



## **(Complaint – Acne – 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**

Acne

### **2. Accused party**

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

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

Complaint received on November 30, 2012 through FWF Local Hotline in Turkey.

### **4. Filing party**

The worker representative at the sewing department of the accused party.

### **5. The case**

Filing party claimed that the workers at the sewing department who are paid per piece of production did not get piece rate raise since four years. In addition to that, for the overtime work on Saturdays and Sundays they are paid the same piece rate instead of overtime payment. The plaintiff, as the representative of all piece rate workers at that department, raised the issue to the management by addressing his supervisor but could not get a feedback. Those workers also made a petition for the grievance and addressed it to the supervisor but the supervisor did not accept to communicate the petition to the management.

### **6. Admissibility**

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



Living wage

## **7. Investigation**

An auditor of FWF in Turkey visited factory for the investigation of the claims on 16 January, 2013. Auditor interviewed with management and workers, and did the related documents check.

## **8. Findings and conclusions**

The overtime payments are duly paid for those who work on a base of a monthly salary but there is a different and very complicated bonus system for piece rate workers. Piece rate workers have a minimum salary, which was increased 33 per cent at the beginning of 2013. However, this minimum wage is only due in situations where workers would be paid less than this, according to the number of produced pieces by them in the given month. They are also paid monthly bonuses calculated on different percentages according to the number of produced items.

The bonus system substitutes overtime payment and investigation of FWF showed that workers are even paid a little more with this system than they would be with the overtime payment system however; workers were not aware of this since the system and its calculation systematic was not communicated to the workers. In addition, implementation of a bonus system instead of overtime payment system is not fulfilling the legal obligations.

The factory increased the minimum wage for piece rate workers at the beginning of 2013; however investigation proved that the piece rates were not increased for the duration plaintiff claimed. The payment increase has been done on the bases of percentage of bonuses, instead of payment for per piece. This has the potential to make overtime work obligation for workers since they have to produce more to be able to benefit from the raise in percentage of bonuses.

## **9. Corrective action**

Action requires is to make factory raise the piece rate and establish a system that harmonises both the overtime payment system and factory's own bonus system, and to communicate this system to the workers.

## **10. Evaluation by the plaintiff**

Plaintiff mentioned several mobbing from supervisors and managers because of his communication with FWF, and decided to terminate his work contract. Seniority payment for the plaintiff was provided by the factory.

## **11. Verification**

Affiliate communicated the corrective action plan to the factory involved. Implementation of the corrective action will be monitored by the affiliate and verification will be done by FWF.