

Monitored Party <b>Newway Energy Co.,Ltd.</b>	amfori ID <b>156-054805-000</b>	Address <b>Building D5, Standard Workshop, Industrial Square, Hutang Science and Technology Industrial Park, Hutang Town, Wujin District, Changzhou, Jiangsu Sheng, China</b>
Monitoring Activity <b>amfori Social Audit - Manufacturing</b>	Monitoring Type <b>Full Monitoring</b>	Monitoring Partner <b>ALGI International, Inc.</b>
Monitoring Start Date <b>15/05/2024</b>	Closing Meeting Finished Date <b>22/05/2024</b>	Submission Date <b>22/05/2024</b>
Expiration Date <b>22/05/2025</b>	Announcement Type <b>Fully Announced</b>	
Site <b>Newway Energy Co.,Ltd.</b>	Site amfori ID <b>156-054805-001</b>	

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## OVERALL RATING



## SECTION RATING

PA1: Social Management System	<b>D</b>	
PA 2: Workers Involvement and Protection	<b>B</b>	
PA 3: The Rights of Freedom of Association and Collective Bargaining	<b>A</b>	
PA 4: No Discrimination, Violence or Harassment	<b>A</b>	
PA 5: Fair Remuneration	<b>A</b>	

PA 6: Decent Working Hours	<b>D</b>	
PA 7: Occupational Health and Safety	<b>B</b>	
PA 8: No Child Labour	<b>A</b>	
PA 9: Special Protection for Young Workers	<b>A</b>	
PA 10: No Precarious Employment	<b>A</b>	
PA 11: No Bonded, Forced Labour or Human Trafficking	<b>A</b>	
PA 12: Protection of the Environment	<b>A</b>	
PA 13: Ethical Business Behaviour	<b>A</b>	

## GENERAL DESCRIPTION

Name of lead auditor: Joe Cai; APSCA membership number: CSCA 21701672

Name of team auditor (if applicable): None; APSCA membership number: None

Name of observers, translators, trainees, advisors/consultants (if applicable): None

Monitoring partner name: ALGI China

Audit schedule details: The audit was planned for 1 auditor x 1.5 onsite day. The fully announced full audit was conducted on 15~16 May 2024.

Business partner information:

Newway Energy Co.,Ltd. (Local name: 江苏宁美新能源有限公司, Uniform Social Credit Code: 91320412MA1XK0AE62) was located at Building D5, Standard Workshop, Industrial Square, Hutang Science and Technology Industrial Park, Hutang Town, Wujin District, Changzhou, Jiangsu, China. The factory was established on 4 December 2018. They specialized in manufacturing of photovoltaic products. Main production activities including cutting, auto soldering, laminating, assembly, sewing, gluing and packing. No product or process subcontractor was used by the factory.

Audited location information:

The factory rented half of the 1st floor, the 2nd floor and 3rd floor of one 5-storey production building from landlord. The lease contract and landlord's business license were provided for review. Canteen was available in the factory, but no kitchen or dormitory was provided.

Half of the 1st floor was used by the audited factory as warehouse, the rest area was used by another tenant Sanlingliu (Jiangsu) Power component Co., Ltd. (叁零陆(江苏)动力部件有限公司).

The 2nd floor was used by the audited factory as canteen, office, cutting, auto-soldering, laminating, assembly workshop.

The 3rd floor was used by the audited factory as warehouse, sewing, gluing and packing workshop.

The 4th floor was used by another tenant Sanlingliu (Jiangsu) Power component Co., Ltd. (叁零陆(江苏)动力部件有限公司)

The 5th floor was used by another tenant Kenite (Changzhou) Intelligent Technology Co., Ltd(珂耐特(常州)智能科技有限公司)。

The audited factory and the other tenants were independent companies, no shared man power was used. This audit only cover the area used by the audited factory.

