

Complaint – JC Rags– Turkey

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

JC Rags

2. Accused party

The complaint has been filed against Rimaks Tekstil (“Rimaks”), a Turkish supplier of the FWF affiliate JC Rags. Rimaks has two separate production sites. Both these production sites were concerned by the complaint.

3. Date of receipt complaint

2 November 2010

4. Filing party

Representatives of the Textile, Knitting and Clothing Industry Workers' Union of Turkey (TEKSİF).

5. The case

The complaint concerned the FWF labour standard Freedom of association and the right to collective bargaining. According to the trade union, workers at the two production facilities of Rimaks had suffered several forms of discrimination due to their union involvement. This included unjust dismissals and threats by supervisors.

6. Admissibility

On 2 November 2010 FWF decided that the complaint is admissible as it relates to the FWF Code of Labour Practices and the accused party has an active business relationship with an affiliate member of FWF.

7. Investigation

Through the FWF FLA Joint Liaison in Turkey, FWF was informed about the conflict at the concerned factory since August 2010 and had followed the development. The Dutch trade association MODINT, also represented in the board of FWF, played a coordinating role in the work from September 2010 onwards keeping FWF, the sourcing brands and other organisations informed.

After MODINT received signals through Dutch trade unions, they contacted three Dutch companies that reportedly sourced at Rimaks. JC Rags and one other company were members of MODINT. The third was a member of the Dutch association of fashion retailers (VGT). One of the two MODINT members, JC Rags was also affiliated to FWF, the other company pursued her own CSR policy. The company which was member of VGT was also member of BSCI.

After MODINT met with Teksif in Istanbul in October 2010, the decision was taken to do an investigation at the factory with the support of the three Dutch companies, VGT, FWF and BSCI. In the process of finding a good audit team for the assessment, BSCI contacted the participating supplier manager of Fair Labour Association (FLA), who helped setting up the audit team, joined as an observer at one of the facilities and acted as a mediator throughout the process.

The local team was lead by an experienced independent auditor who had worked both as audit supervisor for FWF and lead auditor for FLA previously. The assessment took place at the end of November 2010. The investigation was backed by FWF, BSCI, MODINT, the three Dutch brands as well as one Norwegian and one Danish brand that had also sourced from Rimaks.

The full investigation listing all findings, conclusions and recommendations is published on the FWF website in the complaints section.

8. Findings and conclusions

The assessment of the production sites pointed to a number of areas that needs improvement. Regarding freedom of association and the complaint specifically, it was concluded that some managers, supervisors and assistant supervisors had tried to interfere with the unionization process in both of the factories. This had been done by threats and psychological pressure. Some workers were also dismissed because of their union membership and others because they participated in a work stoppage in August 2010 to protest against the dismissals that had taken place.

However, during the whole conflict, there had been discussions and negotiations between all parties involved. Forty eight of the dismissed workers had been reinstated after the signing of a protocol between Rimaks' management and TEKSIF in October 2010.

On 2 December 2010 Rimaks and TEKSIF signed a collective bargaining agreement. After this, the parties have reported a constructive dialogue between the union and the management. In the process of negotiating the collective bargaining agreement, most of the outstanding issues were solved or there was an agreement on a process on how to deal with these.

9. Corrective action

The organisations and brands behind the assessment regarded it as a decisive step in the right direction that a collective bargaining agreement was signed. The social dialogue between the employer and the workers representatives is the best way to secure sustainable workplace improvements.

As there is a risk that some of the issues reported earlier re-occur if Rimaks does not take action, recommendations based on the assessment done have been suggested. The main recommendations in the assessment report include:

- A training session should be given to workers, managers and managerial staff to provide a better understanding of freedom of association, labor unions and collective bargaining topics.
- An independent social compliance department should be created at Rimaks to address workplace conditions in both of the factories.
- Worker representation on the Annual Leave Committee, Disciplinary Committee and Health & Safety Committee should be provided and supported by the factory.
- An active and secure grievance system should be implemented with participation of elected worker representatives for handling the complaints raised by the workers with confidentiality.

10. Verification

In February 2011, the Danish brand sourcing at Rimaks visited their supplier and discussed the process of implementation. Their report from this meeting was shared with the organisations behind the assessment done in November 2010. Their report showed that Rimaks had taken several important steps including a revision of the human resource management system, first steps in initiating a training for workers, middle management and top management and setting up an internal monitoring system. It was at this point judged that Rimaks should be given another six months to implement the measures before a new investigation should be done to evaluate the progress. In April 2011, FWF met with Teksif to get an update that the dialogue between the union and management was still done in good faith.

The positive outcome is due to the fact that Rimaks and Teksif are now engaged in a constructive dialogue. Several buyers, organisations and individuals contributed to this by taking action. It is worth mentioning the efforts and contributions of the following organisations: FLA, MODINT, BSCI and the Dutch Association of Fashion Retailers. Several companies also contributed and put effort in this case, among them a Danish brand, two Dutch brands and one Norwegian company. FWF's member company JC Rags also responded quickly and decisively throughout the process in order to ensure that the Code of Labour Practices was respected.

FWF will follow up the implementation of the suggested corrective action plan through dialogue with the involved parties in Turkey and through a collaborative factory assessment together with buyers and their respective organisations when this is considered necessary.