

INDEPENDENT INVESTIGATION INTO FREEDOM OF
ASSOCIATION AT YKK METAL AND PLASTIC PRODUCTS
ÇERKEZKÖY FACTORY, TÜRKİYE

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Requested by: Fair Labor Association

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Introduction

In July 2024, the Fair Labor Association (FLA) received a Third-Party Complaint (TPC) from the Petrol-İş Union in Türkiye concerning a series of allegations related to violations of freedom of association and collective bargaining rights affecting both union members and the broader workforce at the YKK Türkiye factory, located in the Çerkezköy Organized Industrial Zone, Tekirdağ, Türkiye. This facility supplies products to FLA Participating Companies adidas, Nike, and PUMA, as well as to FLA non-member brands such as Inditex, H&M, Lacoste, and several other international companies.

Upon receiving the complaint, FLA conducted a preliminary review in accordance with its existing Third-Party Complaint procedure. It was initially determined that the case fell outside the standard scope of the procedure, as the facility in question is not a Tier 1 finished goods supplier for any FLA-member companies, but rather a material (specifically, zipper) manufacturing facility. Despite this, following consultations with its member companies and with their consensus and support, FLA agreed to accept and process the complaint under its existing Third-Party Complaint mechanism.

The production facility cited in the TPC is YKK Metal ve Plastik Ürünleri San. ve Tic. A.Ş., located in the Çerkezköy Organized Industrial Zone in Tekirdağ, Türkiye. The scope of this investigation is limited to the allegations presented in the Third-Party Complaint submitted to FLA by the complainant union, Petrol-İş. These allegations were also reflected in a public statement issued on September 3, 2024¹, by IndustriALL—a global union federation to which Petrol-İş is affiliated.

The specific allegations outlined in the TPC submitted to FLA for investigation are as follows:

- **Investigating claims submitted by Petrol-İş**, alleging that YKK Türkiye management has engaged in practices that violate national labor laws and international labor standards, including the FLA Workplace Code of Conduct and Compliance Benchmarks, such as:
 - **Obstructing workers' freedom of association and collective bargaining rights** by leveraging the legal system—specifically, manipulating the factory's industry registration status with the Ministry of Labor—to prevent the initiation of collective bargaining negotiations on behalf of its registered members.
 - **Engaging in anti-union practices**, including actions intended to discourage workers from joining Petrol-İş and pressuring existing members to resign.
 - **Using workplace-elected worker representatives as an alternative bargaining body**, thereby undermining Petrol-İş's legal right to represent its members.

¹ <https://www.industriall-union.org/union-busting-in-turkey>

- **Refusal to engage in social dialogue with Petrol-İş**, despite the union holding an official certificate of competency from local authorities, which affirms its legal eligibility to represent workers at the facility.

Methodology

Since the objective of the investigation was to gain a better understanding of issues regarding the union's allegations of freedom of association violations at YKK Çerkezköy factory, the investigator decided to gather information from all relevant parties and sources listed below:

- Petrol-is Union (complainant)
- IndustriALL Global Union
- FLA Participating Companies adidas, Nike and PUMA
- Non-FLA brands mentioned in the complaint, H&M and Inditex
- Union members that have resigned from the YKK Çerkezköy factory during the process
- Workers currently employed at the YKK Çerkezköy factory
- YKK Türkiye and YKK Çerkezköy factory management and managerial staff
- International, national, and local media outlets that reported on the alleged FOA issues at YKK Türkiye
- Local and international information sources used to evaluate similar complaints, reviewed from both the perspective of local law and international labor rights standards

The investigator followed an approach where she was able to review and take into consideration all information that she can gather from these information sources in different forms through document review and any other form of physical evidence, interviews for receiving feedback and opinions of the parties involved along with onsite observations to see actual reflection of the alleged violations into working environment.

Both on-site and off-site worker interviews were conducted in the workers' native language and in accordance with best investigative practices to ensure confidentiality and minimize the risk of retaliation. The investigator exercised the utmost caution throughout the process, including:

- Conducting a mix of on-site and off-site interviews
- Carefully selecting interview locations and times to prevent potential interference
- Providing interviewees with the investigator's contact information so they could report any retaliation or mistreatment following the investigation

These measures were taken to safeguard the identity and well-being of those interviewed and to uphold the integrity of the investigation.

