

# Monitoring result for TAN PHU VIETNAM JOINT STOCK COMPANY BRANCH on site DONG NAI BRANCH

## Monitoring

Monitored Party	: TAN PHU VIETNAM JOINT STOCK COMPANY BRANCH
amfori ID	: 704-001349-000
Site	: DONG NAI BRANCH
Site amfori ID	: 704-001349-001
Address	: Street No. 3 and Part of street No. 9, Bien Hoa 1 Industrial Zone, An Binh Ward : Bien Hoa : Đồng Nai : Vietnam
Monitoring Activity	: amfori Social Audit - Manufacturing
Monitoring Type	: Full Monitoring
Monitoring Partner	: Eurofins CPA
Monitoring Start Date	: 15/04/2023
Closing Meeting Finished Date	: 15/04/2023
Submission Date	: 27/04/2023
Expiration Date	: 27/04/2024

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## Overall rating



## Section rating

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

Name of lead auditor: Long Pham – RA21700489

Name of team auditor (if applicable): Vu Hoang – ASCA21700746 and Hanh Tran - ASCA21703021

Name of observers, translators, trainees, advisors/consultants (if applicable): N/A

Monitoring partner name: Eurofins CPA

Audit schedule details: The audit is planned for 3 auditors in 1 day.

Business partner information: TAN PHU VIETNAM JOINT STOCK COMPANY BRANCH is located at Street No. 3 and Part of street No. 9, Bien Hoa 1 Industrial Zone, An Binh Ward, Bien Hoa City, Dong Nai Province, Vietnam. The facility operated since April 2022 under the business license No. 0303640880 dated on December 16, 2021 as manufacturer of plastic bag. Main production processes are mixing, blowing, printing, cutting, inspection, packing and storage.

The main office (not included in this audit) is located at Floor 15, Sonadezi building, Street No. 1, Bien Hoa 1 Industrial Zone, An Binh Ward, Bien Hoa City, Dong Nai Province, Vietnam.

The facility rent 2 buildings (workshop 1 and workshop 2) from DONGNAI PLASTIC JOINT-STOCK COMPANY at Street No. 3, Bien Hoa 1 Industrial Park, An Binh Ward, Bien Hoa City, Dong Nai Province, Vietnam. DONGNAI PLASTIC JOINT-STOCK COMPANY was established under business license No. 3600662561 dated in 2004.

The facility rent 2 buildings (workshop 4 and workshop 5) from SAM HOLDINGS CORPORATION at Street No. 9, Bien Hoa 1 Industrial Park, An Binh Ward, Bien Hoa City, Dong Nai Province, Vietnam. SAM HOLDINGS CORPORATION was established under business license No. 3600253537 dated on March 30, 1998.

The distance between 2 location is about 2 km.

Audited location information: In view of the facility, it occupies 4,652 square meters of land area and compose of 3 main buildings at street No.9:

- Building#1 (1-storey building): Called as workshop 1. Blowing, mixing, cutting, printing and packing section
- Building # 2 (1-storey building): Called as workshop 2. Blowing, mixing, cutting, printing and packing section
- Building # 3 (1-storey building): Canteen

In view of the facility, it occupies 11,889 square meters of land area and compose of 2 main buildings at street No.3

- Building # 1 (2-storeys building): Called as workshop 4. Blowing, mixing, cutting, printing, packing and canteen on first floor. Office on second floor.

- Building # 2 (2-storeys building): Called as workshop 5. Warehouse, blowing and mixing section on first floor. Cutting, printing and packing section on second floor.

There is no dormitory available for workers. The facility did not provide transportation for employees.

Operating shifts and hours: In general, employees are working for 6 days in a week. Sunday is designated as day off. The office staffs are working in 1 shift from 7:30 to 16:30 with break time is from 11:30 to 12:30. Production employees are working in 2 shifts (Day shift is from 7:00 to 17:00 with meal break of 120 minutes from 11:00 to 13:00; night shift is from 19:00 to 5:00 with meal break of 120 minutes from 23:00 to 1:00). Security guards working in 3 shifts (shift 1 is from 6:00 to 14:00 with break of 30 minutes; shift 2 is from 14:00 to 22:00 with break of 30 minutes and shift 3 is from 22:00 to 6:00 of following day with break of 45 minutes).

Time recording system: Working hours were recorded by fingerprint system with detailed time in and time out information.