Operating shifts and hours:

All workers worked in 1 shift, the employees in office worked from 8:00 to 11:50, 12:50 to 17:00, the other workers worked from 8:00 to 11:20, 11:50 to 16:30, Workers could work overtime voluntarily for 2 hours on weekdays and 8 hours a day on Saturdays. One rest day in every 7-day period was guaranteed. As per management interview, peak season in the factory was not obvious during the past year.

Time recording system:

The factory used face recognition attendance system to record all workers' working hours.

Salary payment details:

Based on documents review and management interview, it was noted that all employees in the factory were paid by hourly rate. Wages were paid monthly by bank transfer on 25th of each month for the preceding month.

Worker number information:

The factory had 94 employees, including 17 non-production employees and 77 production workers. There was 29 male production worker and 48 female production workers. There were 25 male domestic migrant workers and 30 female domestic migrant workers in the factory. And no pregnant worker, young worker or disabled worker was working in the factory.

Good practices:

No good practice was noted in the audit.

Worker organization details:

No labor union was available. However, 2 worker representatives were elected by workers in the factory.

Circumstances:

No special circumstances were noted during this audit.

The factory was cooperative during the audit. Mr. Li Jian/General Manager, Mr. Gu Bo/Admin Manager, and Ms. Zhu Xiaoyan/Worker Representative attended in the opening and closing meeting. The opening meeting started at 8:00 on 15 May 2024, and the closing meeting ended at 13:50 on 16 May 2024. The auditor communicated the findings in detail with them and allowed them ask questions and make clarifications, finally, they agreed on the findings and signed on the on-site finding report.

Summary of findings:

PA1

PA 1.1. The social management system was proved to be not effective.

PA 1.4. The factory did not have proper production plan and the workers' monthly OT hours exceeded legal limit.

PA2

PA 2.2 The factory did not establish long term goal on worker protection.

PA5

PA 5.4. The factory did not know local living wage and did not calculate local living wage.

PA6 :

PA6.2 The monthly overtime exceeded 36 hours per month.

PA7

PA 7.1. Non-compliances with Health and Safety local law and regulations. Finished goods stored improperly.

PA7.3 No occupational health examination and no occupational hazardous factor monitoring.

PA7.6 Worker wearing insufficient PPE.

PA7.7 Chemical without label.

PA7.9 Insufficient warning sign.

PA7.11 No building structure safety certificate and no building fire safety certificate.

PA7.17 Machines without safety guards.

Living wage calculation:

The local legal minimum wage standard was raised from CNY 2280 per month or CNY13.10 to CNY 2490 per month or CNY 14.25 per hour since 1 January 2024.

#LivingWage: [The audited factory was located in Changzhou City, which cannot be found on the GLWC website. So the auditor used the basic living wage CNY 2956.88 per month, which was manually collected and calculated by the auditor through Anker's methodology. The Living wage calculation technique used by the auditor is to be inquired the resident consumption parameters published on the local government's public website and yearbook. Afterwards, there are calculated the relevant data of local living wage according to the proportion of Anker methodology of the key parameters. Relevant data comes from the website or yearbook data published by the local government. BLW calculation manually collected by the auditor is uploaded as part of the report attachments.]

Remark:

1. Some uploaded attachments (such as wage records and time records) involve employees' personal information, which is protected. This is to comply with the requirements of the Personal Information Protection Law of the People's Republic of China, the requirements of amfori BSCI and GDPR.
2. The documents such as agency labor contracts and collective bargaining agreements were not applicable for this audited factory because there were no agencies used by the factory and no collective bargaining happened in the factory. And the factory did not obtain some waivers such as working hour waivers, which made the government waivers not applicable during this audit.
3. During the current audit, payroll records from April 2023 to March 2024 and attendance records from April 2023 to the audit date were provided for review. The auditor randomly selected 12 samples from March 2024 (the latest paid month), December 2023 (random month) and August 2023 (random month) for verification.