The number of workers interviewed allowed the investigator to capture statistically significant and accurate data points. All on-site and off-site interviews yielded consistent findings. To ensure the impartiality and neutrality of the investigation, the investigator has included key feedback and opinions provided by all relevant parties involved in this dispute. These perspectives are presented in the respective sections of the report, as the investigator believes it is important for readers to hear them in an unfiltered and unedited manner. However, the inclusion of these views does not imply that the investigator agrees with them. The investigator's evaluation and conclusions regarding the allegations remain independent. Although this investigation was commissioned by FLA, the investigator has planned, organized, and executed the process independently, while keeping FLA informed throughout.

This report reflects the investigator's assessment of the alleged violations reported to FLA and the brands. All findings, conclusions, and recommended remedial actions are solely the result of the investigator's careful analysis and judgment, free from the influence of any parties involved in the dispute, including the brands and FLA.

Overview of Freedom of Association and Collective Bargaining in Türkiye

Although Türkiye has long been a signatory to the core ILO conventions on Freedom of Association (C087) and Collective Bargaining (C098)², and has established a legal framework to support their implementation, significant gaps remain. These gaps, both in legislation and enforcement, lead many international labor rights organizations and global unions to classify Türkiye as a high-risk country when it comes to workers fully exercising their rights to freedom of association and collective bargaining³.

One persistent issue is the “double threshold” requirement outlined in local legislation, which poses a major barrier for small and independent unions. To qualify as a bargaining agent, a union must not only register a majority of workers in a given workplace but also represent at least 1% of all registered workers within the relevant sector at the national level. This dual requirement makes it disproportionately difficult for emerging or grassroots unions to gain legal recognition.

Another frequently criticized aspect is the limited protection provided to union members and officials. Although the law technically allows for the reinstatement of workers dismissed due to union activity, employers can often bypass this by simply paying a fine, rather than being compelled to reinstate the affected employees. This legal loophole undermines the deterrent effect of anti-union dismissal protections.

Prolonged legal disputes between unions and employers are also common—often stretching over several years. These battles typically revolve around issues such as whether a union meets the double threshold criteria or whether the union is appropriately registered in the correct sector. Regardless of the legal outcome, the drawn-out process frequently delays or entirely blocks workers from accessing collective bargaining agreements (CBAs) that could improve their wages and working conditions.

As legal battles drag on, union-member relationships tend to deteriorate. Many workers lose hope of ever reaching a CBA and either resign from the union out of frustration or are pressured by employers to do so. Even if a union eventually prevails in court and gains bargaining rights, it often finds itself without sufficient membership to proceed. Consequently, Türkiye’s overall CBA coverage remains significantly low.

According to Law No. 6356 on Trade Unions and Collective Bargaining in Türkiye, workers are only permitted to join a union that is active within the sector in which their workplace is officially registered. Union membership can only be initiated through the government’s e-state (e-Devlet) portal, where workers are presented with a list of unions that operate in the sector assigned to their workplace.

The workplace sector classification is determined by the employer during the company's establishment and registration process, which involves the following institutions, in order:

² https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:102893

³ <https://www.ituc-csi.org/turkiye>

- The Trade Registry Office
- The Tax Office
- The Social Security Institution (SGK)

In other words, workers cannot join a union outside of their workplace's registered sector, as listed on the e-government portal. Moreover, neither workers nor unions have the authority to alter the registration process which includes registered sector classification, since the current electronic system does not allow for such modifications.

As a general principle, whenever there is a discrepancy or shortcoming between local legislation and international labor standards as defined by the International Labour Organization (ILO), international brands and multi-stakeholder initiatives (MSIs) such as FLA are expected to uphold the higher standard. Public and stakeholder expectations increasingly demand that these global actors use their influence to promote improved working conditions throughout their supply chains, especially in sourcing countries.

In countries like Türkiye, where the national legal framework creates significant obstacles to union organizing, local unions often rely on the commitments of international brands and MSIs to advocate for workers' rights.

This challenge is also recognized in the *Report of the Committee of Experts on the Application of Conventions and Recommendations* at the 113th Session of the International Labour Conference (2025)⁴, which specifically calls on Türkiye to:

- “Ensure that court proceedings on the legal validity of trade union majority certificates are concluded within a reasonable time.”

