Shishan Town, Nanhai District, Foshan city, Guangdong Province, China. The management said Henggui Middle Road was renamed 24# Lianhe Rd., after the business license was renewed in June 2020. Because the re-renewal of the business license involves the change of bank account number, the factory did not want to renew the business license again. But to make it easier for customers to locate the factory, they want to use 24# Lianhe Rd., Based onsite observation license address reviewed from other factories in the building indicate that the two addresses were the same.

Site Details

Site : FOSHAN MESTAEK PACKAGING LIMITED  
Site amfori ID : 156-016676-001

GICS Classification

Sector	: Consumer Discretionary	Industry	: Household Durables
Industry Group	: Consumer Durables & Apparel	Sub Industry	: Housewares & Specialties

amfori Process Classifications

N.A.

NACE Classification

N.A.

GS1 Classifications

N.A.

Water Stress Situation

This site is not located in a water stressed region

## Metrics

### Key Metrics

Total workforce	26 Workers
Legal minimum wage in local currency	1900 Monthly
Lowest wage paid for regular work at the site	2100 Monthly
Calculated living wage in local currency	2263 Monthly
Total sample	6 Workers

### Other Metrics

Male workers	7 Workers
Female workers	19 Workers
Permanent workers - Male	7 Workers
Permanent workers - Female	19 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	4 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	2 Workers
Domestic migrant workers - Female	8 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	12 Workers
Workers hired directly - Female	27 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	4 Workers

## Findings

### PA1: Social Management System

The auditee did not establish perfect amfori BSCI management system to implement amfori BSCI Code of Conduct and legal requirements. 1) Based on documents review, the management system was not perfect in implementation which led to some findings were identified in Working Hours and Health and safety etc., such as the finding of no purchased social insurance for some workers or excessive monthly overtime. 2) Based on Ms. Tao(Social responsibility Management Representative) interview, the auditee did not establish system on the internal to on-going monitor its social performance and correct the identified findings. And they confirmed some findings in health and safety.

被审核方未建立完善的管理体系来执行amfori BSCI的行为守则及法律法规的要求。1) 根据文件审核, 被审核方的管理系统在执行方面不完善导致此次审核在工作时间和健康安全等方面有发现问题, 例如未给所有员工购买社保以及月加班时间超时的问题; 2) 根据陶小姐(社会责任管理者代表)访谈, 公司没有建立有效的内部监管系统去确保其绩效并改进识别到的问题; 另外他们确认了健康安全方面的一些问题点。

The company had calculated and analysis the production rate per production unit. Production capacity was made and planned. However, the facility did not discuss the workforce capacity with production management and the worker representatives to reasonably arrange the production capacity, which causing the monthly overtime exceeded 36 hours, such as monthly overtime for all 6 sampled workers were more than 36 hours in Mar. 2022, and the maximum was 72 hours.

公司对生产单位的生产量有进行计算和分析。公司有制定生产规划。但是, 公司没有与生产管理人员和员工代表就公司的产能进行讨论以进行合理的生产计划, 导致了月加班超36小时, 如2022年3月份6个抽样工人月加班均超36小时, 最多的为72小时。

### PA 2: Workers Involvement and Protection

The company trained managers, employees and employee representatives on the amfori BSCI Code of Conduct on 20 May 2022, however, based workers interviews, 4 of 6 interviewees were not familiar with the basic requirement of amfori BSCI COC, such as what discrimination is, etc.

公司在2022年5月20日培训管理人员、员工和员工代表关于amfori BSCI行为守则; 但通过员工访谈, 6个访谈人员有4个不熟悉amfori BSCI行为准则的基本要求, 例如什么是歧视。

### PA 5: Fair Remuneration

Based document review and employee interview, the factory did not establish skill training plan for employees with different positions, ages and skills.

文件评审和员工访谈发现, 工厂没有针对不同岗位, 工龄和技能有要求的员工制定技能培训计划。

Based social insurance payment records from Jun. 2021 to May 2022 review, it was noted that the company did not provide social insurance for all employees in accordance with the regulations. For example, there were 26 employees (no new employee, no retirees who could not purchase social insurance) in the company in May 2022, but the company did not provide retiree insurance, medical insurance, work-related injury insurance, maternity and unemployment insurance for 8 out of 26 employees who are eligible for the purchase. The company management explained that workers voluntarily participated in social insurance, and many workers had rural social insurance in their local area and were unwilling to pay for it again. The employees who did not purchase social insurance are all direct employees, and there was no temporary workers. According to interviews with workers, they voluntarily did not participate in social insurance. The factory did not collect the rural social insurance data of employees who did not purchase social insurance in the factory for review. Reference laws: Articles 72 and 73 of the Labor Law of the People's Republic of China (2018). Remark: 1. The company purchased Group health insurance in Pacific Health Insurance Co., Ltd for all workers who did not participate in industrial accident injury insurance (valid from 24 Nov. 2021 to 23 Nov. 2022). 2. There were 26 employees in social insurance paid records of the auditee who purchased social insurance, the management explained that the boss purchased social insurance for their relatives and friends, with a number of 8; Based the auditor verification, 18 of the 26 employees who have purchased social insurance belong to the auditee.

