

Disney International Labor Standards Group

CORRECTIVE ACTION PLAN ACKNOWLEDGEMENT REPORT

The Corrective Action Plan Acknowledgement Report (CAPAR) will be used to summarize the preliminary facility audit findings and a draft corrective action plan that both the auditor and the facility representative believe is reasonable to ensure conformity with the Disney Code of Conduct for Manufacturers (Disney Code of Conduct) and applicable local laws.

The form should be used in the following manner:

- Document preliminary facility audit findings on the form below prior to the closing meeting;
- Then use the form as an agenda during the closing meeting;
- During the closing meeting, explain the preliminary facility audit findings with the facility representative;
- Document the corrective action plan;
- Both auditor and facility representative should sign and date the form.

Please leave one copy of the CAPAR with the facility representative and retain one copy with the working papers.

Facility Name Guizhou Fuding Rubber Co.,Ltd 贵州福鼎橡塑有限公司 D.B.A / A.K.A		Facility ID FAC-086073	
Facility Address Xiaoyun Industrial Park, The Miao Autonomous County, Tujia, Yinjiang Tongren Guizhou 贵州省铜仁市印江土家族苗族自治县峨岭街道小云村		Country China	
Facility Telephone Number 86-15195750987		Fax Number NA	
Facility Representative Mr. Xu Gang		Title Manager	
Audit ID DDA-039647	Audit Type Spot Check	Audit Approach Unannounced	Audit Date 2020-11-5
Auditor Name Candy Wu & Fish Yu		Audit Firm SCSA	
Start time of audit 9:20am		End time of audit pm	

AR - Age Requirement	HS - Health & Safety	OL - Other Laws
AS - Association	IL - Involuntary Labor	PE - Protection of the Environment
CH - Coercion & Harassment	MC - Monitoring & Compliance	PU - Publication
CO - Compensation	ND - Non-Discrimination	SUB - Subcontracting

CO	<p>11. 经查阅员工考勤及工资单发现, 当地最低工资为 1570 元/月, 最低时薪约为 9.03 元/小时, 但工厂支付员工的时薪为 7.55 元/小时, 低于法定最低薪资的对应时薪, 因此存在最低工资支付不足。</p> <p>In accordance with Article 48 of the Labor Law of the PRC the wage paid to an employee by an employer shall not be lower than the minimum wage standard of the locality.</p> <p>根据《中华人民共和国劳动法》第 48 条: 国家实行最低工资保障制度。用人单位支付劳动者的工资不得(低)于当地最低工资标准。</p>
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In: _____ Int: _____
Auditor: Candy Wu & Fish Yu Facility Rep: _____

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2/. 经查阅工厂考勤及工资单发现,工厂支付员工平时加班时薪为12元/小时,周末加班为14元/小时,低于最低法定工资的18.06元/小时以及21.09元/小时,因此存在加班费支付不足。

In accordance with Article 44 of the Labor Law of the PRC the employer shall, according to the following standards, pay employees remuneration higher than those for statutory working hours under any of the following circumstances.

- (1) To pay no less than 150% of the wages when extended working hours are assigned to employees;
- (2) To pay no less than 200% of the wages when employees are assigned to work on rest days and no deferred rest can be taken; and
- (3) To pay no less than 300% of the wages when employees are assigned to work on statutory holidays.

根据《中华人民共和国劳动法》第44条:有下列情形之一的,用人单位应当按照下列标准支付高于劳动者正常工作时间工资的工资报酬:(1)安排劳动者延长工作时间的,支付不低于工资的150%的工资报酬;(2)休息日安排劳动者工作又不能安排补休的,支付不低于工资的200%的工资报酬;(3)法定休假日安排劳动者工作的,支付不低于工资的300%的工资报酬。

3/. 经查阅工厂考勤及工资单发现,工厂以7.55元/小时支付员工法定节假日工资,低于法定要求最低工资的9.03元/小时,因此存在法定节假日工资支付不足。

In accordance with Article 51 of the Labor Law of the PRC an employer shall, according to law, pay wages to employees for statutory holidays, marriage leave, bereavement leave and the time of participation in community activities according to law.