The ILO has also identified prolonged legal proceedings as a significant barrier, as they impede and delay workers' effective exercise of freedom of association and access to collective bargaining rights for extended periods.

⁴ https://www.ilo.org/sites/default/files/2025-02/Report%20III%28A%29-2025-%5BNORMES-241219-002%5D-EN_0.pdf

Legal Background

Challenges in unionization at the sectorial level

When establishing a workplace, employers in Türkiye are required to notify three key institutions in the following order: the Trade Registry Office, the Tax Office, and the Social Security Institution. Based on the employer's declarations, these institutions determine the workplace's official registration details—such as the NACE Code⁵, industrial sector classification, and employee count—which are then shared with the Ministry of Labor.

According to Article 41/7 of Law No. 6356 on Trade Unions and Collective Bargaining, *"The Ministry bases its determination of the authorized union and the preparation of statistics on the membership and withdrawal notifications sent to it, as well as the worker notifications made to the Social Security Institution."*

In practice, this means the Ministry is required to maintain a registration and data system grounded in the information it receives from these institutions. Employers' initial declarations serve as the foundation for this system. Consequently, unions must structure their organizing efforts based on this declared data, and the Ministry's decisions regarding union authorization are directly shaped by the employer's sectorial classification.

Union membership procedure at the sectorial level

Under Article 17 of Law No. 6356, union membership in Türkiye must be completed exclusively through the e-Government (e-Devlet) portal. This digital system serves as the sole legally recognized platform through which workers can join or resign from a union.

When a worker accesses the e-Government portal to become a union member, they are presented with a list of the only unions operating within the sector that the Ministry of Labor has recorded for their specific workplace. This sector classification is based on the employer's declarations to official institutions during the workplace registration process.

As a result, workers are both legally and technically restricted from joining unions outside the designated sector. For instance, if a workplace is functionally part of the Petrochemical (Code:04) sector but has been incorrectly registered under the Metal (Code:12) sector due to an employer's misclassification, workers will only be able to view and join unions listed under the Metal sector. This systemic limitation prevents workers from freely choosing unions that truly represent their occupational field.

Regulation in article 5 of law no. 6356 on unions and collective bargaining⁶

⁵ The **NACE Code** (*Nomenclature des Activités Économiques dans la Communauté Européenne*) is a four-digit classification system used to categorize workplaces according to their economic activity. It provides a standardized framework for collecting and presenting statistical data across a range of domains, including economic, social, environmental, and agricultural sectors within the European Union.

⁶ <https://www.mevzuat.gov.tr/MevzuatMetin/1.5.6356.pdf>

During the process of union organization, or once a union has qualified to become a collective bargaining agent by receiving a certificate of authorization from the Ministry of Labor (a certificate that officially recognizes the union as a legal bargaining representative on behalf of workers in a specific workplace), employers have the right to raise sector objections in addition to authorization objections. This provision is often used as a tool to hinder unionization efforts. Consequently, sector objections have become a significant barrier to unionization and a means of obstructing access to collective bargaining in the country. To address this issue, Law No. 6356 introduced Article 5(2), which explicitly states that sector objections cannot be used to suspend the authorization process, thus preventing them from blocking the collective bargaining process.

Article 5 – (1)

The Ministry is responsible for determining the sector in which a workplace operates. The Ministry then publishes this determination in the Official Gazette. Interested parties may file a lawsuit against this decision within fifteen days of its publication. The court must render a decision within two months. (Additional sentence: 12/10/2017-7036/29 art.) If an appeal is made, the regional appellate court must resolve the issue within two months. (Amended sentence: 12/10/2017-7036/29 art.) Should the case be appealed to the Court of Cassation, the dispute must be definitively settled by the Court of Cassation within two months.

Article 5 – (2)

Once the authorization process for a new collective bargaining agreement has commenced, any determination regarding sector changes will only be applicable to the next period. Sector determination requests and related lawsuits cannot be used as suspensive reasons in authorization procedures or authorization determination cases.

However, in practice, employers in Türkiye often change the sector classification without following the prescribed legal procedures or provide inaccurate sector classifications to disrupt union organizing efforts or obstruct collective bargaining negotiations. As a result, the regulation outlined in this article has proven inadequate in addressing these practical challenges.

