

Monitoring result for Xiping hengming Garment Co., Ltd on site Xiping hengming Garment Co., Ltd

Monitoring

Monitored Party	: Xiping hengming Garment Co., Ltd
amfori ID	: 156-027466-000
Site	: Xiping hengming Garment Co., Ltd
Site amfori ID	: 156-027466-001
Address	: 1F and 2F, building 1, Photoelectric Industrial Park, Jinfeng Avenue, Xiping County : 463900, Zhumadian : Henan Sheng : China
Monitoring Activity	: amfori Social Audit - Manufacturing
Monitoring Type	: Follow-up Monitoring
Monitoring Partner	: TUV Rheinland
Monitoring Start Date	: 30/11/2022
Closing Meeting Finished Date	: 30/11/2022
Submission Date	: 07/12/2022
Expiration Date	: 07/12/2023

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Overall rating

A	B	C	D	E	None
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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	B
PA 13: Ethical Business Behaviour	A

General description

Monitoring date: 30 November 2022

Announcement Type: Fully-Announced

Xiping hengming Garment Co., Ltd was located at 1F and 2F, building 1, Photoelectric Industrial Park, Jinfeng Avenue, Xiping County, Zhumadian City, Henan Province, China (中国河南省驻马店市西平县产业集聚区金凤大道光电产业园一号楼一层二层). The total building area occupied by the facility was about 6500 square meters. The auditee was established in 2021. In view of factory, the factory is made up of 2F and part 1F of one 4-storey building for workshop, warehouse and office, no canteen or dormitory was provided. The main products manufactured by the facility were garments. The main production processes were listed as follows: cutting, sewing, ironing and packing. All workers were hired directly, no any dispatching agency used. The facility management showed a positive attitude to this audit during the whole process. All documentation requested for the review was provided timely. Locked areas encountered during the audit were unlocked timely. At the end of the audit, all the findings were accepted by the facility management. This audit was conducted as per audit plan. Based on document review and management interview, no obvious peak season existed in the facility.

Remark:

1. The facility did not use contractor or labor agency and did not have government waiver as well as collective bargain agreement, which makes the corresponding documents not applicable.
2. Richard Li, CSCA (APSCA registration number was 21702002)
3. Auditing company: TUV Rheinland, APSCA Number: 11600007
4. This was follow-up audit based on the full audit on 29-30 November 2021, so this audit scope only covered PA1, PA5, PA6, PA7, PA12, PA13
5. The rate for the questions in PA2, PA3, PA4, PA8, PA9, PA10, PA11 was kept the same as the previous audit, and the related evidence was selected DE.
6. The factory did not provide Construction Structure Acceptance Certificate, Fire Safety Inspection Certificate, so those documents were not uploaded.
7. The auditee rented 2F and part 1F of one 4-storey building from Xiping XX Electronics Company Limited. The 3F, 4F and the rest part 1F was used by another factory named Zhumadian XX Garment Co., Ltd. There were two cargo lifts in this 4-storey building, one cargo lifts used by another factory and another cargo lifts was used by the auditee. The area around one cargo lift used by another factory was about 400 square meters, this area was separated by wall with the rest area of 1F and used by another factory. Except this areas (about 400 square meters), the rest 1F and anther cargo lift used by the auditee. The auditee and another factory had their own business license, management, workers, manufacturing area. No workers borrowed between two factories. Thus another factory did not cover in this audit.
8. The factory business license address was: 1F, building 1, Photoelectric Industrial Park, Jinfeng Avenue, Xiping County, Zhumadian City, Henan Province, China. But through factory tour, it was noted that the factory used 2F and part 1F, building 1, Photoelectric Industrial Park, Jinfeng Avenue, Xiping County, Zhumadian City, Henan Province, China, and 1F was used for warehouse, cutting, finishing, inspection and packing process, 2F was used for sewing process. The business license address did not cover the 2F. This audit covered all the areas used by the auditee (2F and part 1F).