根据《中华人民共和国劳动法》第51条:劳动者在法定休假日和婚丧假期间以及依法参加社会活动期间,用人单位应当依法支付工资。

4/. 经查阅工厂考勤机工资单发现,工厂并未按国家规定发放2020/2/3到2020/2/9号期间关于新冠疫情的停工待料工资。

根据《工资支付暂行规定》第12条:非因劳动者原因造成单位停工、停产在一个工资支付周期内的,用人单位应按劳动合同规定的标准支付劳动者工资。超过一个工资支付周期的,若劳动者提供了正常劳动,则支付给劳动者的劳动报酬不得低于当地的最低工资标准;若劳动者没有提供正常劳动,应按国家有关规定办理。

5/. 经查阅工厂工资转账记录发现工厂存在工资发放延迟情况,2020/11/4发放员工2020/9月份工资。

In accordance with Article 50 of the Labor Law of the People's Republic of China, wages shall be paid to employees on time and in cash for each month (every 30 days). Without appropriate reason, factory shall not withhold part of the employees' wages or postpone the wage payment.

根据《中华人民共和国劳动法》第50条:工资应当以货币形式按月支付给劳动者本人。不得克扣或者无故拖欠劳动者的工资。

6/. 根据工厂管理信息,工厂79名员工,但是工厂没有为员工购买社保。

备注:工厂有为全体员工购买商业保险。

Int. Auditor

Candy

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	<p>根据《中华人民共和国劳动法》第 72 条：社会保险基金按照保险类型确定资金来源，逐步实行社会统筹。用人单位和劳动者必须依法参加社会保险，缴纳社会保险费。</p> <p>根据《中华人民共和国劳动法》第 73 条：劳动者在下列情形下，依法享受社会保险待遇：（一）退休；（二）患病、负伤；（三）因工伤残或者患职业病；（四）失业；（五）生育。劳动者死亡后，其遗属依法享受遗属津贴；劳动者享受社会保险待遇的条件和标准由法律、法规规定。劳动者享受的社会保险金必须按时足额支付。</p> <p>77. 根据工厂提供的考勤记录，所有抽样工人周工时超 60 小时的周数超过 17 周达到 29 周，如工人于过去一年有 29 周的周工时超过 60 小时。</p> <p><i>我们期望制造商认识到，工资对于满足员工的基本需求是必不可少的。制造商至少应遵守所有有关工资和工时的法律法规，包括有关最低工资、加班、最长工时、计件薪酬率及薪酬的其他部分的法律法规，并提供法律规定的福利。除非有特殊的业务状况，否则制造商不得要求员工的工时超过以下两者中较短者 (a) 每周工作 48 个小时外加加班 12 小时 (b) 当地法律允许的对正常和加工工时的限制，如当地法律未限制工时，则为有关国家的正常工作周外加加班 12 个小时。此外，除非有特殊的业务状况，否则员工有权每七天至少休息一天。制造商将按照法律规定的增付费率为员工的加班工作支付薪酬，如果法律未规定增付费率，则至少以相当于正常时薪的费率支付加班薪酬。如当地的行业标准高于相关的法律要求，我们期望制造商遵守较高的标准。</i></p> <p>87. 根据工厂提供的考勤记录，所以抽样工人日加班超过 3 小时，最大日加班为 6.5 小时，如工人于 2020 年 9 月 11 日加班 6.5 小时。所以抽样工人月加班超过 36 小时，最大达到 153 小时，如工人于 2020 年 9 月加班 153 小时。</p> <p><i>根据《中华人民共和国劳动法》第 41 条：用人单位由于生产经营需要，经与工会和劳动者协商后可以延长工作时间，一般每日不得超过一小时；因特殊原因需要延长工作时间的，在保障劳动者身体健康的条件下延长工作时间每日不得超过三小时，但是每月不得超过三十六小时</i></p> <p>97. 根据工厂提供的考勤记录，所有抽样工人没有确保每周最少休息一天，最长连续上班天数达到 45 天，如工人从 2020 年 8 月 17 日至 2020 年 9 月 30 日连续上班 45 天。</p> <p><i>根据《中华人民共和国劳动法》第 38 条：用人单位应当保证劳动者每周至少休息一天。</i></p> <p>107. 根据工厂提供的考勤记录，所有抽样工人周工时超 72 小时，最大达 92.5 小时，如工人在 9 月 7 日至 9 月 13 日周工时为 92.5 小时。</p> <p><i>我们期望制造商认识到，工资对于满足员工的基本需求是必不可少的。制造商至少应遵守所有有关工资和工时的法律法规，包括有关最低工资、加班、最长工时、计件薪酬率及薪酬的其他部分的法律法规，并提供法律规定的福利。除非有特殊的业务状况，否则制造商不得要求员工的工时超过以下两者中较短者 (a) 每周工作 48 个小时外加加班 12 小时 (b) 当地法律允许的对正常和加工工时的限制，如当地法律未限制工时，则为有关国家的正常工作周外加加班 12 个小时。此外，除非有特殊的业务状况，否则员工有权每七天至少休息一天。制造商将按照法律规定的增付费率为员工的加班工作支付薪酬，如果法律未规定增付费率，则至少以相当于正常时薪的费率支付加班薪酬。如当地的行业标准高于相关的法律要求，我们期望制造商遵守较高的标准。</i></p>
HS	<p>11. 工厂没能提供厂房消防验收合格报告。厂房从政府机关直接租赁，约 8064 平方，。</p> <p><i>根据《中华人民共和国消防法》第 13 条：按照国家工程建设消防技术标准需要进行消防设计的建设工程竣工，依照下列规定进行消防验收、备案：（一）本法第十一条规定的建设工程，建设单位应当向公安机关消防机构申请消防验收；（二）其他建设工程，建设单位在验收后应当报公安机关消防机构备案，公安机关消防机构应当进行抽查。依法</i></p>