根据从2021年6月至2022年5月的社会保险缴费记录评审发现, 公司未按照法规要求给所有员工提供社会保险。例如在2022年5月公司有26名员工(无新进员工, 没有无法购买社会保险的退休返聘人员), 但公司没有给26名符合购买资格的8名员工提供养老保险、医疗、工伤、生育和失业保险。公司管理层解释工人自愿参加社保, 很多员工在当地有农村社会保险, 他们不愿意再缴购买社会保险。没有提供社保的员工都是正式员工, 没有临时工等。根据工人访谈, 他们自愿不参加社保。但工厂没有收集未在工厂买社保员工的农村社保资料供评审。参考法规: 中华人民共和国劳动法(2018)第72和73条。备注: 1. 公司为所有员工购买了太平洋健康保险股份有限公司的团体人身保险, 有效期从2021年11月24日至2022年11月23日。2. 社保缴费记录显示有26个员工购买社会保险, 管理层表示, 老板给自己的亲人和朋友购买社保, 人数为8人; 经过审核员核查, 26个已购买社保的员工中, 有18人属于被审核方的。

### PA 6: Decent Working Hours

The company did not establish an effective system to control overtime, resulting in monthly overtime is more than 36 hours: 1. Based on interview with Ms. Tao in Adm. Dept., the company has established working hour regulations and checked them

## PA 6: Decent Working Hours

regularly, but the production department was responsible for controlling overtime; 2. Based on interview with production manager, the company has formulated the working hour system, including the limit of overtime hours, and adapt fingerprint and face identification attendance system to check workers attendance. However, the production department did not know about the overtime control plan, so it was more likely to decide the overtime hours according to the production task when arranging overtime. 3. Based the attendance records from 1 Jun 2021 to audited date review, 6 workers were selected for three months (Oct. 2021, Mar. 2022 and May 2022). It was noted that monthly overtime for 6 sample workers exceeded 36 hours in Oct. 2021, and the maximum were 60 hours. In Mar. 2022, monthly overtime for 6 sampled workers exceeded 36 hours, and the maximum were 72 hours. In May 2022, monthly overtime for 6 sampled workers were more than 36 hours, and the maximum were 62 hours. It violated the requirement of no more than 36 hours of overtime per month. In addition, the maximum overtime from Jun. 1-17, 2022 were 34 hours. Reference law: Article 41 of the China Labor Law.

公司未建立有效的制度去控制加班，导致月加班超过36小时：1.据行政部陶小姐反映，公司有工时规定并定期核查，不过管控加班由生产部负责；2.与生产部经理访谈，公司有制定工时制度包括加班小时限值，采用了指纹和面部识别考勤系统检查员工的考勤，但是生产部门不了解加班管控计划，在安排加班时更多是按生产任务决定加班时数。3.从2021年6月1日至审核当日的考勤记录中抽取了6名员工3个月（2021年10月、2022年3月和2022年5月）的考勤发现：2021年10月6个抽样工人月加班均超36小时，最多为60小时；2022年3月6个抽样工人月加班均超36小时，最多为72小时；2022年5月6个抽样工人月加班均超36小时，最多为62小时，违反了月加班不超过36小时的法规要求。此外从2022年6月1日至17日最大加班时间是34小时。参考法规：《中华人民共和国劳动法》第四十一条。

## PA 7: Occupational Health and Safety

1. There were hazard noise from some processes, such as molding processes, but the company didn't monitor regularly occupational hazard factors in their posts. Reference law: Provisions on the Administration of Occupational Health at Work Sites (2021), Article 20 2. The company did not conduct occupational health examination for employees exposed to noise(including pre job, on-the-job and off-the-job physical examination), such as workers in molding process. Reference law: Article 35 of the Occupational Disease Prevention and Control Law of the People's Republic of China

1.部分工序会产生有害的噪音，如成型工序，但公司未监测其岗位的职业性有害因素。参考法规：《工作场所职业卫生管理规定》(2021)，第20条2.公司没有对接触噪音的员工进行职业健康检查(包括岗前、在岗和离岗体检)，如成型工序的工人。参考法规：《中华人民共和国职业病防治法》第三十五条。

Based onsite observation, it was noted that the factory does not provide anti smashing safety shoes for the employees handling molds, but ordinary sports shoes Reference laws: Article 7 of the management code for labor protection articles of employers

现场审核发现，工厂未给搬运模具的员工提供防砸安全鞋，而是普通运动鞋。参考法规：《用人单位劳动防护用品管理规范》第7条

The company rented 1/F of a 5-story production building (completed in 2005, covering an area of about 1,100 square meters), but the company failed to provide the construction completion acceptance report of the building. Remark: the building had no obvious cracks, subsidence, inclination and other phenomena affecting the safety of building structure. Reference code: Article 61 of law of construction of People's Republic of China

公司租用一栋5层厂房的1楼（2005年建成，占地面积约1100平方米），但公司未能提供该建筑的建筑竣工验收报告。备注：该建筑无明显的裂隙，下沉和倾斜等影响建筑结构安全的现象。参考法规：《中华人民共和国建筑法》第六十一条

Based onsite observation, it was noted that there were 3 automatic presses without adequate safety devices on the side, such as no protective barriers or photoelectric protection devices; In addition, there were workers in the maintenance of die cutting machine, not tagout in the power switch. Reference laws: Article 6.3 of "General Rules for safety of Machinery production Equipment" and Article 6.3.3.6 of "Safety of machinery-Control methods of hazardous energy-Lockout/Tagout"

现场观察发现，有3台自动冲床的侧面无足够的安全装置，如无防护隔栏或光电保护装置；此外，有工人在维修模切机时，未在电源开关处挂牌。参考法规：《机械安全 生产设备安全通则》第6.3条和《机械安全 危险能量控制方法 上锁挂牌》第6.3.3.6条