Site Details

Site : Xiping hengming Garment Co., Ltd
Site amfori ID : 156-027466-001

GICS Classification

Sector	: Consumer Discretionary	Industry	: Textiles, Apparel & Luxury Goods
Industry Group	: Consumer Durables & Apparel	Sub Industry	: Apparel, Accessories & Luxury Goods

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	1600 Monthly
Lowest wage paid for regular work at the site	1800 Monthly
Calculated living wage in local currency	1957 Monthly
Total sample	10 Workers

Other Metrics

Male workers	15 Workers
Female workers	82 Workers
Permanent workers - Male	15 Workers
Permanent workers - Female	82 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	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	1 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	15 Workers
Workers hired directly - Female	82 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	8 Workers

Findings

PA1: Social Management System

The factory had established a management system to implement the amfori BSCI requirement. But factory did not implement the system strictly, the factory did not establish the written correction action and prevention action for the findings, which were found during the previous audit, thus its caused the findings were also existed in this follow up audit, such as monthly overtime exceeded 36 hours, insufficient social insurances and etc. The factory management explained that the relevant responsible person did not continuously follow the correction situation of the findings. Relevant findings will be continuously improved.

工厂已建立了一个管理体系去执行amfori BSCI行为准则，但是工厂没有严格地去执行该体系，工厂对于上次审核中发现的问题点没有建立书面的改正措施和预防措施，造成本次审核中问题点仍然存在，比如月加班超过36小时，社保缴纳不足等。管理人员解释，相关负责人没有持续的跟进问题的整改情况。后续会持续改进相关问题。

The factory established procedure on capacity evaluation. However, it was not appropriately implemented throughout factory's production activities, the factory management did not take it seriously. Workers' monthly overtime working hours exceeded the legal requirement during the past year based on provided attendance records.

工厂建立了产能评估的程序文件。然而，并没有妥善的实施贯穿于工厂的生产活动，工厂管理层没有严肃的对待它。根据工厂提供的考勤记录发现工人的月加班时间在过去一年中超过法规要求。

PA 5: Fair Remuneration

There were total 97 employees (there were 12 retired workers, but no new join worker). But no any employee had participated in all 5 types of social insurances (employment injury insurance, endowment insurance, basic medical insurance, unemployment insurance and maternity insurance). The management explained that all employees except 5 employees were from local villages, they had participated in the rural medical insurance and rural endowment insurance in their villages, but did not want to afford extra fees for the social insurance. But the facility did not provide the statistics data of the rural cooperative medical insurance and rural endowment insurance. Moreover, the management stated that the facility would buy the commercial accident and injury insurance for all employees as soon as possible. Reference Law: Social Insurance Law of the People's Republic of China, Article 10, Article 23, Article 33, Article 44 and Article 53.

工厂内有97名员工(12名退休工人，没有新进员工)中没有任何员工参加5项社会保险(工伤保险、养老保险、医疗保险、失业保险和生育保险)。管理人员解释，除了5名员工外所有工人都来自当地的农村，他们参加了农村的农村合作医疗和农村养老保险，而不愿意再承担额外的社会保险费用。但是工厂没有提供农村合作医疗保险和农村养老保险的统计数据。另外，管理人员表示工厂将尽快为所有员工购买了商业意外伤害保险。参考法律法规：《中华人民共和国社会保险法》第10，23，33，44，53条

PA 6: Decent Working Hours

Overtime hours exceeded the legal requirement, the factory did not have effective overtime control system. The management stated that the factory established working hour rules, they did not establish overtime control planning, because orders' delivery time was short, but one day off per week was guaranteed. Through workers interview, overtime was voluntary and they preferred to earn more money through taking overtime. Based on the attendance records from 1 November 2021 to 30 November 2022, the maximum daily OT was 2 hours. Details of sampled months as below: The monthly overtime working hours of 10 out of 10 selected employees were from 76 to 80 hours in April 2022; The monthly overtime working hours of 10 out of 10 selected employees were from 78 to 82 hours in July 2022; The monthly overtime working hours of 10 out of 10 selected employees were from 62 to 68 hours in October 2022; Reference Law: PRC Labour Law article 41. Remark: the maximum monthly overtime hours of all 10 selected from 1 November 2022 to 29 November 2022 was 72 hours.