## SITE DETAILS

Site  
**Newway Energy Co.,Ltd.**

Site amfori ID  
**156-054805-001**

### GICS Classification

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Sector  
**Consumer Discretionary**

Industry Group  
**Consumer Durables & Apparel**

Industry  
**Household Durables**

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	94	Workers
Legal minimum wage in local currency	2,490	Monthly
Lowest wage paid for regular work at the site	3,390	Monthly
Calculated living wage in local currency	2,956.88	Monthly
Total sample	12	Workers

### Other Metrics

Male workers	36	Workers
Female workers	58	Workers
Non-binary workers	0	Workers
Permanent workers - Male	36	Workers
Permanent workers - Female	58	Workers
Permanent workers - Non-binary	0	Workers
Temporary workers - Male	0	Workers
Temporary workers - Female	0	Workers
Temporary workers - Non-binary	0	Workers
Seasonal workers - Male	0	Workers
Seasonal workers - Female	0	Workers
Seasonal workers - Non-binary	0	Workers
Management - Male	4	Workers
Management - Female	2	Workers
Management - Non-binary	0	Workers
Apprentices - Male	0	Workers
Apprentices - Female	0	Workers
Apprentices - Non-binary	0	Workers
Workers on probation - Male	0	Workers
Workers on probation - Female	0	Workers
Workers on probation - Non-binary	0	Workers
Workers with night shift - Male	0	Workers
Workers with night shift - Female	0	Workers
Workers with night shift - Non-binary	0	Workers
Workers with disabilities - Male	0	Workers
Workers with disabilities - Female	0	Workers
Workers with disabilities - Non-binary	0	Workers
Domestic migrant workers - Male	25	Workers
Domestic migrant workers - Female	30	Workers
Domestic migrant workers - Non-binary	0	Workers
Foreign migrant workers - Male	0	Workers

Foreign migrant workers - Female	0	Workers
Foreign migrant workers - Non-binary	0	Workers
Workers hired directly - Male	36	Workers
Workers hired directly - Female	58	Workers
Workers hired directly - Non-binary	0	Workers
Workers hired indirectly - Male	0	Workers
Workers hired indirectly - Female	0	Workers
Workers hired indirectly - Non-binary	0	Workers
Unionised workers - Male	0	Workers
Unionised workers - Female	0	Workers
Unionised workers - Non-binary	0	Workers
Workers under CBA - Male	0	Workers
Workers under CBA - Female	0	Workers
Workers under CBA - Non-binary	0	Workers
Pregnant workers	0	Workers
Workers on parental leave - Male	0	Workers
Workers on parental leave - Female	0	Workers
Workers on parental leave - Non-binary	0	Workers
Sample - Male	5	Workers
Sample - Female	7	Workers
Sample - Non-binary	0	Workers

# FINDINGS



## PA1: Social Management System

Site: Newway Energy Co.,Ltd. | Site amfori ID: 156-054805-001

**Question:** 1.1 Is there satisfactory evidence that the auditee has set up an effective management system to implement the amfori BSCI Code of Conduct?

ENGLISH	LOCAL LANGUAGE
<b>Finding</b>	
<p>Based on the document review, management and workers interviews it was noted that the social management system needed improvement since non-compliance issues were detected regarding Social Management System, Workers Involvement and Protection, Fair Remuneration, Decent Working Hours, Occupational Health and Safety. Please refer to PA1, PA2, PA5, PA6, PA7 for details. This was partially in compliance with BSCI CoC. This question was rated as partially, as most PAs were in compliance with BSCI requirements.</p>	<p>根据文件检查，管理层和员工访谈，工厂的社会责任管理体系尚待完善，因为在此次审核中，发现了关于社会责任管理体系，工人参与和保护，公平报酬，体面劳动时间，职业健康与安全的问题。具体请参考PA1, PA2, PA5, PA6, PA7。该问题点部分符合BSCI行为守则。该问题点评为部分符合，因为大部分PA符合BSCI的要求。</p>

**Question:** 1.4 Is there satisfactory evidence that the auditee's workforce capacity is properly organised to meet the expectations of the delivery order and/or contracts?