Salary payment details: The circle payment is from the first to end of month. Employees' wages are calculated on monthly salary. Wages are paid by bank transfer on 10th of following month.

Worker number information: There are 516 employees (326 male employees and 190 female employees) which include 397 production employees, 119 non-production employees working in the facility. There is no foreigner working at the facility. There are 9 contractor workers from canteen service. Apprenticeship schemes and home employees were not used by the facility. There was no youngest employee working in the facility.

Good practices: The facility provided benefits to workers such as: VND 200,000 per month for transportation bonus, VND 150,000 per day for housing allowance, VND 150,000 per day for living allowance, VND 360,000 per day for attendance allowance

Worker organization details: Trade union of TAN PHU VIETNAM JOINT STOCK COMPANY BRANCH was established in the facility.

Circumstances: There was no different circumstance faced during the monitoring.

The special circumstances can be classified as followed: No issues of incidents, shortcomings, auditor safety, building safety, national events, behaviour, and coaching were found during audit.

Summary of findings: Findings were noted in performance areas (PA1, PA2, PA5, PA6 and PA7, PA12 and PA13). Please refer to findings in performance areas for more detail.

#Living wage calculation: There is no existing data of living wage in Vietnam on Global Living Wage Coalition website. Auditor had to use manually collected to define living wage at the facility based on Anker methodology.

Precautions taken about #COVID-19 in the facility: The wages were paid correctly during the outbreak period of COVID-19. The facility provided free mask and hand sanitizer to employees freely. The facility conducted testing the temperature of employees and visitors every day during the outbreak period of COVID-19.

Note: Those documents/photos below were not uploaded in the system due to the fact that they were not applicable (government waivers, dormitory, inconsistencies between time and production records).

## Site Details

Site : DONG NAI BRANCH

Site amfori ID : 704-001349-001

### GICS Classification

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Sector : Consumer Staples

Industry Group : Household & Personal Products

Industry : Household Products

Sub Industry : Household Products

### amfori Process Classifications

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N.A.

### NACE Classification

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N.A.

### GS1 Classifications

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N.A.

### Water Stress Situation

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This site is not located in a water stressed region

## Metrics

### Key Metrics

Total workforce	516 Workers
Legal minimum wage in local currency	4680000 Monthly
Lowest wage paid for regular work at the site	5240000 Monthly
Calculated living wage in local currency	4895000 Monthly
Total sample	20 Workers

### Other Metrics

Male workers	326 Workers
Female workers	190 Workers
Permanent workers - Male	324 Workers
Permanent workers - Female	183 Workers
Temporary workers - Male	2 Workers
Temporary workers - Female	7 Workers
Seasonal workers - Male	0 Workers
Seasonal workers - Female	0 Workers
Management - Male	7 Workers
Management - Female	3 Workers
Apprentices - Male	0 Workers
Apprentices - Female	0 Workers
Workers on probation - Male	3 Workers
Workers on probation - Female	3 Workers
Workers with night shift - Male	253 Workers
Workers with night shift - Female	150 Workers
Workers with disabilities - Male	0 Workers
Workers with disabilities - Female	0 Workers
Domestic migrant workers - Male	246 Workers
Domestic migrant workers - Female	148 Workers
Foreign migrant workers - Male	0 Workers
Foreign migrant workers - Female	0 Workers
Workers hired directly - Male	324 Workers
Workers hired directly - Female	183 Workers
Workers hired indirectly - Male	2 Workers
Workers hired indirectly - Female	7 Workers
Unionised workers - Male	324 Workers
Unionised workers - Female	183 Workers
Workers under CBA - Male	324 Workers
Workers under CBA - Female	183 Workers
Pregnant workers	5 Workers
Workers on parental leave - Male	0 Workers
Workers on parental leave - Female	12 Workers
Minimum wage agreed on CBA in local currency	5240000 Monthly
Sample - Male	12 Workers
Sample - Female	8 Workers

## Findings

### PA1: Social Management System

Amfori BSCI Code of Conduct requirement on Supply Chain Management and Cascade Effect: For producers that will be monitored, internal management systems are particularly encouraged as an effective way to embed the amfori BSCI Code of Conduct in their business practices. FINDING: Based on the document review, the facility set up a management system to implement the BSCI Code of Conduct. However, it was not effective because there were findings noted in other performance areas (PA1, PA2, PA5, PA6, PA7, PA12 and PA13). Please refer to findings in performance areas for more detail.

