

## **Complaint – Suit Supply – 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**

Suit Supply B.V (the Netherlands)

### **2. Accused party**

The complaint was filed against a factory in China which is a supplier of FWF affiliate Suit Supply.

### **3. Date of receipt complaint**

The complaint was formally received by FWF through its local complaints handler in China on 20 July 2013.

### **4. Filing party**

The complaint was filed by a worker of the factory whose contact details are known to FWF but will be kept confidential.

### **5. The case**

The complaint related to the labour standards 'Employment is Freely Chosen' that is part of FWF's Code of Labour Practices.

The worker informed FWF's complaints handler that he had submitted a written resignation letter on 19 Jul 2013. According to the worker, the management team refused to accept the resignation letter and did not approve his resignation. Despite following the local law to resign with a 30 days' notice, the worker stated he still needed approval by management before he can quit.

## 6. Admissibility

On 21 July 2013, FWF decided that the complaint was admissible as it relates to the Code of Labour Practices and the involved factory has an active business relationship with an affiliate member of FWF.

On 23 July 2013, FWF informed Suit Supply that the complaint had been filed through its complaints procedure.

## 7. Investigation

Given that the complaint was filed shortly after an audit was conducted in the factory, FWF checked whether there were any non-compliances found related to this issues. The audit team did conclude for it could be difficult for workers to resign and they need management approval before they can leave the factory.

FWFs complaints handler asked the worker if he could provide evidence of filing his resignation according to legal requirements. The worker attempted to obtain an official written resignation from his manager who refused to provide him with an approved resignation request. The worker subsequently wrote his own resignation letter dated 19 July 2013 and sent a copy to FWF.

FWF decided the complaint could only be found grounded when the violation would in fact take place, e.g in case the worker would still be working on the 20<sup>th</sup> of August 2013: one month after his resignation. FWF did decide to inform Suit Supply at this stage in order to prepare the company for the potential risk occurring at its supplier.

Shortly after, on 25 July 2013, FWF received information from the plaintiff that the factory officially accepted his resignation request and that he received the resignation form from management.

## 8. Findings and conclusions

N/A see above.

## 9. Corrective action

Suit Supply immediately contacted its supplier after the complaint was received. The company discussed the matter with management of the factory and stressed that the factory should accept workers' resignation when they have followed the law. Shortly after, the plaintiff informed FWF that the factory officially accepted his resignation request and that he received the resignation form from management.

Suit Supply will prioritize the findings relating to 'Employment is Freely Chosen' in the corrective action plan following the audit at this factory. In August 2013, Suit Supply will need to monitor whether the worker resigned from the factory according to requirements as stipulated by local law.

## 10. Evaluation by the plaintiff

The plaintiff thanked FWF and Suit Supply for the efforts to help him on this. The worker will keep FWF informed whether he receives wage and benefits according to local law after his resignation.