

Complaint – Espresso– Tunisia

Status: New Complaint

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. Member company involved

Espresso

2. Accused party

A factory located in Tunisia supplying Espresso.

3. Date of receiving complaint

5th August 2016

4. Filing party

A worker that is currently employed by the factory.

5. The complaint

The complainant claimed that she is sometimes not allowed to go to the toilet during working hours, although she has a medical problem that requires regular visits to the toilet (6-7 times per day) and the use of medication. Although she has discussed this problem with her manager and has she has showed proof of her illness, i.e. a letter of an urologist, she was refused to make use of the toilet more often. She would like to have free access to the toilet for medical purposes.

Furthermore, the complainant complained about the communication of this new manager, since she would shout and scold. More than being suspended, she feels that the way she was spoken to and the lack of respect is a bigger problem.

The authenticity of the accusation is under investigation.

6. Admissibility

FWF decided that the case is admissible on 9th of August 2016.

The factory is an active supplier of Espresso, a member of FWF.

The case is relevant to the following labour standards of FWF's Code of Labour Practices:

- No discrimination in employment
- Safe and healthy working conditions

7. Investigation

Due to the severity of the accusation (harassment), FWF decided to do as much due diligence as possible before FWF asked Espresso to contact the supplier. The FWF complaints handler in Tunisia has met the complainant. Off-site worker interviews were not possible due to the fact that it was a public holiday.

According to the complainant, she has had the medical problem since 2007 and she was allowed free access to the toilet by the previous manager. That has changed with the arrival of the new manager. The complainant has provided a letter of an urologist stating that the complainant needs to have free access to the toilet. Furthermore, she has provided a list of medication.

The factory has rules regarding toilet use. Workers must ask for a card upon visiting the toilet. Workers are not allowed to make use of the toilet in the first and last half an hour of the working day.

The complainant has also provided the FWF complaints handler with a suspension letter. The suspension letter states that the complainant did not respect the regulations. This was sanctioned with a three day suspension.

After intervention of the labour union, the complainant was suspended for one day. The suspension procedure and letter are not in accordance with the formal requirements. According to the complainant, the suspension was given without a proper hearing. The suspension letter was not signed by the worker. The decision was made by the direction and not the disciplinary committee, who should have been involved. The reason for the suspension is 'not respecting regulations', which is not further specified. Neither is reference made to specific regulations that were violated.

FWF asks Espresso to contact the supplier and ask for a reply within one week.

8. Findings and conclusions

The case is under investigation.



9. Remediation

The case is under investigation.

10. Verification

The case is under investigation.

11. Evaluation by the complainant

The case is under investigation.