



## Complaint – Nudie Jeans – India

### Status: Resolved

*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

Nudie Jeans Co. (hereafter: Nudie Jeans), Sweden.

### 2. Accused party

A factory located in India supplying Nudie Jeans.

### 3. Date of receiving complaint

The complaint was received by FWF through its local complaints handler in India on 11<sup>th</sup> August.

### 4. Filing party

Three employees of the factory, details of the identity are known to FWF. The workers agreed to disclose their identity to factory management.



## 5. The complaint

All three workers stated that they wanted to terminate their employment with the factory, but factory management refused to accept their resignation. According to the plaintiffs, factory management stated that they would not receive their social security (PF) settlement and bonus, if they left.

All three workers are migrant workers from Orissa and wish to return to their home area urgently. They had been working for the supplier for one year and nine/eleven months.

## 6. Admissibility

FWF decided that the case is admissible on 11<sup>th</sup> August 2015.

The factory is an active supplier of Nudie Jeans, affiliate of FWF.

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

- Employment is freely chosen
- Legally binding employment relationships

## 7. Investigation

FWF informed Nudie Jeans about the complaint on 12<sup>th</sup> August. As FWF received a similar complaint concerning the same factory, a call between Nudie Jeans, factory management and FWF's Indian country representative was held on 19<sup>th</sup> August to discuss the situation.

The factory claimed that workers are free to terminate their employment within legal notice periods and that they would not withhold payments or information/forms necessary to apply for social security.

## 8. Findings and conclusions

FWF received confirmation in September that all three workers had resigned and received their due wages.

On 9<sup>th</sup> October 2015 it was confirmed that the workers had also received their PF number and are now able to claim social security (distributed by a government statutory body). Before, the factory did postpone it several times according to the workers. Two of them also received a settlement payment; the third was not eligible for settlement payment.

On 8<sup>th</sup> January 2016 it was confirmed that they had received all eligible payments and returned to their village.

## 9. Remediation

The claim of the three complainants has been resolved.

In general, FWF recommends that if a worker wishes to resign, the factory may discuss the reason for resignation with the workers and look for a possible solution. If the worker



still wishes to resign and follows the resignation policy, factory management must accept the resignation, pay a final payment according to law and sign all relevant forms regarding social security collection within a reasonable time. If the resignation was initiated by the worker, (s)he is required by law to work one more month.

FWF suggests that the factory develops a resignation and leave policy in dialogue with workers. Nudie Jeans could support this process.

## **10. Verification**

FWF verified that the complainants received all due payments.

The remediation steps outlined in this document will be verified at the next FWF audit at the factory and during the next Brand Performance Check at Nudie Jeans.

## **11. Evaluation by the complaints**

The workers were content that they received all due payments.