



Complaint – Hessnatur – Turkey

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

Hessnatur

2. Accused party

The accused party is a factory in Turkey supplying the affiliate.

3. Date of receipt complaint

Complaint received On 14th May 2013 through FWF local hotline.

4. Filing party

A worker employed in the accused factory.

5. The case

The employment contract of the plaintiff was terminated by the factory management after a social audit of an international brand in the factory. The plaintiff claimed that the dismissal was unfair since she was dismissed because of being open during the worker interview conducted in the scope of the mentioned audit. In addition to that, she was dismissed without receiving all her earnings for that month of the dismissal.

6. Admissibility

The issue is related to a supplier of an FWF affiliate, and is related to the following labour standards:

Legally binding employment relationship



7. Investigation

The FWF audit supervisor visited the factory for the investigation of the case.

8. Findings and conclusions

The documents regarding plaintiff's dismissal were poorly showing a fair reason for the termination of the contract. However, the relevant article of the Turkish Labor Code banning unjust terminations was not implementable for the plaintiff, as the article covers workers with 6 and more months of seniority.

Regarding the claim of plaintiff about unduly payment of her earnings during the month of dismissal, it was found out that the plaintiff worked on 1st of May, which is a public holiday, but these hours of work was not considered as overtime and paid.

9. Corrective action

Action required is the duly payment of all the earnings of plaintiff, and payment of overtime premiums for all the working hours during public holidays from now on.

10. Evaluation by the plaintiff

The plaintiff confirmed that after the implementation of corrective action, she received the overtime payment for all hours worked on 1st of May.

11. Verification

The verification of the payment was done through the bank transaction document regarding the payment of plaintiff's overtime premiums.