

Complaint – Acne Studios, Jack Wolfskin, Kjus, Odlo, Schöffel, Vaude – China

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. Affiliate(s) involved

Acne Studios, Jack Wolfskin, Kjus, Odlo, Schöffel, Vaude

2. Accused party

A factory located in China supplying the FWF affiliates.

3. Date of receiving complaint

The complaints were received by FWF through its local complaints handler in China on 25 March 2015.

4. Filing party

The complaint was filed by a packing worker currently employed by the factory.

5. The complaint

The plaintiff complained that workers were forced to do excessive overtime hours in case of tight delivery, especially workers from the packing sections. In cases of tight delivery working hours are from 8:00 to 2:00 or 3:00 in the night. According to the plaintiff, these overtime hours from 17:00 to 2:00/3:00 are not paid at all.



Moreover, the complainant indicated workers are coached to give favourable answer to the audit team's question during the interview process; they are afraid of losing the job because of telling the truth.

6. Admissibility

FWF decided that the case is admissible on 26 March 2015. The factory is an active supplier of 6 affiliates of FWF. The case is relevant to the following labour standards of FWF's Code of Labour Practices:

- Employment is freely chosen
- Reasonable hours of work

7. Investigation

FWF informed the 6 affiliates about the case and requested the affiliates to contact the supplier and ask for a reply.

FWF analysed the most recent audit that took place at this supplier in March 2014. The audit did not conclude excessive overtime for the packing department.

On 27 March 2015, the plaintiff wrote an email to FWF's complaints handler to explain further details about his working hours:

23 Mar 2015, workers from the packing and inspection sections worked from 17:00 to 19:00 without punching time card.

24 Mar 2015, cap brim processing sections worked from 17:00 to 18:30, packing sections worked from 20:30 to 22:00/22:45, without punching time card.

25 Mar 2015, packing sections worked from 17:00 to 18:30 without punching time card.

Factory responded by confirming they cannot prevent overtime hours in peak season. Given the delivery times of their customers they usually feel pressure to complete shipments when all clients require orders at the same time. Factory also indicated they in some cases need to reproduce orders in case of claims, which needs to be rushed and therefore also contribute to the pressure.

Moreover, the factory stated all overtime is always voluntary, falls within the government requirement and should be paid in compliance with the government requirement.

Affiliates required the factory to provide evidence to corroborate with the above claims. The documents were checked by FWF's complaints handler who concluded the documents showed excessive overtime took place for the packaging workers during night shifts.

8. Findings and conclusions

Based on the above investigation, FWF finds the complaint grounded. Excessive overtime was corroborated by the factory's response and documentation. FWF has not been able to conclude workers were coached to give favorable answers during an audit.



Aside from the ILO convention, China law also limits the number of extra hours to 3 hours per day and 36 per month.

9. Remediation

Affiliates are requested to support the factory in reducing excessive overtime hours. The factory has submitted plans to reduce the amount of overtime hours: this should be carefully monitored by the affiliates. The factory policies and plans should be implemented through support of the affiliates. Moreover, affiliates are requested to analyze the root causes of excessive overtime and discuss with the factory how their production planning can facilitate the factory in order not to create more pressure.

It is advised to contact other customers of the factory to increase leverage and impact to reduce the number of excessive overtime hours.

Factory must adopt a system where all working hours are recorded and monitored through the time punching system.

10. Verification

Remediation of this case is not yet verified.

11. Evaluation by the complainant

N/A.