



## Complaint – Nudie Jeans – Tunisia

### Status: Closed

*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

Nudie Jeans Co. (Sweden).

### 2. Accused party

A factory located in Tunisia supplying Nudie Jeans.

### 3. Date of receiving complaint

The complaint was received through FWF's local complaints handler in Tunisia on April 29, 2014.

### 4. Filing party

A worker that is currently employed by the factory.

### 5. The complaint

The complainant claimed that since he started working at the factory, he has only received employment contracts for 1 or 2 months. Furthermore, he was suspended from his work and the manager has threatened to not renew his contract. Finally, the worker claims that his manager shouts at and offends workers.

## 6. Admissibility

FWF decided that the case is admissible on April 30, 2014.

The factory is an active supplier of Nudie Jeans, an affiliate of FWF.

The case is relevant to the following labour standards of FWF's Code of Labour Practices:

- Legally-binding employment relationship;
- Safe and healthy working conditions.

## 7. Investigation

FWF has informed Nudie Jeans about the case. Nudie Jeans contacted the supplier and asked for a reply within one week. FWF also contacted the complainant on April 29, 2014 to provide more information on whether his contract was renewed and to investigate if he had involved the trade union. He was again contacted on June 18<sup>th</sup> to inquire about his situation.

Following a visit by a representative from Nudie Jeans, a reply from the factory was received.

Around the same period as the complaint, a three-day strike occurred at the factory.

FWF also investigated what the Tunisian labour law says about short-term labour contracts.

## 8. Findings and conclusions

The factory has indicated that in general there is a problem with dialogue and communication between workers and management, including verbal abuse, (sexual) harassment and nepotism.

The most recent audit in November 2012 showed issues with short-term contracts: Workers sign many contracts for a period of one month which is an insecure social situation.

Investigation by the local complaints handler showed that the complainant did get his short-term contract renewed. The complainant also indicated that the trade union was involved in limiting the worker's suspension to 3 days.

The issue of short-term contracts is something that is common in Tunisia. Employers feel that in order to motivate workers and keep them from becoming less productive, they get workers to sign short-term contracts of 1-3 months. Legally, employers are allowed to issue fixed-term contracts for a maximum of 48 months, after which a contract becomes permanent.

Local stakeholders indicate that the labour law is somewhat unclear when it comes to the practice of these short-term contracts. What is clear, however, is that use of short-term contracts was intended for specific, seasonal employment and not for year-round employment such as found in a garment factory. It also has the effect of placing workers in an insecure employment situation.

The next Social Forum (most likely taking place at the end of 2014) between trade unions and the employers' organization is expected to deal with this issue.

For this reason, FWF finds that the use of short-term contracts is undesirable in garment factories and must be addressed by factory and brand.

## 9. Remediation

In the minutes of a management meeting held in response to the complaint, 4 actions were outlined by factory management:

- Provide better information on wages to workers;
- Have weekly meetings with management and supervisors to address workers' complaints;
- Establish a program to provide social occasions and leisure for workers and their children;
- Organize training sessions for management and supervisors on how to deal with stress and pressure on the job.

For the specific situation of the complainant, after discussing the problem directly with the director, the director apologized to the worker. It was also decided to have the worker change teams and therefore have a different manager.

As a response to the three-day strike at the factory, the workers received some more benefits such as more money for the purchase of work shoes as well as a risk premium. Workers indicated that the director has made an effort to communicate directly with workers, and a party was organized at the factory for the workers.

With regards to the short-term contracts, further remediation is necessary. The use of short-term contracts is widespread in the Tunisian garment sector, and therefore FWF must work together with brands and local partners to investigate the root cause and propose remediation of this issue on a national level.

As a first step towards remediation, Nudie Jeans is recommended to discuss the issue of short-term contracts with factory management and communicate the desire to have this practice ended.

Secondly, it is recommended to enroll the factory in FWF's Workplace Education Programme to train workers and management on effective communication and dialogue processes.

## 10. Verification

FWF is scheduled to perform a verification audit at this factory in September. This audit will provide more insight into the social compliance situation at the factory and if the management response has made the situation better. It will also indicate if the use of short-term contracts is still widespread.

## 11. Evaluation by the complainant

The worker indicated that he is still employed in the factory and satisfied with the remediation of his work situation.

