



## Complaint – Odd Molly– India

### Status: Closed

*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. Member company involved

Odd Molly

### 2. Accused party

A factory located in India supplying Odd Molly.

### 3. Date of receiving complaint

3<sup>rd</sup> February 2017.

### 4. Filing party

A worker that is currently employed by the factory.

### 5. The complaint

The complainant shared that the owner of his/her factory has two companies; zink export and hosiery export.

According to the worker, (s)he was shifted from the zink company to the hosiery company several months ago. As the two companies are legally independent, his/her employment at the zink company was formally discontinued, a full and final payment was promised and (s)he started as a new worker in the hosiery company.

The worker claims that (s)he as well as 14 other workers have not yet received their full and final payments despite several requests to management.



According to the worker there is also no regular practice of maintaining the needle records, but when there are audits and inspections; management asks him/her to prepare needle records.

(S)he also shared that the hosiery factory engages around 300-400 workers including staff. 40-50 Stitching workers are engaged on piece rate basis and almost equal number are engaged as salaried workers through contractors. Those engaged through contractors may be getting social security coverage, but piece rate workers are excluded. According to the complainant, both categories of workers are frequently hired and fired and no legal procedures are followed, i.e., they may not be getting any parting benefits like notice pay, earned leave and retrenchment compensation.

The authenticity of the accusation is under investigation.

## 6. Admissibility

FWF decided that the case is admissible on 6<sup>th</sup> February 2017.

The factory is an active supplier of Odd Molly, a member of FWF.

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

- Payment of a Living Wage
- Reasonable hours of work
- Legally binding employment relationships

## 7. Investigation

FWF informed Odd Molly about the case. Odd Molly shared the complaint with the supplier, but was unable to receive a statement. The brand had reduced orders considerably since the last audit and was in the process of phasing out the supplier.

FWF was unable to reach the complainant to receive updates on their situation.

## 8. Findings and conclusions

FWF was unable to investigate the complaint fully due to limited cooperation of the factory.

A FWF audit report of August 2013 also included several of the points raised in the complaint:

- Excessive overtime was observed during off-site visits of the audit team and in off-site worker interviews, but was not shown in official records.
- Workers were transferred from the zink company to the hosiery company, but no transfer letters or other documentation had been kept.
- During offsite worker interviews, it was stated by the workers that there are around 250-300 workers in this site. However, on the day of the audit, there were only 150-160 workers in the production floor. Empty work stations were also observed during the audit days.



## **9. Remediation**

As the factory was unwilling to cooperate on the complaint and the brand has since stopped business relations, no further remediation will take place. The complaint is closed and remains unsolved.

## **10. Verification**

NA

## **11. Evaluation by the complainant**

FWF was unable to reach the complainant to discuss the current status of their situation or evaluate the complaint.