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应当进行消防验收的建设工程，未经消防验收或者消防验收不合格的，禁止投入使用；其他建设工程经依法抽查不合格的，应当停止使用。

2/ 工厂一台叉车年检报告已过期。

备注：工厂已与监测机构预约并缴费安排下次监测。

根据《特种设备安全监察条例(国务院第 373 号令)》第 28 条：特种设备使用单位应当按照安全技术规范的定期检验要求，在安全检验合格有效期届满前 1 个月向特种设备检验检测机构提出定期检验要求。未经定期检验或者检验不合格的特种设备，不得继续使用。

根据《中华人民共和国特种设备安全法》第四十条，特种设备使用单位应当按照安全技术规范的要求，在检验合格有效期届满前一个月向特种设备检验机构提出定期检验要求。特种设备检验机构接到定期检验要求后，应当按照安全技术规范的要求及时进行安全性能检验。特种设备使用单位应当将定期检验标志置于该特种设备的显著位置。未经定期检验或者检验不合格的特种设备，不得继续使用。

根据《中华人民共和国特种设备安全法》第三十九条特种设备使用单位应当对其使用的特种设备进行经常性维护保养和定期自行检查，并作出记录。

特种设备使用单位应当对其使用的特种设备的安全附件、安全保护装置进行定期校验、检修，并作出记录

In accordance with Article 28 of Safety Monitoring Regulation of Special Equipment (PRC State Council Order # 373), The enterprise who is using the special equipment should apply to inspection & test authority for regular inspection one month before the expiry date of the "pass" status in accordance with the regular inspection criteria of the safety specification. Special equipment without regular inspection or not passing the inspection should not be continued to use.

In accordance with Article 40 of Special Equipment Safety Law of PRC, special equipment user shall, according to the requirements of safety technical specifications, file a request for regular inspection with a special equipment inspection agency one month before the period of validity of its inspection certificate expires. After receiving the request, the special equipment inspection agency shall conduct safety performance inspection in a timely manner according to the safety technical specifications. The special equipment user shall place the regular inspection mark in a conspicuous position of the special equipment. Special equipment without undergoing regular inspection or failing to pass inspection may not be used any more.

