

Complaint – Takko Fashion – Bangladesh

Status: Resolved

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

Takko Fashion

2. Accused party

A factory located in Bangladesh supplying Takko Fashion.

3. Date of receiving complaint

10 August 2014

4. Filing party

A number of workers that were employed by the factory.

5. The complaint

In the evening of 10 August 2014, the complainants called FWF's helpline and claimed that a male worker of the cutting department was missing after a big argument with the production manager. The workers suspected that the management of the factory abducted him. All workers went on silence strike the same day and demanded the management to release the missing worker. Since the person was not missing for more than 24 hours yet, FWF's complaints handler asked the workers to be patient and promised to inform the brand the next day.



Fair Wear Foundation complaints report – Date of reporting: 12 August 2014; updated on 25 September 2014

On 11 August, workers informed FWF that police had come to the factory. They also said the workers and management were probably entering physical conflict.

The claim was further investigated by FWF.

6. Admissibility

FWF decided that the case was admissible on 11 August 2014.

The factory was an active supplier of Takko Fashion, an affiliate of FWF.

The case was relevant to the following labour standards of FWF's Code of Labour

Practices:

- Occupational health and safety

7. Investigation

FWF informed Takko Fashion about the case on 11 August. The local office of Takko fashion immediately contacted the factory for more information. According to the information from the factory until 12 August, the missing person was found by the police and currently in police's custody. The factory remained closed since 11 August for at least three days. Around the same time, workers organised demonstrations inside the factory.

Takko Fashion local office tried to organise a meeting for FWF to interview the factory management, but it was not possible in August to meet with the factory management when the issue was highly sensitive.

FWF local team conducted an offsite workers interview for three days with at least 30 workers about the situation in the factory. The workers confirmed that there had been police investigation in the factory.

8. Findings and conclusions

Due to the fact that it was not possible to meet with the factory management at that time, it was not possible to investigate and come to a conclusion on the issue.

Although the factory claimed that the missing person was found on 12 August, he was only brought to the factory by the police on 25 August. The workers confirmed to FWF local team that the missing worker was found. The missing person and his family were not allowed to discuss with anyone about the incidence. FWF's local team could not get any information about what happened with the person since he was reported missing.

During the investigation process, some workers called FWF's helpline on 16 August that the factory had filed a court case against 93 employees who were believed to behave violently during the demonstration. The factory also blacklisted 13 workers and put their photos up in front of the factory.

9. Remediation

The missing person was found.

With regard to the situation of 93 workers being sued and 13 workers blacklisted, the local office of Takko fashion contacted the factory on 16 August to discuss the issue. The factory believed that the court case was justified and the workers should be punished for their violent behaviour. The factory did not comment on blacklisting the workers but agreed to take off the pictures.

FWF local team conducted an offsite workers interview and observed outside of the factory for the claims. The factory met with FWF local staff to discuss the case on 11 September.

According to workers' testimonial from random workers interviews, some workers did use violence against some management staff and factory properties due to the anger during the demonstration in 11-13 August. But the workers believed that the factory also did not communicate with them properly and harassment was common before the demonstration.

FWF local team also interviewed about 10% of the 93 workers. They agreed that they should not have used violence and would like to negotiate with the factory management.

The 13 workers who were blacklisted said that the factory took their photos off the announcement, but their reputation was ruined. They would like to sue the factory for damaging their reputation.

The factory had taken off the pictures of the 13 workers in the end of August. FWF local team suggested to both factory management and workers to drop court cases and discuss the issues together. The factory management told FWF local team that it would consider dropping the court case.

Takko Fashion's local office was in contact with the factory management to get regular updates on the case.

10. Verification

At least three workers plus representatives of the anti-harassment committee of the factory confirmed that the missing person was found and looked healthy in August. The missing worker had returned home but fired by the factory. The management said the worker was fired because he was kept in jail by the police. The current labour law does not require compensation in such situations.

According to workers interviews, the missing worker and his family could not discuss the case with anyone besides the police. The police office refused to provide information to FWF. At this point, FWF is not able to verify the situation. According to the factory and confirmed by other workers, the missing person was paid until the month of July.

FWF local team discussed with the factory in December 2014 about the court case. The management said they had not withdrawn the case from court. However they requested the court not to punish the 93 workers. All the workers were bailed out and the case will automatically expire in one year if the workers are not involved in other cases. The 93 workers are working in other factories. Workers interviews could not confirm the details, but most workers informed FWF that the 93 workers were not in jail.

The factory had taken off the pictures of the 13 blacklisted workers in August, according to visual inspection of FWF local team. The pictures were not posted again when the team visited the factory in December 2014. Workers interviews confirmed the situation.



Fair Wear Foundation complaints report – Date of reporting: 12 August 2014; updated on 25 September 2014

11. Evaluation by the complainant

The complainants were in general satisfied with the result.