ENGLISH	LOCAL LANGUAGE
<b>Finding</b>	
<p>Based on document review and interview with management and workers, it was noted that the factory did not establish proper procedure on workforce planning, did not consider how to handle the emergency order, and workers' monthly overtime exceeded legal requirement. Please refer to 6.2 for detail. The factory explained that workers wanted to have adequate overtime to earn more wages and adequate overtime was helpful for the factory to deliver goods on time. this was not compliant with the PRC Labor Law article 41. This question was rated as no because all sampled workers' overtime exceeded legal requirement.</p>	<p>根据文件检查，管理访谈和员工访谈。发现工厂没有建立合理的生产能力规划管理程序，没有考虑如何处理紧急订单，同时发现工人月加班超出法规要求。具体请参考6.2。工厂解释工人希望有足够的加班可以赚得更多的工资，足够的加班也有利于工厂按时交货。这不符合《中华人民共和国劳动法》第41条。该问题点评为不符合，因为抽样的工人加班时间都超过了法律要求。</p>



## PA 2: Workers Involvement and Protection

Site: Newway Energy Co.,Ltd. | Site amfori ID: 156-054805-001

**Question:** 2.2 Is there satisfactory evidence that the auditee defines long-term goals for protecting workers in line with the aspirations of the amfori BSCI Code of Conduct?



ENGLISH	LOCAL LANGUAGE
<b>Finding</b>	
Based on document review, management and worker interview, the factory respected workers rights, but not in compliant with BSCI requirement, and this question was rated as no because the factory did not establish and provide long term goals on protecting workers according to the BSCI Code of Conduct, such as reducing the overtime hours, improving the working environment, etc.	根据文件检查,管理层访谈和员工访谈,工厂尊重员工权益,但是不符合BSCI要求,该问题点评为不符合,因为工厂未根据BSCI行为准则定义长期目标来保护员工,如减少加班时间,改善工作环境等。

## PA 5: Fair Remuneration

Site: Newway Energy Co.,Ltd. | Site amfori ID: 156-054805-001

**Question:** 5.4 Is there satisfactory evidence that the auditee provides sufficient remuneration that allows workers to meet a decent standard of living?

ENGLISH	LOCAL LANGUAGE
<b>Finding</b>	
Based on the document review, management and workers interviews it was noted that the factory did not know local living wage and did not calculate local living wage. This question was partially in compliance with BSCI CoC and rated as partially, because all sampled workers' regular wages in sampled months (March 2024, December 2023 and August 2023) were CNY 3390~3790 per month) were higher than local living wage (CNY 2956.88 per month). The basic living wage was calculated by auditor through Anker's methodology based on the data from local government.	根据文件检查,管理层访谈和员工访谈,工厂不了解当地生活工资,也没有计算当地生活工资。该问题点部分符合BSCI行为守则评为部分符合,因为在抽样的月份(2024年3月,2023年12月和2023年8月)所有抽样的员工的正班工资(每月3390~3790元)高于当地生活工资每月2956.88元。基本生活工资由审核员用恩格尔方式以当地政府公布的数据计算。

## PA 6: Decent Working Hours

Site: Newway Energy Co.,Ltd. | Site amfori ID: 156-054805-001

**Question:** 6.2 CRUCIAL: Is there satisfactory evidence that the auditee request of overtime is in line with the requirements of the amfori BSCI Code of Conduct?

ENGLISH	LOCAL LANGUAGE
<b>Finding</b>	
Based on the document review, management and workers interviews, workers worked overtime voluntarily, but the monthly overtime exceeded	根据文件检查,管理层访谈和员工访谈,员工加班都是自愿的,但是工厂的月加班工时超过法定的36小时。2024年3月(最近支付月),12名被抽查员工

## Finding

legal limit (36 hours per month). The monthly overtime for 12 randomly selected employees were 80~82 hours in March 2024 (Latest paid month), 12 randomly selected employees had 82 hours overtime in December 2023 (random month) and 12 randomly selected employees had 78 hours overtime in August 2023 (random month). This was not in compliance with the PRC Labor Law article 41. The factory explained that workers wanted to have adequate overtime to earn more wages and adequate overtime was helpful for the factory to deliver goods on time. Because all sampled workers' overtime exceeded legal requirement, this question was rated as no.

