

Complaint – Hessnatur – Turkey

FWF is responsible for setting up a complaints procedure in production countries where FWF is active. The complaints procedure allows third parties to make complaints about the working conditions or the way the Code of Labour Practices is implemented in factories which supply FWF members.

The responsibility of FWF includes investigating the complaint, verifying whether the agreed corrective action plan is implemented and public reporting. This complaint report gives an overview of a complaint filed to FWF, the investigation and agreed corrective action plan as well as how the outcome is verified. For more information on the complaints procedure see the FWF website. FWF also publishes an overview of complaints received in its annual reports.

1. Affiliate involved

Hessnatur

2. Accused party

The accused party is a factory in Turkey supplying the affiliate.

3. Date of receipt complaint

The complaint was received on February 3, 2014 through local hotline of FWF in Turkey.

4. Filing party

Three workers, who were working at the accused factory, at the knitting department.

5. The case

3 plaintiffs who raised individual complaints through separate calls on the same day claimed that they were dismissed by the factory management because of being a union member. They also claimed that management asks for workers' e-state citizen passwords - which are used to apply to/resign from union membership - to check who is a member of a union. When factory management's feedback about the complaints was asked by the affiliate, management claimed the dismissals took place during the legal trial period due to the low productivity of plaintiffs. Management also mentioned that they bought new machines and employed new workers accordingly. According to management they had to terminate the working contracts of some of those newly employed workers who were working with less productivity and showing poor commitment to the internal discipline rules of the factory.



6. Admissibility

The issue is related to a supplier of an FWF affiliate, and is related to the following labour standards:

Freedom of Association

7. Investigation

A verification audit was carried out by FWF, on February 20-21, 2014.

8. Findings and conclusions

The audit findings showed that 22 workers were dismissed starting from December 2013. 13 of those dismissed workers were from knitting department and 5 of them were union members. All the documentation about dismissals was in compliance with local regulations and the employment contracts were terminated during trial period. On the other hand, the management clearly stated to the audit team that they will not allow union members in the factory and they would prefer not to hire a union member. Management confirmed the claims about asking for private e-state citizen passwords; however mentioned that they ask for the passwords to make it easier for workers to prepare the documents needed for employment. In practice, private e-state citizen passwords are not needed by the employer to help workers prepare such documents. Such documents need to be prepared by the worker before 1st day of work. Although there is no documentation proving the claims about FoA, the statement of factory management about not hiring union members is clearly a statement in violation with FoA. In addition, implementation regarding collecting the e-state citizen passwords of workers constitutes a high risk of violation of FoA.

9. Corrective action

Hess Natur is requested to actively engage with the supplier on audit findings, in relation to this complaint specifically follow-up on requirements and recommendations concerning 'Communication and consultation', and on 'Freedom of association and the right to collective bargaining'. As part of this, Hess Natur needs to make sure that supplier no longer collects e-state citizen passwords.

A Workplace Education Program should be implemented, with the goal to raise awareness and knowledge of both workers and managers on workers' rights and on communication channels to discuss grievances.

10. Evaluation by the plaintiff



11. Verification