Media Review and Contextual Background

Prior to conducting onsite fieldwork, the investigator undertook a comprehensive desktop review to gather contextual information related to the labor dispute at the YKK factory in Türkiye. This research included a review of news articles and official reports from both local and international media outlets. The findings provide insight into the public narrative and external observations regarding the unionization efforts and responses by management.

Identified Media Reports:

- Gerçek News Portal – 11 August 2024

"YKK workers are protecting their rights of unionization and collective bargaining"

This article highlights the active efforts of YKK workers to assert their right to unionize and engage in collective bargaining processes.

[Link to Article](#)

- Bianet News Portal – 6 September 2024

"IndustriALL Global Union intervenes in labor dispute at YKK Türkiye"

According to Bianet, the Petrol-İş union, an affiliate of IndustriALL Global Union, successfully organized the majority of YKK Türkiye's approximately 670 workers and received formal recognition from the Ministry of Labour and Social Security on 21 May 2024. Despite this, YKK Türkiye allegedly engaged in union-busting practices, including pressure on union members to resign, acts of intimidation, and refusal to initiate collective bargaining. IndustriALL General Secretary Atle Høie and Petrol-İş Chair Süleyman Akyüz both publicly condemned these actions, framing them as violations of national labor law and international standards.

[Link to Article](#)

- IndustriALL Global Union – 3 September 2024

"Workers at YKK Türkiye denied right to union representation"

This official statement from IndustriALL echoes and expands upon the Bianet article, providing detailed allegations of threats, coercion, and systematic anti-union behavior by YKK Türkiye.

Petrol-İş and IndustriALL called on YKK to:

- Cease pressure on union members
- Engage in social dialogue with Petrol-İş as the legitimate workers' representative
- Initiate collective bargaining negotiations

The report emphasized that failure to engage with the union constitutes a breach of YKK's own code of conduct and international labor conventions.

[Link to Statement](#)

Summary of media review

The findings from the media review corroborate several of the concerns raised during worker interviews and suggest international scrutiny of the situation. Reports from independent and union-affiliated sources indicate widespread concern over YKK Türkiye's approach to union engagement and highlight the reputational and legal risks associated with the company's current stance.

Timeline of Events

This timeline outlines the key events related to unionization efforts and subsequent developments at the YKK Çerkezköy factory, including actions by stakeholders, responses from management, and engagement by external parties\

Prior to 2018: Early Unionization Attempt

- It was confirmed by both factory management and several workers that at least one prior attempt to unionize took place before 2018.
- While the exact date remains unverified, the organizing party was reportedly affiliated with the metal sector.
- During the investigation, the timeline could not be verified by any party.
- Factory management characterized the attempt as brief and unsuccessful, and recalled the experience as negative, likely influencing their current position on union matters.

2018: Initiation of Union Efforts

- The Petrol-İş union discreetly began organizing efforts at the YKK Çerkezköy factory.
- Due to the confidential nature of these activities, specific events between 2018 and 2024 were not fully documented during the investigation.

May 2024: Worker Mobilization and Protests

- Following the announcement of annual premium payments, workers from the first shift voiced dissatisfaction. Upon arrival of the second shift, workers approached management seeking clarification.
- After initial resistance from mid-level management stating the top management was in a meeting, the General Manager of the Factory met with workers in the factory's lunch area.
- Concurrently, Petrol-İş provided support to its members outside the factory.
- In the days following, workers began peaceful protests inside the facility using whistles, clapping, and chanting, without disrupting operations.
- Prior to obtaining majority certification, management implemented salary and benefit improvements (further details provided in the report).

May 17, 2024: Rapid Union Campaign

- Petrol-İş launched a concentrated organizing campaign and secured majority worker support within two days.
-

May 21, 2024: Certification of Majority Status

- Petrol-İş received official majority certification from the Ministry of Labour and Social Security.
- A union action tent was set up outside the factory, remaining in place for two months.
- Internal peaceful protests persisted for two weeks and ceased after management asserted they were not opposed to unionization.
- During this period, management reportedly adopted a more disciplinary approach, particularly while the tent remained in place.

July 2024: Renewed Worker Action

- Due to ongoing economic concerns and intensified disciplinary practices, workers resumed peaceful in-factory protests, which lasted two weeks.

September 2024: Escalation to Global Stakeholders

- IndustriALL Global Union issued a public letter to brands and FLA, raising concerns over alleged anti-union practices.
- FLA began consultations with affiliated brands and organized meetings with YKK Türkiye to explore potential remedies.