加班时间超过法规要求，工厂没有有效的系统去控制加班。管理层表示工厂有制定工时制度，由于订单交期较短，他们没有建立加班管控计划，但员工每周休息一天是有保证的。通过员工访谈，加班自愿且他们表示愿意通过加班赚更多的钱。根据2021年11月1日至2022年11月30日的考勤记录发现，最大的日加班为2小时。抽样月的情况如下：10名抽取的员工中有10人在2022年4月的月加班时间在76至80小时之间；10名抽取的员工中有10人在2022年7月的月加班时间在78至82小时之间；10名抽取的员工中有10人在2022年10月的月加班时间在62至68小时之间；参考法律法规：《中华人民共和国劳动法》第41条 备注：全部10名抽取的员工从2022年11月1日至2022年11月29日最大月加班时间为72小时。

PA 7: Occupational Health and Safety

The factory did not identify some health and safety laws applicable for its activities such as Special Equipment Safety Law of the People's Republic of China (2014), General rules for designing the production facilities in accordance with safety and health requirements (GB5083-1999) and etc. Some health and safety laws collected by the factory were old version instead of latest version, such as the version for PRC Work Safety Law was 2002 instead of 2021, and etc. The factory management said that they had appointed a person responsible for collecting and updating laws and regulations and would improve as soon as possible.

工厂没有识别一些和工厂运营相关的安全法律，比如《中华人民共和国特种设备安全法》(2014)，《生产设备安全卫生设计总则》(GB5083-1999)，等。另外，工厂收集到的一些安全的法律法规是旧版的而不是最新版的，比如《中华人民共和国安全

PA 7: Occupational Health and Safety

生产法》是2002年版，而不是最新2021年版，等。工厂管理人员表示他们已经任命了法律法规收集和更新负责人，会尽快改善。

It was noted that all 97 employees were not provided with any kind of work-related injury insurance. The facility established the work-related injury management procedures. Reference law: Social Insurance Law of the People's Republic of China, Article:33. (Remark: The factory had provided trainings on work injury management and OHS. No work injury was noted in the past year.)

工厂没有给全部97名员工提供任何形式的工伤保险。企业建立了工伤管理程序文件。参考法律法规：《中华人民共和国社会保险法》，第三十三条。（备注：工厂提供了工伤管理、职业健康安全方面的培训。过去一年未发现工伤事故。）

The factory did not provide the fire safety and Construction Structure Acceptance Certificate for one 4-storey building and the factory only used full 2F and part of 1F for workshop, warehouse and office (this 4-storey building's floor area was about 12846 square meters, the completion construction time was in 2005). Remark: The usage purpose of all both buildings was not change, all both buildings were not re-built. Through onsite observation, no structural safety issued was found, such as no obvious cracks, no sinking, no tilt and etc. The management explained that this building was built by local government and the construction safety was acceptable. Reference law: Fire Prevention Law of the People's Republic of China, Article 13; Construction Law of the People's Republic of China, Article 61

工厂没有提供1栋4层建筑的消防验收报告和竣工验收报告供查阅，工厂仅使用这栋建筑的全部2层和局部1F作为车间、仓库和办公室(整栋楼的建筑面积约12846平方米，建筑竣工时间2005年)。备注：这栋建筑没有变更使用用途，没有经过改造，通过现场观察没有发现建筑存在结构方面不安全的情况，如没有明显的裂缝、建筑没有下沉、没有倾斜等。管理人员解释这栋建筑是当地政府建造的，结构安全方面是可以接受的。参考法律法规：《中华人民共和国消防法》第十三条，中华人民共和国建筑法，第61条

1. The factory did not provide the registration certificate and regular inspection report for only one cargo lift, which was used for lifting goods during 1F and 2F. The factory management said that the relevant documents were being handled. Reference law: Special Equipment Safety Law of the People's Republic of China article 33 and article 40 2. Through facility tour, it was noted 100% sewing machines were not equipped with finger protective device in sewing workshop; The factory management said that they had not bought proper protective devices at present. Reference law: General rules for designing the production facilities in accordance with safety and health requirements (GB5083-1999)6.1.2 Remark: Through facility tour, it was noted that all the button attaching machines in the factory have been replaced with new machines with protective devices

