

Complaint –Hess Natur and Triaz– China

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

Hess natur and Triaz

2. Accused party

The complaint was filed against a factory in China which is a supplier of Hess natur and Triaz.

3. Date of receipt complaint

The complaint was received by FWF through its local complaints handler in China on 27 March 2013.

4. Filing party

A worker of the factory contacted FWF's complaints handler by MSN messenger.

5. The case

Plaintiff complained about excessive overtime. During 2013, FWF received several messages from different workers complaining about excessive overtime. According to the plaintiff, monthly overtime hours exceed over 80 to 100 hours. They often work until 21:00 – midnight and are not always 1 day off during weekends.

6. Admissibility

The complaint is related to a factory which is a supplier of FWF affiliates and relates to the FWF Code of Labour practices, namely: No excessive working hours.

7. Investigation

On 27 March 2013 FWF's complaints handler in China received an anonymous message from a worker. The worker complained about forced excessive overtime.

On 1 April 2013 our complaints handler received another message from the same worker. The worker stated that people have to do overtime work until 11:30 PM in recent weeks.

On 2 recent days workers had to continue work until 7:00 AM - 8:00 AM in the morning. This would mean that workers would have worked shifts of almost 24 hours. According to the plaintiff there is a lot of dismay among workers but there is fear to enter a discussion with management. The plaintiff indicated in general terms that excessive overtime has especially been a problem in the past couple of weeks because of Chinese New Year.

On 2 April 2013 FWF contacted Triaz and Hess Natur and asked to analyse its own production planning to investigate whether order deliveries could have affected the situation.

Triaz and Hess Natur checked their orders and delivery dates from the last six months from the factory. From this data there was no time pressure found.

On 8 April, the factory manager contacted FWF on his own initiative. The factory manager had checked the attendance records and admitted there has been overtime work as the factory had to catch up with production tasks because of the 9 day-off period after Chinese New Year. According to the factory manager workers could make their own decisions if they want to do overtime work. The factory manager also mentioned that there was only one night that workers worked until 1:00-2:00 AM. According to the factory manager there was no case of work until 7:00 AM.

The factory manager emphasized that he would like to encourage his workers to use the communication channels in the factory.

FWF received the factory's attendance records of February and March 2013, which were analysed by FWF's Chinese Liaison Officer.

8. Findings and conclusions

After considering all findings, FWF concluded excessive overtime took place in the factory. It seems there is no basis to conclude mandatory overtime at the factory.

However, the case indicates there is no efficient production planning that can manage regular reasonable working hours. The factory could have anticipated better on Chinese New Year.

9. Corrective action

FWF suggested that the factory would benefit from a training on dispute handling in the workplace and recommended a WEP training at the supplier of Triaz and Hess Natur. Both agreed to plan a WEP training. The WEP training took place on 10 July 2013 and focused on overtime and planning.



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Corrective action for both affiliates is to continue monitoring the working hours at the factory and continue to make progress towards reducing excessive overtime. The Affiliates should support the factory in efficient production planning.

10. Evaluation by the plaintiff

Despite several attempts, FWF has not been able to get in touch with the plaintiff again to receive an update after the WEP training was conducted.

11. Verification

FWF will verify Hess natur's and Triaz's production planning and efforts to reduce excessive overtime during next performance checks. A verification audit is planned for 2014.