Engagement Summary Between Brands and YKK Türkiye (July 2024 – February 2025)

- **July 2024 – February 2025:** All involved brands engaged consistently with YKK Türkiye via written communications and meetings. The goal of these efforts was to encourage social dialogue between factory management and the union.
- **FLA-member brands:** Initially contacted the supplier individually. Following the filing of a formal third-party complaint with FLA, they began coordinated action in collaboration with the association.
- **Non-FLA brands:** Also reached out independently at first but later aligned with FLA-member brands after the complaint was filed.
- All brands emphasized the importance of social dialogue, referencing their codes of conduct and international labor standards.
- **YKK Türkiye's response:** Consistently refused to engage with Petrol-İş, citing their legal right to oppose dialogue and questioning the sectoral classification of the union. This position was also cited as a primary reason for agreeing to participate in the third-party investigation.

February 2025: Independent Investigation Initiated

- As no resolution was reached, all stakeholders agreed to initiate an independent investigation to evaluate the circumstances and claims.

March 2025: Legal Developments

- A court ruling annulled the Ministry of Labour and Social Security's authority determination granted to Petrol-İş on May 21, 2024.
- The annulment was based on sector classification grounds.
- Petrol-İş filed an appeal, moving the case to a higher judicial level. Two additional levels of public adjudication remain before a final verdict can be reached.

Court Reference:

“The annulment of the authority determination decision issued by the Ministry of Labor and Social Security concerning the defendant, Türkiye Petroleum, Chemical, Rubber Workers' Union (Petrol-İş), dated May 21, 2024, and numbered E-74038328-553.02-370029.”

Factory Information

Number of workers in March 2024 and March 2025

YKK Türkiye	Mar.24			Mar.25		
Location	Total	Female	Male	Total	Female	Male
Factory Production	520	261	259	475	222	253
Factory Office	146	68	78	158	76	82
İstanbul Maslak	89	41	48	86	40	46
İstanbul Esenyurt	30	7	23	34	8	26
İzmir	18	6	12	18	6	12
	803	383	420	771	352	419

A slight decline in the workforce—particularly among female production workers—has been observed over the past year, although the reduction remains under 5%. In contrast, the number of office staff at the Çerkezköy factory has increased by nearly 10%.

The factory attributes the current workforce adjustments to the ongoing economic challenges and the lingering effects of the pandemic, stating that there are no immediate plans for downsizing. However, production volumes have been decreasing. As a result, there is a growing need for more versatile and skilled employees who can adapt to a broader range of tasks, especially as the product range diversifies amid declining output.

To ensure business continuity, the factory has also announced investments in new production lines. These include infrastructure upgrades and the integration of new technologies aimed at improving operational efficiency and supporting long-term sustainability.

Overview of the Factory's Improved Benefits Program

	TRY	USD	Detail	Scope	Frequency
Bonus			1/2 salary	All Workers	Monthly
Overtime			%50 weekday %100 weekend %200 national holiday	All workers under supervisor level	
Private Health Insurance	21.850	\$563.43	Private health insurance inpatient and outpatient treatment	All workers (Include family for managers and above, others may benefit from the collective price for family members) Renewed every June	Yearly
Heating help	1.300	\$33.52		All workers under supervisor and manager level	Monthly
Birth	5.000	\$128.93	Based on birth certificate		
Death	2.500	\$64.47	Based on death certificate		
Travel allowance	3.300	\$85.10		For workers who are not provided service bus (Net)	Monthly
Education help			Based on education certificate		
Primary School	1.320	\$34.04		All Workers	Yearly
High school	1.585	\$40.87		All Workers	Yearly
University	1.980	\$51.06		All Workers	Yearly
Difficulty premium	233	\$6.01	Dependent on department (233.45 TL net-321.90 TL net)	Only certain departments	Monthly
Yearly premium			Max 2.4 net salary dependant on worker performance	All Workers	Yearly
Shift Premium	20	\$0.52	20-40 TL net	All shift workers	Hourly
Eid food allowance	140	\$3.61	For workers who are not eating lunch during Ramadan		Daily
Food Voucher	370	\$9.54	Office staff with no canteen		Daily
Day Care	13.000	\$335.22	Female employees	All female employees until primary education	Monthly
Private Retirement	N/A		If worker enrolls %3-%5 Factory support (%4-4. year, %5 5. year)	All Workers	Monthly
Food Aid Voucher	4.000	\$103.15	New year, Ramadan, sacrifice	All Workers	5 x year

