



Third Party Complaint Procedure

The FLA is a multi-stakeholder initiative involving companies, non-governmental organizations (NGOs), and colleges and universities in a collaborative effort to improve workplace conditions worldwide.

The Third Party Complaint procedure was established to strengthen the FLA system by serving as a vehicle through which any person or organization can confidentially report to the FLA about any situation of serious noncompliance with the FLA Workplace Code of Conduct or Principles of Monitoring with respect to the production facilities of FLA-affiliated companies.

FAQs

1. What is a Third Party Complaint?

A “Third Party Complaint” is a report of an FLA Code violation at a facility that produces for an FLA-affiliated company.

Any individual or group – such as a community organization, NGO, or union – may file a Third Party Complaint with the FLA on behalf of one or more workers employed at a facility producing for FLA companies. This procedure is designed to offer “third parties” a confidential reporting channel to report serious violations of the FLA Code of Conduct to the FLA.

2. How do I know whether a labor problem is a violation of the FLA Code of Conduct?

The FLA Code of Conduct sets a *baseline* standard for working conditions in facility used by FLA-affiliated companies. In cases of conflicts or differences between the local or national law and the provisions of the FLA Code, companies are obliged to apply the higher standard.

Some examples of FLA Code violations include cases where:

- Child workers (workers who are younger than the legal minimum age) are known to be working in the factory (Child labor).
- Workers are unfairly dismissed for trying to organize a union (Freedom of association).
- Workers are physically barred from leaving the premises during work hours (Forced labor).
- A certain category of workers, such as female or migrant workers, is systematically discriminated against (Discrimination).
- Workers’ wages are withheld as a form of discipline (Harassment or abuse).

3. How do I know whether a facility produces for FLA companies?

If you do not already know whether a particular facility produces for one or more FLA companies (which are listed on the FLA website), you may want to consider the following sources of information:

- Are workers sewing labels onto garments or other products in the factory? If so, check the labels against the names of companies on the FLA website.
- Have workers seen posters in the factories that have brand names on them, such as company codes of conduct? Make a list of these companies.
- Is there information from any other source that would establish the customer base of the factory?

If you are still unsure as to whether the facility in question produces for an FLA company, you should contact FLA staff.

4. Why should I use the Third Party Complaint procedure?

Through your involvement in the FLA complaint system, you are playing an essential role in holding companies accountable for the conditions under which their products are made.

a. The Third Party Complaint procedure:

- Allows third parties to bring serious situations or patterns of noncompliance with the FLA Code to the attention of the FLA.
- Gives a voice to workers' concerns that is confidential and independent of the factory's internal procedures.
- Identifies problems so that the FLA can work to remediate the situation in an appropriate and timely manner.

b. The Third Party Complaint procedure does not:

- Replace or undermine the existing internal channels for relaying grievances at a factory.
- Guarantee that a problem can or will be resolved immediately.

5. How can I make a Complaint?

To send a complaint by mail, e-mail or fax, we encourage you to download and fill out the FLA Third Party Complaint Form.

Please make sure to provide the FLA with the following basic information:

1. The factory name and location.
2. A person to contact to discuss the complaint.
3. An explanation of the Code violation. Please provide as much detail and information as possible, including the date or time period of the incident.
4. If you have already reported the problem to the factory, a buyer, a local labor authority, trade union or other organization, please describe the outcome.
5. Please list any known FLA companies that contract production in the factory.

6. Is my complaint confidential?

If you would like your identity as the complainant to remain confidential from the FLA-affiliated company and from factory management, the FLA staff will honor this request. Please indicate on your complaint form or in the information you provide the FLA whether you would like your identity to remain confidential with the FLA.

7. Where should I send a complaint?

Complaints can be made directly to the FLA headquarters office in Washington, DC, or via another institution that could reasonably be expected to pass the information along to us, such as accredited monitors or members of the FLA's CSO Advisory Council.

Complaints via email to the FLA should be sent to the following dedicated email address for receipt of Third Party Complaints:

TPC@fairlabor.org

Fair Labor Association
2033 K Street NW, Suite 400
Washington, DC 20006
Tel. +1-202-898-1000
Fax. +1-202-898-9050
www.fairlabor.org

8. What happens after I make a complaint?

Complaints that include the information mentioned above and arise in factories in the supply chain of FLA-affiliated companies will be reviewed by FLA staff. Complaints with a verifiable violation of the FLA Code of Conduct will be investigated and the relevant parties — including the applicable FLA company(ies), factory management, monitors, unions, and NGO partners — essential to resolve the problem will be engaged.