

## Complaint – Outdoor & Sports Company Ltd. – Vietnam

### Status: New complaint

*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. Member company involved

Outdoor & Sports Company Ltd. (OSC).

### 2. Accused party

A factory located in Vietnam supplying OSC.

### 3. Date of receiving complaint

The complaint was received on 4 November 2016.

### 4. Filing party

A worker that was employed until 4 November 2016 by the factory.

### 5. The complaint

The complainant claimed she has been working at the factory for about 1 year without a signed labour contract. The worker does not have an employee's card or health insurance card. She received the payslip every month but she was not able to share it with the complaints handler. The complainant stated she was fired on 4 November without advance notice.

According to the worker, factory management has sent the working time sheets in October to workers for checking. The complainant's name was not in the time sheet. When she informed her line leader and vice line leader, her supervisors informed her they have forwarded the issue. The accountant replied that the worker was fired by an HR manager who is working at Administration Department and was off that day.

The next day on 5 November, the line leader has informed her that her salary for October will be paid if she agrees to work extra 3 days without payment. This means there will be no payment for working days in November. The worker went to the factory, but the security did not let her enter.

The authenticity of the accusation is under investigation.

## 6. Admissibility

FWF decided that the case is admissible on 5 November 2016.

The factory is an active supplier of OSC, a member of FWF.

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

- Payment of a living wage
- Legally binding employment relationship

## 7. Investigation

FWF informed OSC about the case. OSC is expected to contact the supplier and ask for a reply within one week.

FWF's complaint handler is currently aiming to receive evidence the worker was in fact employed by the factory. The complaint handler asked the complainant whether she could share the telephone numbers of her line leader/vice line leader or co-worker in order to verify that she has worked at the company until 4 November.

FWF's complaint handler called one of the complainant's coworker who works at the factory approximately 4 months without a labour contract. The coworker informed FWF's complaint handler she was under the impression the plaintiff was fired because she was absent for 2 days without permission (29&31 Oct). The coworker confirmed that the plaintiff has worked at the factory until yesterday (Nov 4) and she got fired at the end of working time.

FWF had scheduled an audit at this supplier on behalf of Outdoor & Sports in December. FWF proposed to move the audit date forward to end of November. During the audit, FWF can verify the labour contracts for all workers and further investigate this case. Payday is every 15<sup>th</sup> of the month, which will allow the audit team to verify the paid wages, including the complainant's wage payments.

## 8. Findings and conclusions

The case is under investigation.

## 9. Remediation

The case is under investigation.



## **10. Verification**

The case is under investigation.

## **11. Evaluation by the complainant**

The case is under investigation.