Ghi nhận công ty đã xây dựng hệ thống quản lý để thực hiện chương trình BSCI. Tuy nhiên, hệ thống chưa hiệu quả do có các vấn đề ghi nhận ở các phần khác. Vui lòng xem các vấn đề cần cải thiện ở bên dưới.

Amfori BSCI Code of Conduct requirement on Supply Chain Management and Cascade Effect: amfori BSCI Participants acknowledge their capacity to influence social changes in their supply chains through their purchasing activities. They manage their relationships with all business partners in a responsible way and expect the same in return. FINDING: Based on the document review, the facility established selection procedure of business partners based on social performance. However, the facility did not monitor implementation of social responsible of business partners.

Công ty có tiêu chí để lựa chọn đối tác kinh doanh theo tiêu chí trách nhiệm xã hội. Tuy nhiên công ty chưa theo dõi việc thực hiện trách nhiệm xã hội của đối tác kinh doanh.

### PA 2: Workers Involvement and Protection

Amfori BSCI Code of Conduct requirement on Workers Involvement and Protection: Business enterprises should establish good management practices that involve workers and their representatives in sound information exchange on workplace issues, and allow for appropriate measures for protecting workers in line with the aspirations of the amfori BSCI Code of Conduct. Business enterprises should take specific steps to make workers aware of their rights and responsibilities. FINDING: Based on the management interview, the facility did not set up long-term goals for protecting employees in line with the aspirations of the BSCI Code of Conduct.

Công ty chưa có đưa ra các mục tiêu phù hợp với yêu cầu BSCI.

Amfori BSCI Code of Conduct requirement on Workers Involvement and Protection: Business enterprises should establish or participate in effective operational-level grievance mechanisms for individuals and communities who may be adversely impacted. Even where judicial systems are effective and well-resourced, grievance mechanisms may offer particular advantages such as speed of access and remediation, reduced costs and transnational reach. FINDING: Based on the document review, the facility has established written procedure of grievance mechanism with suggestion box, and other alternative ways for lodging complaints such as hotline, and email. However, the written procedure of grievance mechanism did not have an operational level grievance mechanism for communities as well as did not have regular survey on the grievance procedure to see satisfaction among the users.

Công ty có thiết lập quy trình xử lý khiếu nại thông qua hộp thư góp ý và có đa dạng các kênh để thu thập ý kiến phản hồi từ công nhân như đường dây nóng, thư điện tử nhưng chưa có thiết lập quy trình khiếu nại cộng đồng cũng như chưa đo lường mức độ hài lòng của công nhân về quy trình khiếu kiện.

### PA 5: Fair Remuneration

Amfori BSCI Code of Conduct requirement on Fair Remuneration: Business partners observe this principle when they respect the right of the workers to receive fair remuneration that is sufficient to provide them with a decent living for themselves and their families, as well as the social benefits legally granted, without prejudice to the specific expectations set out hereunder. Based on the document review, the facility is paying at least calculated living wage. However, the facility did not conduct survey or calculate living wage for employees.

Công ty đang trả lương ít nhất mức lương theo nhu cầu cơ bản được tính. Tuy nhiên công ty chưa có khảo sát mức lương theo nhu cầu cơ bản cho công nhân.

### PA 6: Decent Working Hours

Law: Vietnam Labor Code, No. 45/2019/QH14, dated 20 November 2019, Clause 2 of Article 107, a) overtime work must be accepted by the worker, b) the overtime hours of the employee shall not exceed 50% of a normal working hours in 01 day, in case of application of working regulation on weekly basis, the total normal working hours and the overtime hours shall not exceed 12 hours in a day, the total overtime hours shall not exceed 40 hours in a month, total overtime hours shall not exceed 200 hours in a year. Finding: Based on the time record of 20 selected employees from March 2023 (current month), February 2023 (non peak month) and October 2022 (peak month), it was noted that all selected employees did not work overtime exceed 40 hours per month and 4 hours per day in March 2023 and February 2023. The employees were paid overtime as law requirement. However, 7 out of 20 selected employees from mixing, recycling, blowing, cutting, inspection section worked overtime from 68 to 81 hours per month in October 2022 (peak month).