			Eid + 2 other months		
Child Aid	400,00	\$10.31		Below 18-year-old (except manager and supervisors)	Monthly
Marriage Aid	10.000	\$257.86	Marriage cert based	All Workers	
Paid excuse leave				1 day/ All Workers	
Birth Leave				1 day/ All Workers	
Marriage Leave				5 days/ All Workers	
Death leave				1. degree 3 day/ Mother/ Father-in-law 1 day	

Based on the exchange rate of **1 USD = 38.78 TRY** as of April 1, 2025

Following the factory unrest, significant changes were made to the employee benefits system, with two key improvements between May 17 - 21, 2024 taking effect from the next June onwards:

- **Redefinition of the bonus system:** Premiums are now calculated primarily based on individual performance, with reduced emphasis on overall factory performance. As a result, a new bonus structure was introduced, providing workers with the equivalent of two additional monthly salaries per year, paid as a half-salary bonus each month.
- **Shift to net-based salary calculations:** Salaries are now determined on a net basis rather than gross, positively impacting workers' year-end earnings.

Factory Response Following Worker Unrest and Petrol-İş Certification by the Ministry of Labor

YKK Türkiye acknowledged that although signs of worker dissatisfaction—particularly around communication—had emerged prior to the COVID-19 pandemic, these concerns were not adequately addressed during the pandemic due to various restrictions. Post-pandemic, the management’s focus shifted primarily to ensuring business continuity and responding to more immediate operational challenges.

Management further stated that the recent worker unrest and subsequent developments helped them gain a clearer understanding of employee concerns. They noted that the ongoing economic crisis and rising inflation have exacerbated workers' dissatisfaction. At the same time, management emphasized that the factory itself has been facing substantial financial pressures, both within Türkiye and globally.

In response to the unrest and the certificate of authorization issued to Petrol-İş by the Ministry of Labor and Social Security, the following measures were implemented:

- **Wage and Benefits Improvements:**

In response to the unrest, the factory implemented direct improvements to workers’ compensation. These included the renewal of the bonus system and a shift to a net salary payment structure.

- **Worker Representation and Communication:**

Thirteen workers—including some union leaders—were appointed as official worker representatives. Together, they now form a worker council that meets monthly with factory management. Outcomes from these meetings are communicated to the broader workforce both in writing and verbally. The system is now fully operational, with regular documentation and clear communication.

Topics discussed in recent monthly meetings include:

- Management communications and concerns:
- Excessive use of paper towels and toilet paper in restrooms
- Littering (used cups and cigarette butts) around the gazebo area
- Arbitrary use of sick leave, increasing workload for others
- Adherence to designated break times
- Worker suggestions and concerns:
- Introduction of a seniority-based payment system
- Sick leave should not impact bonuses
- Requests for additional fringe benefits and meal vouchers
- Inflation adjustments every six months
- Ongoing complaints about cafeteria quality
- Request for an incentive system to reduce absenteeism
- Equal access to promotions and meal vouchers for subcontracted workers

- Reports of mobbing and discrimination; management responded that all disciplinary letters are under review, with some already revoked
- Nursery support for male employees
- Inquiry about a disciplinary committee; management committed to establishing one with worker representation once staffing levels are complete
- Increase in Disciplinary Practices, Including Notice Letters:
Following the initial period of worker unrest, there was a marked increase in the issuance of notice letters by management. While the investigator observed this trend, no additional disciplinary measures were found to have been taken in connection with the letters. However, the timing and frequency of these notices have raised concerns among workers, particularly those affiliated with the union, who perceived them as a form of intimidation.

OPINION AND STATEMENTS

Factory Management Opinion and statements

During interviews with YKK Türkiye, it was stated that while they are not opposed to unions or collective bargaining, they are not willing to engage with a union that is not aligned with the appropriate sector. When questioned further, management suggested that the metal sector would be better equipped to understand the specific needs and restrictions of the factory and, therefore, would be a more suitable partner in any collective bargaining process.

