

Complaint Expresso Fashion/Tunisia

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.

The complaint has been filed against the factory that is related to Expresso Fashion.

2. Accused party:

The factory is located in Tunisia.

3. Date of receipt complaint:

The complaint was received by the local complaints handler on the 12th of February 2010.

4. Filing party.

A worker of the factory

5. The case

The complaint is related to two elements of the Code of Labour Practices.

Legally binding employment relationship:

According to plaintiff, several workers were dismissed and the dismissals were not according to law. Plaintiff indicated the workforce at the factory has been decreased, while part of production was subcontracted.

Payment of a living wage:

Plaintiff indicated that workers were paid only the 9th and 12th of the month after (January) instead of before the 5th of the next month as legally required.

6. Admissibility

On the 12th of February 2010 FWF decided that the complaint on the late payment was admissible as they relate to the Code of Labour Practices and the accused party has an active business relationship with an affiliate member of FWF. On the issue of dismissals further information was necessary in order to decide whether elements of the Code of Labour Practices were possibly violated.

7. Investigation

The complaints handler gathered more information from the plaintiff and the text of applicable laws. Expresso Fashion interviewed the management of the factory. As information was still not enough to come to a conclusion an additional investigation audit was conducted on the 1st of April, by the audit supervisor Kais Fekih. During that audit management and workers were interviewed and documents were inspected.

8. Findings and conclusions

Legally binding relationship:

From the workers with temporary contracts, contracts were not renewed when ended. Part of the production was indeed transferred to a subcontractor, who was not aware of the Code of Labour Practices. No non-compliance was found in the factory

Payment of a living wage:

The late payments of salaries only were confirmed for the month of January 2010. The months afterwards were paid on time. Only non-compliance with laws on payments of salaries was found for the month of January 2010.

On the 9th of April these findings were shared with Expresso Fashion. Expresso Fashion is required to assure their supplier register is complete, in order to include all suppliers including sub-contractors in their monitoring system.

9. Corrective action.

The non-compliance has already been ended. No further corrective action is required.

10. Verification

N.A.