7 trong số 20 công nhân được lựa chọn đã làm thêm từ 60 đến 81 giờ/ tháng trong tháng 10/2022 (tháng cao điểm).

## PA 6: Decent Working Hours

Law: Vietnam Labor Code, No. 45/2019/QH14, dated 20 November 2019, Article 111, Clause 1, in every week, each employee shall be entitled to a rest of at least twenty four consecutive hours. In special cases, due to the work cycle, the employee cannot take weekly rest, then the employer shall ensure that employees is entitled to at least 4 days of rest in a month on average. Clause 2. The employer has the right to decide to arrange weekly rest days on Sundays or other specified days of the week, but must record in the labor regulations. Finding: Based on the time record of 20 selected employees from March 2023 (current month), February 2023 (non peak month) and October 2022 (peak month), it was noted that all selected employees were provided one day off in 7 days in March 2023 and February 2023. However, 1 out of 20 selected employees from recycling section worked overtime 1 rest day without leave in lieu (13 consecutive days) in October 2022 (peak month).

1 trong số 20 công nhân được lựa chọn đã làm thêm từ 1 ngày chủ nhật (13 ngày liên tục) trong tháng 10/2022.

## PA 7: Occupational Health and Safety

Local Law: Decree No. 136/2020/ND-CP on providing guidance on the Vietnam Law of firefighting and prevention, Article 13. Development and appraisal of fire safety design, 1. Construction, renovation or repurposing of projects and works and manufacturing or conversion of motor vehicles subject to special fire safety requirements must comply with fire prevention and fighting regulations and standards. Planning schemes and construction design dossiers of projects, works and motor vehicles mentioned in Appendix V enclosed therewith shall be formulated by units eligible according to regulations and are subject to fire safety design appraisal. Decree No. 136/2020/ND-CP on providing guidance on the Vietnam Law of firefighting and prevention, Article 15. Fire safety commissioning and inspection of results thereof. 1. The investor or owner of a project, work or motor vehicle which is subject to special fire safety requirements and the fire safety design of which has been appraised must organize fire safety commissioning for the project, work or motor vehicle. The investor or owner shall request the firefighting authority appraising the fire safety design to inspect the commissioning results and issue a written approval of fire safety commissioning results before putting the work or motor vehicle into use. Fire safety commissioning comprises commissioning of each part, stage, work item and system and commissioning for handover. FINDING: Based on the document review, the facility has document approved by local authority as law requirement such as: lightning protection inspection, compulsory fire and explosive insurances, fire fighting project, fire prevention and fighting certificate and fire safety acceptance record of workshop 1 and workshop 2. However, the fire prevention and Fighting Certificate and fire safety acceptance record of workshop 4 and workshop 5 were not available for review. According to the facility feedback, these documents were kept by the landlord.

Thẩm duyệt và nghiệm thu hệ thống phòng cháy chữa cháy của xưởng 4 và 5 không có cung cấp cho xem.

Amfori BSCI Code of Conduct requirement on Occupational Health and Safety, "Business partners observe this principle when they respect the right to healthy working and living conditions of workers and local communities, without prejudice to the specific expectations set out hereunder. Vulnerable individuals such as - but not limited to – young workers, new and expecting mothers and persons with disabilities, shall receive special protection." FINDING: Based on the document review, the facility conducted health and safety risk assessment for all production sections covering warehouse, machines, chemicals, office room, production areas, maintenance area. However, it did not take into consideration the special needs of the most vulnerable workers such as pregnant workers and new mothers. Moreover, the HIV/AIDS, TB, malaria and other transmittable and non-transmittable diseases were not taken into consideration in the risk assessment.

Nhà máy có làm bảng nhận diện và phân tích rủi ro tai nạn cho các bộ phận sản xuất nhưng chưa có xem xét các rủi ro liên quan đến lao động dễ bị tổn thương như lao động mang thai và nuôi con nhỏ. Ngoài ra, bệnh AIDS, lao, bệnh sốt rét và các bệnh truyền nhiễm và không truyền nhiễm khác không được xem xét trong đánh giá rủi ro.

Amfori BSCI Code of Conduct requirement on Occupational Health and Safety: The active co-operation between management and workers, and/or their representatives is essential in order to develop and implement systems towards ensuring a safe and healthy work environment. This may be achieved through the establishment of Occupational Health and Safety Committees".