的月加班工时为80~82小时；2023年12月（随机月），12名被抽查员工的月加班工时达到82小时；2023年8月（随机月），12名被抽查员工的月加班工时达到78小时。这不符合《中华人民共和国劳动法》第41条。工厂解释工人希望有足够的加班可以赚得更多的工资，足够的加班也有利于工厂按时交货。因为抽样的工人加班时间都超过了法律要求，该问题点评为不符合。

## PA 7: Occupational Health and Safety

Site: Newway Energy Co.,Ltd. | Site amfori ID: 156-054805-001

**Question:** 7.1 Is there satisfactory evidence that the auditee observes occupational health and safety regulations applicable for its activities?

### ENGLISH

### LOCAL LANGUAGE

## Finding

Based on onsite observation, document review, management interview and worker interview,

1. 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 warehouse storing, the occupational health examination, occupational hazard factor monitor, personal protective equipment, chemical safety, warning sign, Building structure safety certificate and fire safety certificate and machine safety. This was partially in compliance with requirements of relevant local health and safety laws. (Please refer to question points PA7.1, PA7.3, PA7.6, PA7.7, PA7.9, PA7.11, PA7.17 for specific health and safety regulations.)
2. Based on onsite observation, 10% finished goods in warehouse were stored against wall. The distance between finished goods and wall was less than the legal requirement of 0.5 meters. The factory explained the warehouse worker want to save more storing space. This was not compliant with the Rules Concerning Warehouse Safety and Fire Control article 18.

根据现场观察，文件检查，管理层访谈，员工访谈：

1. 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违反仓库存放，职业病体检，职业危害因素检测，劳保用品，化学品安全，警告标识，建筑竣工验收报告和消防验收报告和设备安全的法规的问题。这局部符合健康安全相关法律。（具体的健康安全法规条款请参阅PA7.1, PA7.3, PA7.6, PA7.7, PA7.9, PA7.11, PA7.17）
2. 现场检查发现，工厂仓库约10%成品靠墙放置。成品与墙的距离小于法定的0.5米。工厂解释仓库员工想节省存储空间。这不符合《仓库防火安全管理规划》第18条。该问题点评为部分符合，因为该领域的大部分问题点都符合法规要求。

Finding	
This question was rated as partially, because most questions in this PA was in line with legal requirement.	

**Question:** 7.3 Is there satisfactory evidence that the auditee set up an effective management system that ensures they regularly carry out risk assessments for safe, healthy and hygienic working conditions?

ENGLISH	LOCAL LANGUAGE
<b>Finding</b>	
Based on onsite observation, document review and management interview, the factory did not conduct the occupational hazardous factors monitoring for the chemical at gluing process and did not arrange the occupational health examination for the workers who contacted with chemical. This was not compliant with Provisions on the Supervision and Administration of Workplace Occupational Health, Article 20 and Law of the People's Republic of China on Prevention and Control of Occupational Diseases (2018 Amendment), Article 35. This question rated as no because the factory did not arrange the occupational hazardous factors monitoring or occupational health examination.	根据现场检查，文件检查和管理层访谈，工厂没有对涂胶岗位的化学因素进行检测，没有安排接触化学品的工人进行职业病健康检查。不符合《工作场所职业卫生监督管理规定》第20条和《中华人民共和国职业病防治法（2018修正）》第三十五条。该问题点评为不符合，因为工厂既没有安排职业危害因素检测也没有安排职业病体检。

**Question:** 7.6 Is there satisfactory evidence that the auditee enforces the use of PPE to provide protection to workers alongside other controls and safety systems?

