

Complaint – Mayerline SA – China

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 SA (Belgium)

2. Accused party

The complaint was filed against a factory in China which is a supplier of FWF affiliate Mayerline SA.

3. Date of receipt complaint

The complaint was formally received by FWF through its local complaints handler in China on 13 October 2011.

4. Filing party

The complaint was filed by a worker of the factory whose contact details are known to FWF but will be kept confidential.

5. The case

The complaint related to the labour standard 'Employment is freely chosen' that is part of FWF's Code of Labour Practices:

According to the worker he had been fired by this management as he was not willing to assist his supervisor with overtime work after regular working hours. The worker refused as he had worked overtime till 23:00 during the previous night.

The worker was handed a resignation letter given by factory and he was put under pressure to sign it. The worker refused as he would not get severance pay in case of signing the letter.

6. Admissibility

On 14 October 2011 FWF decided that the complaint was admissible as it relates to the Code of Labour Practices and the involved factory has an active business relationship with an affiliate member of FWF. On the same day FWF informed Mayerline SA that the complaint had been filed through its complaints procedure.

7. Investigation

FWF reviewed the findings from an audit carried out at the factory 10 -11 October 2011 by FWF's local audit team on behalf of Mayerline SA. In addition FWF asked Mayerline SA to contact factory management to get an understanding of their perspective on the matter.

8. Findings and conclusions

The investigation pointed out that the worker had been dismissed by factory management after his refusal of overtime work.

It was found from the investigation that factory management initially had intended to terminate the contract of the worker. Whilst looking for replacement the worker had been given 10 days leave.

9. Corrective action

Mayerline called the supplier in question within 24 hours after FWF informed the company about the complaint and asked the supplier to comply with the FWF Code of Labour Practices and find a solution that is acceptable for both management and the worker.

Two days after filing the complaint the worker consulted the local Labour Bureau. Hereafter a representative of the Labour Bureau contacted factory management. Subsequently the worker and factory management had a discussion which led to the decision that the worker would remain employed at the factory.

In follow up Mayerline asked and obtained written confirmation on the agreement between the worker and factory which was sent to FWF.

10. Verification

On 18 October 2011 FWF's local complaints handler in China contacted the worker that had filed the complaint. The worker then confirmed that he returned to his work station.



11. Evaluation by the plaintiff

The plaintiff thanked FWF for its commitment to realise a solution. The plaintiff confirmed to contact FWF in case a conflict would occur in the future.