

## Complaint – Albiro– Morocco

### Status: Closed

*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

Albiro

### 2. Accused party

A factory located in Morocco supplying Albiro.

### 3. Date of receiving complaint

27<sup>th</sup> of May 2016

### 4. Filing party

A worker that is currently employed by the factory.

### 5. The complaint

The complainant claimed that during a BSCI audit (23-25<sup>th</sup> May), not all documents were shown and that the auditors were misinformed.

Furthermore, the complainant claimed that the following violations took place:

- The employment of non-skilled workers at lower costs.
- Workers are not given the wage that corresponds to their seniority.
- Not all days are declared at the Social Security Fund.
- Deduction of transport bonus of the wage of workers.
- Lack of holiday pay.

The authenticity of the accusation is under investigation.

## 6. Admissibility

FWF decided that the case is admissible on 30<sup>th</sup> of May.

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

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

- Health and Safety
- Living Wage

## 7. Investigation

FWF informs Albiro about the case. Albiro has contacted the supplier and the audit team and has asked for a response.

According to the audit team, there were no violations detected as claimed by the complainant. There were no cases detected of lack of holiday pay and wages that do not correspond to the level of seniority. Workers were paid as required by law. The audit team also stated that the employer is not obliged by law to pay a transport bonus.

According to the supplier, it is quite common in Morocco that both the company and the staff are responsible for paying transport costs. The declaration at the health insurance depends on the number of days worked, which differs from month to month. Furthermore, the supplier claims that the seniority begins only after the two years.

Due to the holiday season, FWF investigated the complaint on the 15<sup>th</sup> and 16<sup>th</sup> of November. It has performed an off-site and on-site investigation. During the investigation, management was very cooperative.

## 8. Findings and conclusions

Our complaints handlers found the following issues:

- The legal minimum wage is 13,46 dhs/h. Management paid several workers between 6-9 dhrs per hour.
- No seniority payment was given for the workers.
- Falsification of records, especially using two different pay slips
- For 14 workers, not all days were declared to the Social Security Fund.
- Permanent workers were not given a permanent contract. Although this is not contrary to the law, FWF recommends ensuring that all workers have a written and signed contract.

Concerning the transport bonus, the lack of holiday pay, non-payment of overtime hours and illegal employment of minors, FWF could not establish any violations.



## 9. Remediation

According to the factory manager, he does not have sufficient resources to pay all necessary legal requirements concerning wages and social security. This is due to a bad investment, currency changes and decreasing prices.

Therefore FWF recommends Albiro to:

- Not leave the supplier at this stage and cooperate with them to bring improvements;
- Investigate the financial problems at its supplier and how it could assist its supplier;
- Investigate the pricing policy to learn whether the price paid is enough to support the payment of the legal minimum wage (according to the CBA), seniority and the payment of all social security.

## 10. Evaluation by the complainant

The complainant was satisfied with the outcome of the complaints process and hopes that this process will help to bring improvements to the factory. The complainant hopes that the factory and Albiro will work together to uphold the law and ensure workers' rights.