

Complaint – Jack Wolfskin, Schöffel Sportbekleidung GmbH – Vietnam

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 involved

Jack Wolfskin DEU (hereafter Jack Wolfskin) and Schöffel Sportbekleidung (hereafter Schöffel).

2. Accused party

A factory located in Vietnam supplying Jack Wolfskin and Schöffel.

3. Date of receiving complaint

The complaint was received by FWF through its local complaints handler in Vietnam on 29 July 2017.

4. Filing party

An employee that was employed at the factory until January 2017.

5. The complaint

The complainant called the helpline to address two issues:

1/ She resigned from the factory in December 2016. According to the complainant, the factory has not yet paid the remaining salary (between 1,600,000VND ~ 1,800,000VND). She has contacted the factory HR personnel many times but she has not yet received the due salary. The factory management informed her that the payment has not been approved by the parent company.

2/ The company did not settle the social insurance book and returned it to her. She said that the factory asked her to contact the social insurance agency to proceed it. When the complainant contacted the social insurance agency, the agency instructed her to contact the factory. She does not understand what needs to happen to settle her social insurance book.

6. Admissibility

FWF decided that the case is admissible on 31 July 2017.

The factory is an active supplier of Jack Wolfskin and Schöffel, members 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

The FWF members informed factory management and received a reply within one week. Management stated the employee did not come to settle her payment after she resigned. The procedure for setting the salary subsequently was put on hold by the main office. The employee came to the factory in April 2017 to collect due wages; at the time the HR staff started the procedure again. This was delayed by a hand-over process and management ensured the FWF members they will make the payment in the week of 12th August.

Regarding the insurance book, according to factory management the employee must request a new social insurance book by submitting the Decision of allowance to the Thai Nguyen Insurance Office. This was not yet received by the factory, which is why they could not proceed to settle her social insurance.

8. Remediation

Factory must settle the outstanding payments. Vietnam labour law requires that both parties are responsible to fully pay the amount related to each party's interests within 7 days after the date of termination the labor contract and not longer than 30 days in some stipulated circumstances (as per Article 47.2 of the Labor Code). Once the social insurance book is requested, factory must support the employee in closing the social insurance book.

9. Verification

The complainant confirmed she received the remaining salary the 15th of August. The employee also stated the social insurance agency is in process of issuing an new book for her, which she will send to the factory for closing the book.



10. Evaluation by the complainant

The complainant would like to thank FWF and its members for settling the matter.