In accordance with Article 39 of Special Equipment Safety Law of PRC, special equipment users shall conduct regular maintenance and periodic internal inspection for the special equipment used, records should be made accordingly.

Special equipment users shall ensure the safety accessories and safety protective facilities are calibrated periodically and repaired, records should be made accordingly.

3/ 审核员发现工厂没有提供职业病危害评价报告（如噪音、粉尘）供审阅。

根据《工作场所职业卫生监督管理规定》第 20 条：存在职业病危害的用人单位，应当委托具有相应资质的职业卫生技术服务机构，每年至少进行一次职业病危害因素检测。职业病危害严重的用人单位，除遵守前款规定外，应当委托具有相应资质的职业卫生技术服务机构，每三年至少进行一次职业病危害现状评价。检测、评价结果应当存入本单位职业卫生档案，并向安全生产监督管理部门报告和劳动者公布。

根据《用人单位职业病危害因素定期检测管理规范》第四条，用人单位应当建立职业病危害因素定期检测制度，每年至少委托具备资质的职业卫生技术服务机构对其存在职业病危害因素的工作场所进行一次全面检测。法律法规另有规定的，按其规定执行。

第七条 用人单位在与职业卫生技术服务机构签订定期检测合同前，应当对职业卫生技术服务机构的资质、计量认证范围等事项进行核对，并将相关资质证书复印存档。

《建设项目职业病防护设施“三同时”监督管理办法》第九条：对可能产生职业病危害的建设项目，建设单位应当在建设项目可行性论证阶段进行职业病危害预评价，编制预评价报告。

In accordance with Article 20 of Regulations of Management and Supervision on Workplace Occupational Health: Employing units where occupational hazards are existed shall consign qualified technical service agent to test occupational hazards in workplace at least once every year. Employing

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units where severe occupational health hazards existed, aside from above requirement, should consign qualified technical service agent to assess current occupational hazards situation at least once every three years. Regular test and assessment results shall be file into occupational hazard prevention and control files, made public to relevant laborers, and reported to local work safety administrative department.

In accordance with Article 4 of Regulations of Occupational Hazardous Factor Regular Testing, the employer should establish system of occupational hazardous factors regular testing and should entrust occupational hygiene technical service institution with corresponding qualification to conduct testing of factors of occupational hazards at least once a year. If otherwise provided by the State, such provision will prevail.

In accordance with Article 7 of Regulations of Occupational Hazardous Factor Regular Testing, the employer should verify the qualification and the metrology accreditation scope of the occupational hygiene technical service institution before signing the contract of testing. Copies of related qualification documents should be kept in records by the employer.

In accordance with Article of Measures for the supervision and administration of "Three simultaneous operations" of occupational-disease-prevention facilities for construction projects, the employer should make pre-assessment of the occupational-disease-prevention facilities in the stage of feasibility study and prepare pre-assessment report for the construction projects that may cause occupational-disease-prevention facilities.

4/. 审核员发现工厂并未为员工安排定期的职业病体检。

In accordance with Article 35 of Law of the People's Republic of China on the Prevention and Treatment of Occupational Diseases, for the laborers that are engaged in the operations contacting the harm of occupational diseases, the employing work unit shall organize the occupational health examination of the laborers before they take the posts, when they are at the posts and when they leave the posts, the employing work unit shall inform the laborers of the examination results. The employing work unit shall afford the expenses needed for the occupational health examination.

The employing work unit may not assign the laborers that haven't gone through the pre-post occupational health examination to undertake the operations involving the harm of occupational diseases; may not assign the laborers that have occupational contraindications to undertake the operations that they shall avoid; the laborers that are found to have the health injuries related to their posts during the occupational health examination shall be transferred from their former posts and be settled appropriately; and the employing work unit may not cancel or terminate the labor contracts signed with the laborers that haven't gone through the occupational health examination before they leave their posts.

The occupational health examination shall be undertaken by the medical and health institutions that have obtained the practice license for medical institutions. The administrative department of public health shall strengthen the standardized administration of occupational health examination, and the specific administrative measures shall be formulated by the administrative department of public health under the state council.

