

## Complaint – Odd Molly– China

### 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. Member company involved

Odd Molly

### 2. Accused party

A factory located in China supplying Odd Molly.

### 3. Date of receiving complaint

The complainant contacted the complaints handler on 2 December 2015.

### 4. Filing party

A worker that was employed by the factory until 30 November 2015.

### 5. The complaint

The complainant claimed that on 26 november 2015 she was informed she was laid off and her last working day would be 30 November 2015.

The factory was only willing to settle the last month's salary (November) with her. They requested the worker to sign on a resignation letter to prove that it was the workers' initiative to resign from the factory instead of being laid off.

The worker signed the resignation letter and received her payment of November 2015. However at the last moment she decided not to submit the resignation letter, because it was not her free choice to resign.

## 6. Admissibility

FWF decided that the case is admissible on 7 December 2015.

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

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

- Labour standard 8: A legally binding employment relationship

## 7. Investigation

FWF informed Odd Molly about the case. Odd Molly contacted the supplier and the management informed them that this must have been a misunderstanding. According to the factory, the complainant was not laid off. Because almost all the work was finished, the complainant was offered two alternatives: 1) to receive 80% of her wage and being able to go home early for Chinese New Year, and come back after the holidays. 2) to continue work, but in a different department. According to the management this must have been incorrectly interpreted by the complainant as being dismissed.

However, the complainant stated to the complaints handler that she and her colleagues indeed had no work to do, but that they were not offered 80% of their wage if they would go home.

The complainant used a public phone to file her complaint. She promised the complaints handler to contact her again if she needed more assistance from FWF. Unfortunately the complainant did not call back, and therefore FWF decides to close the complaint.

## 8. Findings and conclusions

N.a.

## 9. Remediation

N.a..

## 10. Verification

N.a.

## 11. Evaluation by the complainant

N.a.