

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 21 December 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:

The worker complained about being restricted to resign from her job. According to the worker, she submitted a resignation letter to factory management on 23 November 2011, stating that she would like to resign from work as of 10 January 2012. At the time of filing the complaint with FWF, factory management had not approved her request to resign. The worker stated that she expected factory management would restrict her possibilities to resign on the requested date by withholding (part of) her salary.

6. Admissibility

On 22 December 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. Also a complaint that was filed previously by a worker of the same factory in October 2011 was taken into account. In addition FWF asked Mayerline SA to contact factory management to get an understanding of their perspective on the matter.

8. Findings and conclusions

FWF found from the additional information that was provided by the worker that the complaint by the worker was grounded. Unfortunately this conclusion could only be drawn on 10 January due to the holiday season in Europe and difficulties in reaching the worker in the 1st week of January.

9. Corrective action

FWF asked Mayerline to request its supplier to see to it that practices to limit workers in resigning would be ended, and to ensure that they would follow Chinese labour law with regard to workers' rights to resign from work after giving 30 days' notice in writing.

Regarding the case of the worker who had filed the complaint, Mayerline requested factory management to let the worker resign immediately. The factory at that time did not want to let the worker resign immediately. After a discussion between Mayerline and the factory it was agreed on 13 January that the worker could resign on 17 January.

On 16 January FWF's complaints handler was informed by the worker that she agreed with management that she would work half a day on 18 January and resign after that.

10. Verification

On 18 January 2012 FWF's local complaints handler in China contacted the worker that had filed the complaint. The worker then confirmed that she had resigned from the factory and had collected her full salary.

11. Evaluation by the plaintiff

Although the outcome of the complaints handling process was not the optimal solution according to the plaintiff, she thanked FWF for its commitment to help her resign from the factory.