

Complaint – Nudie Jeans – Italy (intermediary report)

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

Nudie Jeans Co (Sweden)

2. Accused party

The complaint was filed against a factory in Italy which is a supplier of FWF affiliate Nudie Jeans Co.

3. Date of receipt complaint

The complaint was formally received by FWF through its local complaints handler in China on 8 July 2013.

4. Filing party

The complaint was filed by several workers of the factory. Some contact details are known to FWF but will be kept confidential.

5. The case

The complaint relates to the labour standard 'Payment of a Living Wage', 'Reasonable hours of Work' and 'Safe and Healthy Working Conditions', which are part of FWFs Code of Labour Practices.

FWFs local complaints handler in China received an email through the Chinese complaints email address from a worker of a Chinese subcontractor in Italy. Following a conversation through the Chinese chat service QQ, the plaintiff complained about excessive overtime, often working more than 18 hours a day without having a consecutive day off every 7 days. In addition, the plaintiff stated they do not have medical insurance and often experience deductions from their wages. FWFs complaints handler spoke to 4 workers, who indicate their concerns are representative for the 60 Chinese colleagues working at the Chinese subcontractor.

6. Admissibility

On 11 July 2013 FWF decided the complaint was admissible given that it relates to the FWF Code of Labour Practices relates and the involved factory is an active business relationship with an affiliate of FWF.

7. Investigation

The production site where the plaintiff works is a subcontractor of a supplier that Nudie Jeans has a long relationship with and frequently visited. The site has been audited by an independent auditor (not contracted by FWF).

The plaintiffs did not want to disclose their identity out of fear for repercussions. Given the sensitivity of this, the investigation needed to take the security of workers into account. FWF and Nudie Jeans agreed to the following plan:

1. Nudie Jeans informed their supplier and agent about the complaint. Limited information was given to protect the identity of the workers. Nudie Jeans will stress the complaints mechanism is considered positive and that they are conducting random checks on conditions at Italian suppliers. FWF is supporting this work as part of our activities to review our low risk policy.
2. Nudie Jeans requested copies of pay slips of workers, the employee list of the subcontractor and medical insurance documentation.
3. FWFs liaison officer in China reviewed the documents for verification.
4. FWF and Nudie Jeans involved a Dutch fashion brand in the process that is planning to start production there.
5. Nudie Jeans has sent their auditor to visit the factory again. The company attempted to have a Chinese auditor present, but that was not feasible in the short term.

8. Findings and conclusions

FWFs local complaints handler reviewed the documentation to check for (in) consistencies with the information received from the plaintiffs. Given that the plaintiffs were not willing to disclose their identities, FWF was not able to confirm if the plaintiffs were on the employee list sent by the factory.

Aside from a few health & safety violations, the audit conducted by Nudie Jeans did not confirm the information from the complaint. Review of the payslips and other document review did not confirm excessive overtime or deduction from wages. However, the audit did not include offsite worker interviews and given the language barriers no Chinese workers were interviewed. Two Italian workers were interviewed and one Chinese warehouse worker who could speak basic Italian.

For those reasons FWF decided it does not have substantive results from the investigation to find the complaint grounded.

9. Corrective action

On,- and off-site worker interviews are needed to establish the truthfulness of the documentation (recruitment practices, excessive working hours, compensation, accommodation deductions, forced labour with passport detention, sick leave issues).



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Interviews will need to be conducted in Chinese as employees do not speak Italian. Before FWF and Nudie Jeans decide to send a Chinese auditor, the complaints handler must be able to get in contact with the plaintiffs again to verify the issues found during the audit and to confirm the plaintiffs are on the employee list provided by the subcontractor. To date, efforts to this end have not yet succeeded.

10. Verification

No offsite worker interviews could be conducted to verify this complaint. FWFs local complaint handler will continue to get in touch with the plaintiffs again.