

Complaint – Mayerline – 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

Mayerline

2. Accused party

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

3. Date of receipt complaint

The issue came up when FWF staff contacted the local stakeholders. On October 19 2012 it was confirmed that the accused party is indeed a supplier of an FWF affiliate. During a meeting with the local trade union on October 22 it was agreed that FWF will take this as a complaint.

4. Filing party

Representatives of the Textile, Knitting and Clothing Industry Workers' Union of Turkey (Teksif).

5. The case

37 workers, all trade union members, from the knitting department were fired after they started a protest against a new system that was to be implemented for that specific department. Next to that one worker, relative of a worker in the knitting department, was also fired. The new system would entail that workers would be responsible for extra machines, which would increase the work load. The concerned workers claim that this would mean a major change in their work. The factory fired the workers that protested by slowing down the production and did not accept the new system.

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

Freedom of Association

7. Investigation

The FWF verification coordinator responsible for Turkey, together with the FWF Complaints handler in Turkey visited the group of dismissed workers who are protesting in the street of the factories main production location and visited the factory to have a meeting with the Managing Director and owners. Whereas the factory claims to have followed the law when firing the group, the group of workers claim that this was an unfair dismissal and was related to their union membership. Workers have filed a court case.

8. Findings and conclusions

On the day of the investigation the workers were already protesting for 80 days outside the factory. The investigation showed that the group of workers not agreeing with the new system with a higher number of machines per worker is representing half of the department. This makes it a serious protest. During the meetings with both the management of the factory and with the workers, both parties showed a willingness to meet each other and suggested the date of October 30 for the first meeting. FWF has advised to have a third party available during that meeting. FWF and the concerned affiliate required the factory to have the meeting with the representative of the workers (Teksif).

On October 30 the first meeting between the factory and the worker representatives (Teksif) took place. This was followed up by some more meetings in that same week and has resulted in an agreement. The concerned workers were given the opportunity to be reinstated. 19 workers decided for this option. They will be given one month extra pay and will start working again in the week of November 5. Factory and workers have had an extra meeting to agree on changes needed regarding the work load. The workers that won't be reinstated will receive a compensation. The factory and Teksif agreed to continue the dialogue on working conditions from now on.

9. Corrective action

Action required is to implement the agreement that was reached.

10. Evaluation by the plaintiff

Teksif and the group of workers both have accepted the agreement reached. On the other hand, after the implementation of agreement regarding reinstatement of/compensation providing for workers protesting, plaintiff claimed that the factory carried on not providing access to the union, and the agreement on continuous dialogue between factory management and union is not reached.



11. Verification

An audit was already planned at this factory. That was used to verify the implementation of the agreement and also to investigate the claims of union about discrimination of unionized workers and preventing union from free access. Audit report states findings regarding the discrimination of unionized workers on the grounds of not providing possibility of over time work, and the union members experience mobbing from a supervisor, along with not providing access to the union. The corrective action that will ensure the respect for and enjoyment of freedom of association will be communicated to the factory and monitored in communication with all parties.