



Complaint – Bierbaum-Proenen – Turkey

Status: Resolved

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

Bierbaum-Proenen

2. Accused party

A factory located in Turkey supplying Bierbaum-Proenen company.

3. Date of receiving complaint

January 21st, 2017

4. Filing party

A worker who was dismissed by the factory management. Upon approval, the complainant's name was shared with the FWF member brand and factory but the complainant remains anonymous in this report.

5. The complaint

The complainant claimed that (s)he was dismissed by the factory management. The complainant refused to sign a resignation letter and claims that the factory owed her/him 25 days outstanding payment and compensation.



6. Admissibility

FWF decided that the case is admissible on January 23rd, 2017.

The factory is an active supplier of Bierbaum-Proenen, 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 Bierbaum-Proenen about the case on February 3rd, 2017. Bierbaum-Proenen has contacted its supplier and got immediate feedback from the factory management.

Social security declarations, pay slips and time record card concerning the complainant's for the last 3 months as well as written warnings, defense statement or any other document which was given / received during his working period were requested from the factory management.

The Turkish law, determines that outstanding payments for working days need to be made. Several legally required steps need to be taken to terminate employment of a worker.

8. Findings and conclusions

The documents show that supposedly outstanding payments are paid. The factory management provided a document showing that the complainant signed the receipt of the payments in March 2017.

The documents did not show whether the complainant received all warnings and the termination letter according to Turkish law. This is due to the fact that the HR manager who was in charge is not working at the factory anymore and documents were not in file.

A document was provided stating that the complainant withdraws her/his complaint towards the factory management. This document was also signed in March 2017 when the complainant returned to the factory management to clear the outstanding matters.

9. Remediation

No remediation required with regard to the payments as there is written proof for them to be paid.

Bierbaum-Proenen and the factory management need to prioritize working on internal documentation especially with regard to HR management responsibilities like payments of wages. Policies and procedures for hiring and terminating working contracts need to be according to Turkish law.



10. Verification

Documents proof that outstanding wages are paid and that the complainant withdraws her/his complaint.

Verification of whether all legal requirements to dismiss the complainant were taken was not possible. Documents were missing and the responsible HR manager not working at the factory anymore.

Verification with the complainant was not possible since the complainant did not respond to FWF calls anymore after the initial call.

11. Evaluation by the complainant

Fair Wear Foundation tried to evaluate with the complainant but couldn't reach her/him.