1. 工厂没有提1台货梯的使用登记证和检验报告，该货梯用于将货物在1楼和2楼之间运输。工厂管理人员表示相关文件正在办理中。参考法律法规：《中华人民共和国特种设备安全法》第33条和第40条。2. 通过现场走访，发现在缝纫车间100%的缝纫机没有安装护指器；工厂管理人员表示他们目前没有买到合适的防护装置。参考法律法规：《生产设备安全卫生设计总则》(GB5083-1999)6.1.2 备注：通过现场走访，工厂所有钉扣机均换成了有防护装置的新机器。

The factory didn't sign emergency medical agreement with near hospital to response in case of trauma or serious illness happen. The management explained that there were two first-aid workers in the factory and they ignored this requirement and would improve it as soon as possible.

工厂未和附近的医院签订紧急救护协议以应对突发的伤害或严重疾病。管理人员解释工厂有2名急救员忽略了此要求，会尽快改善。

PA 12: Protection of the Environment

The factory did not identify the significant environmental impact associated to its activity. The management stated that they lacked understanding in this regard and would improve as soon as possible.

工厂没有识别它的经营活动相关的重大环境影响。管理人员表示他们在此方面缺乏了解，会尽快改善。

The factory did not identify some environmental laws applicable for its activities such as environmental impact assessment of construction projects classification management directory (2021), Guidelines for Pollutant Discharge Registration of Stationary Pollution Sources (Trial) and etc. Some environment laws collected by the factory were old version instead of latest version, such as the version for Water Pollution Prevention and Control Law of the People's Republic of China was 2008 instead of the latest version of 2018, the version for Law of the People's Republic of China on the Prevention and Control of Environment Pollution Caused by Solid Wastes was 2005 instead of the latest version of 2020; the version for Law of the People's Republic of China on Prevention and Control of Pollution From Environmental Noise was 2016 instead of the latest version of 2018; the version for People's Republic of China Environmental Impact Assessment Law was 2016 instead of the latest version of 2018, and etc. The factory management said that they had appointed a person responsible for collecting and updating laws and regulations and would improve as soon as possible.

工厂没有识别一些和工厂运营相关的环境法律，比如《建设项目环境影响评价分类管理名录》(2021年版)，《固定污染源排污登记工作指南》(试行)，等。另外，工厂收集到的一些环境的法律法规是旧版的而不是最新版的，比如《中华人民共和国水污染防治法》是2008版，而不是最新的2018版；《中华人民共和国固体废物污染环境防治法》是2005版，而不是最新的2020版；《中华人民共和国环境噪声污染防治法》是2016版，而不是最新的2018版；《中华人民共和国环境影响评价法》是2016版，而不是最新的2018版等。工厂管理人员表示他们已经任命了法律法规收集和更新负责人，会尽快改善。

PA 13: Ethical Business Behaviour

The factory business license address was: 1F, building 1, Photoelectric Industrial Park, Jinfeng Avenue, Xiping County, Zhumadian City, Henan Province. But through factory tour, it was noted that the factory used 2F and part 1F, building

PA 13: Ethical Business Behaviour

1, Photoelectric Industrial Park, Jinfeng Avenue, Xiping County, Zhumadian City, Henan Province, and 1F was used for warehouse, cutting, finishing, inspection and packing process, 2F was used for sewing workshop and office. The business license address did not cover the 2F. The factory management said that they would update the address of the business license as soon as possible. Reference law: Regulations of PRC for controlling the registration of enterprises as legal persons Article 17

工厂营业执照的地址是: 河南省驻马店市西平县产业集聚区金凤大道光电产业园一号楼一层。但是通过现场走访发现工厂使用河南省驻马店市西平县产业集聚区金凤大道光电产业园一号楼的二层和部分一层, 一层是仓库和裁剪、后道、检验、包装工序, 二层是缝纫车间和办公室。营业执照地址没有包括二层。工厂管理人员表示他们会尽快更新营业执照的地址。参考法律: 《中华人民共和国企业法人登记管理条例》第十七条