



Fair Wear Foundation complaints report

Date of report: 22 September 2010

## Complaint McGregor Fashion Group Turkey

*FWF is responsible 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:

McGregor Fashion Group

### 2. Accused party:

The complaint has been filed against a factory in Turkey which is a supplier of FWF affiliate McGregor Fashion Group.

### 3. Date of receipt complaint:

The complaint was received by the local complaints handler of FWF in Turkey in March 2010 from the trade union Deri-İş Sendikası (Deri-İs).

### 4. Filing party:

Musa Servi, president of the Deri-İs filed the complaint on behalf of members of his trade union dismissed from the factory. Deri-İs is affiliated to both the European Trade Union Federation of Textiles, Clothing and Leather as well as to the International, Textile, Garment & Leather Workers' Federation.

### 5. The case:

The complaint concerned the FWF labour standard freedom of association and the right to collective bargaining. According to the verdict of the local Turkish labour court and experts consulted by the court 40 workers were fired in 2007 due to their membership in the Deri-İs union. This was confirmed again when the case was appealed to a superior court.

The verdict was that workers should be reinstated or receive compensation. The management of Lider Deri was unwilling to reinstate all fired workers and did not negotiate with the union on the terms of reinstatement. According to the union, harassments by the management of the union members that were reinstated continued and workers were again fired on 26th March 2010.



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## **6. Admissibility:**

On 26 March 2010 FWF decided that the complaint is admissible as it relates to the Code of Labour Practices and the factory has an active business relationship with an affiliate member of FWF.

## **7. Investigation:**

Since a local court in Izmir as well as a higher court both had judged that the workers had been unfairly dismissed and were entitled to compensation or reinstatement, no further investigation was needed by FWF.

While the FWF complaints handler was in contact with the Deri-Is and workers at the factory to keep updated about the developments, concerns regarding health and safety were also brought forward by workers but no formal complaint was filed regarding these.

## **8. Findings and conclusions:**

Workers had been incorrectly dismissed and reported anti union behaviour by management. The Deri-Is trade unions found management unwilling to negotiate how to settle the dispute after the court case.

## **9. Corrective action:**

1. The management of Lider Deri should negotiate with Deri-Is in good faith to come to an agreement regarding the dismissed workers that is in line with the court verdict.
2. McGregor should in dialogue with management at Lider-Deri make sure that workers who choose to join a trade union at Lider-Deri are not discriminated against and that management is open to negotiate with a trade union in the future (in accordance with Fair Wear Foundation Code of Labour Practices).

## **10. Verification:**

The FWF complaints handler reported that negotiations involving Deri-Is, the organisation for Leather Manufacturers and Lider Deri started in the middle of April after McGregor had contacted the management of Lider Deri regarding the case.

In August 2010 the FWF complaints was informed by the Deri-Is union that they had come to an agreement in line with the verdict of the court. All workers involved in the court case would leave the factory and receive compensation.

At the end of August McGregor visited Lider Deri and discussed the issue of freedom of association with the factory management. During this meeting Lider Deri promised to provide McGregor with recent audit protocols from other buyers to give a better picture of the situation at the factory and follow up on concerns raised.