FINDING: Based on management interview, document review and employee interview, employees at production sections were not consulted during the risk assessment to ensure all of the risks at their working places were identified and prevented.

Công nhân ở các bộ phận sản xuất chưa được tham vấn trong quá trình đánh giá rủi ro.

local Law: In accordance with Article 30 of Law on Chemical No. 06/2007/QH12 dated November 21, 2007 of the XII National Assembly: The facility shall provide safety measurement to ensure safety storage and usage of chemicals and Article 29 of Law on Chemical No. 06/2007/QH12 dated November 21, 2007 of the XII National Assembly: Hazardous chemicals shall be accompanied by a Material Safety Data Sheet and Article 27 of Law on chemical No. 06/2007/QH12 dated 21st November 2007 of the XII National Assembly: Chemicals must be classified and labelled prior to transportation and using. FINDING: Based on the facility tour, the facility provided label, MSDSs and secondary containment for all chemicals at chemical storage. However, there were no secondary containment and MSDS for 2 containers of chemical (solvent) at printing section of workshop 1.

Không có trang bị khay chứa phụ và bảng an toàn sử dụng hóa chất cho khoảng 2 thùng dung môi ở bộ phận in của xưởng 1.

Local law: The Construction Law (No. 50/2014/QH13), Article 89 Works subject to, and types of, construction permits. Point 1. Before starting construction of works, project owners shall obtain construction permits granted by competent state agencies in accordance with this Law, except the cases prescribed in Clause 2 of this Article. In accordance with Circular 46/2015/NĐ-CP, 12/05/2015. Article 31. Acceptance test upon completion of items of construction works or construction works before being put to use. FINDING: Based on the document review and management interview, building permit and final acceptance of building completion of workshop 1 and workshop 2 were provided for review. However, building permit and final acceptance of building



## PA 7: Occupational Health and Safety

completion of workshop 4 and workshop 5 were not available for review. According to the facility feedback, these documents were kept by the landlord.

Giấy phép xây dựng hoặc nghiệm thu công trình xây dựng của xưởng 4 và xưởng 5 không có cung cấp cho xem.

Local law: Decree No. 15/2018/ND-CP on elaboration of some articles of the law of food safety, Article 11. Issuance of the certificate of food safety, 1. Every food manufacturer and seller must obtain the certificate of food safety, except for small food manufacturer; food trading and manufacturer does not have fixed location; small food processing facility; small food trading facility; packaged food trading facility; manufacturing and trading in tools and materials for packaging and stored foods; restaurant in hotel; kitchen group does not register with business license; food trading in street. FINDING: Based on facility tour, document review and management interview, it was noted that all canteen staff were provided food Hygiene and Safety training and annual health check. However, the canteen did not obtain the Food Hygiene and safety certificate.

Nhà ăn chưa lấy chứng nhận an toàn vệ sinh thực phẩm.

## PA 12: Protection of the Environment

Local law: Environmental Law no. 55/2014/QH13, art Owners of projects, alternatives for production, trading and service provision as regulated in Article 29 of this Law must prepare the environmental protection plan for submission to competent authorities, according to regulations specified in Article 32 of this Law, for the purpose of consideration and certification before the project is commenced and alternatives for production, trading and service provision are put into operation. FINDING: Based on document review and management interview, it was noted that approval for environmental protection plan for workshop 1 and workshop 2. However, approval for environmental protection plan for workshop 4 and workshop 5 were not available for review.

Bản kế hoạch bảo vệ môi trường của xưởng 4 và xưởng 5 không có cung cấp cho xem.

## PA 13: Ethical Business Behaviour

Amfori BSCI Code of Conduct requirement on Ethical Business Behaviour: Business partners observe this principle when, and without prejudice to the goals and expectations set out in this chapter, they are not involved in any act of corruption, extortion or embezzlement, nor in any form of bribery - including but not limited to - the promising, offering, giving or accepting of any improper monetary or other incentive. FINDING: Based on the document review, it was noted that the facility has established and posted policy of corruption, extortion or embezzlement at the workplace. However, the auditee has not identified where and how the major risks of corruption could occur.

Nhà máy đã thiết lập chính sách chống tham nhũng, hối lộ và dấn ở tại nơi làm việc. Tuy nhiên, chưa có nhận diện bộ phận nào và bằng cách nào rủi ro tham nhũng có thể xuất hiện.