ENGLISH	LOCAL LANGUAGE
<b>Finding</b>	
Based on onsite observation, interview with management and workers, it was noted that all 3 gluing workers were not wearing mask during working. This was partially in compliance with the Law of the PRC on Work Safety article 42. This question was rated as partially because the factory provided PPE for workers and trained workers to wear PPE during working. Related workers in other workshops were wearing PPE such as glove and mask during working.	根据现场观察，管理层访谈和员工访谈，3名涂胶的工人在工作时都没有佩戴口罩。这部分符合《中华人民共和国安全生产法》第42条，该问题点评为部分符合，因为工厂提供了劳保用品给员工，并且培训员工工作时要佩戴劳保用品。其他车间的相关员工工作时佩戴了口罩和手套。

**Question:** 7.7 Is there satisfactory evidence that the auditee implements engineering and administrative control measures to avoid or minimise the release of hazardous substances into the work environment, keeping the level of exposure below internationally established or recognised limits?

ENGLISH	LOCAL LANGUAGE
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Finding	
Based on onsite observation, document review, management interview and worker interview, the factory established procedure on chemical safety, but this question was rated as partially because 50% of glue in gluing processing workshop were not labelled. This was partially compliant with the Regulation of Chemical Safety Usage in Workplace, Article 19.	根据现场检查，文件检查，管理层访谈和员工访谈，工厂建立了化学品管理程序，但是该问题评为部分符合，因为涂胶车间50%的胶水没有标识，违反了《工作场所安全使用化学品规定》第十九条。

Question: 7.9 Is there satisfactory evidence that the auditee makes visible potential hazards to the workers and visitors through signs and warnings?	
ENGLISH	LOCAL LANGUAGE
Finding	
Based on onsite observation, management interview and workers interview, no warning sign of PPE wearing was posted in the factory. It was partially compliant with Employing Unit Occupational Disease Hazard Notification and Warning Sign Supervision Regulations Article 13. The factory explained they forgot to post the warning sign. This question was rated as partially because warning signs of high voltage were posted in the factory.	根据现场检查，管理层访谈和员工访谈，工厂没有张贴提醒员工佩戴劳保用品的标识。局部符合《用人单位职业病危害告知与警示标识管理规范》第十三条。工厂表示他们忘记了张贴该标识。该问题点评为部分符合，厂区张贴了高压的警告标识。

Question: 7.11 Is there satisfactory evidence that the auditee confirms that the equipment and buildings used for production are stable and safe?	
ENGLISH	LOCAL LANGUAGE
Finding	
Based on onsite observation, document review and management review, the factory did not provide the building structure safety certificate or fire safety certificate for their buildings. The factory explained that the landlord had not provided the certificates to them. These buildings were constructed in 2022, and their construction area was about 30000 square meters. This was not compliant with the PRC Construction Law, Article 61 and PRC Fire Prevention Law, Article 11. This question was rated as no, because the factory did not provide any certificate proving the safety of the building during the audit.	根据现场检查，文件检查和管理层访谈，工厂没有提供其建筑的竣工验收报告和消防验收报告。工厂解释房东没有为他们提供改文件。这些建筑建于2022年，建筑面积约为30000平方米。这不符合《中华人民共和国建筑法》第61条和《中华人民共和国消防法》第11条。该问题点评为不符合。因为工厂没有提供任何证明其建筑安全性的文件。

**Question:** 7.17 Is there satisfactory evidence that the auditee ensures adequate safeguards for any machine part, function, or process which may cause injury to workers?

**ENGLISH**

**LOCAL LANGUAGE**

**Finding**

Based on onsite observation, document review, management interview and worker interview, all equipment were maintained regularly. but it was partially compliant with the General Rules of Design on Health and Safety of Production Facility (GB 5083-1999), Article 6.1.5 and 6.1.6. This question was rated as partially, because the only one buttoning machine was not installed with finger guard.

现场检查发现，文件检查，管理层访谈和员工访谈，工厂有定期保养其设备。但是局部符合生产设备安全卫生设计总则（GB 5083-1999）第6.1.5条和第6.1.6条。该问题评为部分符合，因为唯一的钉扣机没有安装护手装置。