

Complaint – Hess Natur-Textilien GmbH, Triaz GmbH – India

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. Affiliate involved

Hess Natur-Textilien GmbH, Germany (hereafter hessnatur)

Triaz GmbH, Germany (hereafter Triaz)

2. Accused party

The complaint was filed against a factory located in India supplying to hessnatur and Triaz.

3. Date of receiving complaint

The complaint was received by FWF through its local complaints handler in India on 3 April 2014.

4. Filing party

A worker that was employed by the factory until November 2013, details of the identity are known to FWF.

5. The complaint

The plaintiff was asked to resign in November 2013. On 1&2 April 2014 FWF conducted an audit at this factory and shared the worker information cards on the 8 labour standards. The plaintiff received the FWF number form ex-fellow workers. The plaintiff complaints receipt of only 30% of the last month salary. The plaintiff was accused of

having been involved in a theft which (s)he claimed was not involved in. The theft was the reason given for the resignation. In addition, the worker said (s)he had to forcefully sign an empty sheet of paper. With the signature, the plaintiff says (s)he had to agree to the payment of 30% for the last month salary only as a compensation for the theft.

6. Admissibility

FWF decided that the case is admissible on 17 April 2014.

The factory is an active supplier of Hessnatur and Triaz, both affiliates of FWF.

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

Practices:

- Payment of a living wage

7. Investigation

FWF informed the FWF affiliates about the case. Hessnatur and Triaz have consulted with the factory management who stated that the worker has been involved in theft and that the worker has signed leave documents with text on the paper accepting only 30% pay of the last month's salary as compensation for the theft.

Documents have been handed in to FWF as evidence. The documents state that the worker resigns and accepts payment of 30% of the last month's salary as a compensation for the theft. These documents have been shown to the plaintiff again who repeats having forcefully signed empty papers.

FWF has cross-checked with workers whether they could confirm the theft. This was not the case as the happenings were handled behind closed doors.

Documents checked during the audit itself confirm that the plaintiff received 30% of the last month's salary only.

8. Findings and conclusions

FWF did not have sufficient evidence/arguments for finding the complaint grounded. FWF cannot verify whether the signed papers (which indicate that the plaintiff accepts only 30% of the last month salary as compensation for the theft) have been with or without text at the moment of signing.

9. Remediation

Given that the case could not be grounded, remediation is not applicable.

10. Verification

N/A, see above.



11. Evaluation by the complainant

FWF explained the process and conclusions to the worker. The plaintiff thanked FWF for the cooperation and accepted the outcome. FWF suggested the plaintiff to address the labour court for further steps.