根据《中华人民共和国职业病防治法》第35条：对从事接触职业病危害的作业的劳动者，用人单位应当按照国务院安全生产监督管理部门、卫生行政部门的规定组织上岗前、在岗期间和离岗时的职业健康检查，并将检查结果书面告知劳动者。职业健康检查费用由用人单位承担。用人单位不得安排未经上岗前职业健康检查的劳动者从事接触职业病危害的作业；不得安排有职业禁忌的劳动者从事其所禁忌的作业；对在职业健康检查中发现有与所从事的职业相关的健康损害的劳动者，应当调离原工作岗位，并妥善安置；对未进行离岗前职业健康检查的劳动者不得解除或者终止与其订立的劳动合同。职业健康检查应当由取得《医疗机构执业许可证》的医疗卫生机构承担。卫生行政部门应当加强对职业健康检查工作的规范管理，具体管理办法由国务院卫生行政部门制定。

5/. 工厂没能提供厂房的建筑工程竣工验收报告。厂房从政府机关直接租赁，约 8064 平方。

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In accordance with Article 61 of Construction Law of the People's Republic of China, construction projects having been completed and accepted through examination shall meet the stipulated quality standards on construction projects, have complete technical and economic data of projects and warranties issued by builders, and satisfy other requirements set out by the state for the completion of construction projects.

Only after a completed construction project is proved to meet the standards through examination can it be delivered for use. Construction projects having not been examined and accepted or having failed in examination shall not be delivered for use.

根据《中华人民共和国建筑法》第61条：交付竣工验收的建筑工程，必须符合规定的建筑工程质量标准，有完整的工程技术经济资料 and 经签署的工程保修书，并具备国家规定的其他竣工条件。建筑工程竣工经验收合格后，方可交付使用；未经验收或者验收不合格的，不得交付使用。

6/. 现场发现 11 栋厂房 2 楼包装区域有 1 个消防警铃被杂物堵住。

In accordance with Article 28 of Fire Control Law of the People's Republic of China, no units or individuals may damage or divert to other purpose, dismantle or inactivate fire control facilities and equipment without authorization, or bury and occupy fire hydrants, take up fire prevention spaces and block fire control passages, safety exits or fire-fighting truck passage. Barrier that baffles evacuation and fire-fighting activities shall not be located at doors and windows in crowded concourse.

In accordance with Article 5.1.1 of Code for design of extinguisher distribution in buildings (GB 50140-2005): The fire extinguishers should be placed in a visible and easily accessible location. Besides, they should not obstruct the safety evacuation.

根据《中华人民共和国消防法》第28条：任何单位、个人不得损坏、挪用或者擅自拆除、停用消防设施、器材，不得埋压、圈占、遮挡消火栓或者占用防火间距，不得占用、堵塞、封闭疏散通道、安全出口、消防车通道。人员密集场所的门窗不得设置影响逃生和灭火救援的障碍物。

根据《建筑灭火器配置设计规范》(GB 50140-2005)第 5.1.1 条：灭火器应设置在位置明显和便于取用的地点，且不得影响安全疏散。

7/. 工厂车间约 90%的安全出口门为卷帘门

根据《建筑设计防火规范(GB50016-2014)》第 6.4.11 条：建筑内的疏散用门应符合下列规定：

1. 民用建筑和厂房的疏散用门应向疏散方向开启，不应采用推拉门、卷帘门、吊门、转门和折叠门。除甲、乙类生产房间外，人数不超过 60 人的房间且每樘门的平均疏散人数不超过 30 人时，其门的开启方向不限；
2. 仓库的疏散用门应为向疏散方向开启的平开门，但丙、丁、戊类仓库首层靠墙的外侧可设推拉门或卷帘门；
3. 开向疏散楼梯或疏散楼梯间的门，当其完全开启时，不应减少楼梯平台的有效宽度；
4. 人员密集场所平时需要控制人员随意出入的疏散用门和设置门禁系统的住宅、宿舍、公寓建筑的外门，应保证火灾时不需使用钥匙等任何工具即能从内部易于打开，并应在显著位置设置具有使用提示的标识。

8/. 工厂门口有 5 桶染料没有张贴化学品安全标签。

根据《化学品安全标签编写规定》(GB15258-2009)第 4.1-4.2 条：标签要素包括化学品标识、象形图、信号词、危险性说明、防范说明、供应商标识、应急咨询电话、资料参阅提示语等。第 6.1 条，标签应精贴、拴栓或喷印在化学品的包装或容器的明显位置。

9/. 工厂门口有 5 桶染料没有放置二次容器

In accordance with Article 20 of Regulation for Safety of Hazardous Chemical, an entity producing or storing hazardous chemicals shall, according to the category and dangerous properties of the

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Int. Facility Rep.

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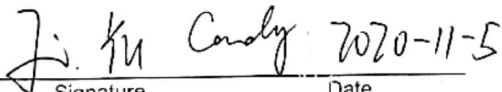
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	<p>hazardous chemicals it produces or stores, set up monitoring, controlling, ventilation, sun-proof, temperature-controlled, fireproof, fire fighting, blast-proof, pressure discharging, poison-proof, neutralizing, moisture-proof, lightening-proof, static-proof, antiseptis, and anti-leakage safety facilities or equipment, such as protection dams and segregated operations, etc. at the work places, and maintain them on a routine basis according to the national standards, industrial standards or relevant state provisions so as to guarantee the normal functioning thereof.</p> <p>根据《危险化学品安全管理条例》第 20 条 生产、储存危险化学品的单位，应当根据其生产、储存的危险化学品的种类和危险特性，在作业场所设置相应的监测、监控、通风、防晒、调温、防火、灭火、防爆、泄压、防毒、中和、防潮、防雷、防静电、防腐、防泄漏以及防护围堤或者隔离操作等安全设施、设备，并按照国家标准、行业标准或者国家有关规定对安全设施、设备进行经常性维护、保养，保证安全设施、设备的正常使用。</p> <p>10/. 11 栋厂房 1 楼炼胶车间员工佩戴的口罩为普通的口罩而不是防尘口罩。</p> <p>In accordance with Article 37 of Law of the People's Republic of China on Production Safety, an employer shall provide employees with occupational health and safety conditions and necessary personal protective equipment conforming to the state stipulations and shall monitor and educate employees on how to wear and use such personal protective equipment according to use instruction.</p> <p>根据《中华人民共和国安全生产法》第 37 条：生产经营单位必须为从业人员提供符合国家标准或者行业标准的劳动防护用品，并监督、教育从业人员按照使用规则佩戴、使用。</p>
Sub	<p>审核员确定审核工厂“贵州富鼎橡塑有限公司”于 2019 年 11 月 5 日至 2020 年 11 月 5 日期间没有外发或购买迪士尼知识产权的产品。</p>

A closing meeting has been performed. The above preliminary facility audit findings were discussed and a draft corrective action plan was explained to the facility representative. Please note that while all preliminary facility audit findings are subject to a final review process, and it is possible further updates to these preliminary facility audit findings may be necessary, the facility is responsible for and expected to take immediate corrective actions of the preliminary facility audit findings.

The facility should contact the customer who contracted with the facility for Disney-branded production for the final version of the Corrective Action Plan letter to ensure that all issues are promptly identified and addressed. Continued finding of nonconformity with the Disney Code of Conduct and applicable local laws may lead to termination of the facility for all Disney production.

The signatures below reflect that the auditor has explained the preliminary facility audit findings to the facility representative.

 _____ Signature Auditor	_____ Date	_____ Signature Facility Representative	_____ Date
_____ Print name Auditor	_____ Date	_____ Print name Facility Representative	_____ Date



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Note: Disney may authorize production for a specific period of time and may assess compliance to its Code, but does not currently maintain a list of approved suppliers. Possession of a Disney Manufacturer's Agreement (MA), Factory and Merchandise Authorization (FAMA), audit, CAPAR, Corrective Action Plan letter, or other document does not indicate that a facility is an approved Disney supplier.