Factory General Manager:

“We operate in the fast-paced fashion industry, which requires a high level of agility. Our production and delivery needs fluctuate daily, necessitating a dynamic and adaptable work environment. To meet our customers’ demands, it is essential that we maintain this agility. Our primary concern is that unionization with a petrol sector union that is not experienced in our specific sector and the unique demands of our customers could jeopardize our ability to remain flexible and responsive.”

YKK General Manager of Administrative Departments:

“We are not a family-owned business in Türkiye. All staff here, including myself and our Factory manager, are employees. YKK is not opposed to unions, unionization, or collective bargaining. However, as employees, we are obligated to operate within the legal framework of the country in which we are based.”

Management further stated, *"Upon receiving the certification letter, we immediately consulted with our legal advisors and a university professor to determine the appropriate course of action. We also submitted a report from Prof. Dr. Ercüment Özkaraca, from the Faculty of Law, Department of Labor and Social Security at Marmara University, to the court. Both Prof. Dr. Özkaraca and our legal team recommended filing a case concerning the sectoral change related to the union's appointment letter."* Management’s position on not changing the workplace sector in 2018 is consistent with the legal documentation and the clarification of sector changes within the system. This can be seen in the court ruling and also in the response from the labour ministry.

YKK Türkiye further stated, *"We have not submitted any request to the Ministry regarding a change in our sector, nor were we aware of any such change prior to receiving the appointment letter. In connection with our legal case, we sought clarification from the Ministry about the reason for the sectorial change. Although the Ministry did not provide a specific explanation, they confirmed that we had not requested the change. We are puzzled as to why we are being accused of anti-union activity related to the sectorial change, especially since it is clear that we are neither responsible for the change nor was it properly implemented."*

The factory also expressed its willingness to change the sector registration of the factory once the legal proceedings are concluded, as the sector change cannot be implemented until these legal matters are resolved. Additionally, management indicated that they are open to providing a written statement confirming their non-opposition to the authorization certificate

and immediate start of the collective bargaining process, provided the union in question is affiliated with the metal sector.

YKK Türkiye affirmed, *"We are prepared to officially provide a letter to the FLA and the brands stating that we will not oppose any appointment letter in the metal sector. We can do so immediately."*

The initial General statement by YKK Türkiye on the allegations:

"YKK Metal ve Plastik Ürünleri Sanayi ve Ticaret A.Ş., we deeply respect the union rights of our employees, including their freedom of association. We are committed to fully complying with all applicable laws, regulations, and company policies and procedures. However, we are currently seeking judicial clarification regarding the type of union and the number of members as specified. This court application is crucial to ensure that both our employees' rights and the company's legal and regulatory rights are respected. Our request for clarification aims to verify the legal authorization of the particular union claiming to represent YKK Metal ve Plastik Ürünleri Sanayi ve Ticaret A.Ş. employees. We believe this step is necessary to uphold the integrity of the representation process and to ensure fair and lawful proceedings. We trust that you understand and respect our need to exercise our legal rights in this matter. Ensuring transparency and legality in union representation benefits both our employees and the company."

YKK Türkiye's Alignment with Legal and Expert Counsel

YKK Türkiye has consistently maintained that all actions taken throughout this process have been in full alignment with both legal and expert counsel. To ensure transparency, the company has shared the assessments and recommendations of its labor counsel with the court and all relevant stakeholders. YKK Türkiye's legal advisors have emphasized that their guidance has been based strictly on national legislation, ensuring full compliance with the country's labor laws.

Similarly, the labor expert consulted by the company has focused on a strictly legalistic approach—one that unfortunately does not promote constructive industrial relations or social dialogue. As a global company committed to upholding international labor standards across its supply chain, this narrow legal perspective has led YKK Türkiye's management to form an incomplete understanding of the ongoing dispute with the union.

Union Management Opinion and Statements

The union has made it clear that its primary concern is with its members. They have expressed a desire to initiate a dialogue to ensure workers' voices are heard and to begin the collective bargaining process for this term. If there are any changes to the factory's sector, the union has indicated a willingness to work towards a peaceful resolution, allowing workers the opportunity to rejoin a union of their choice within the appropriate sector. Additionally, the union has committed to facilitating a smooth transition for the workers. The Petrol-İş Union has outlined the following allegations and demands for the workplace:

- YKK Türkiye resorted to union-busting tactics, including threats and coercion, to force union members to resign.

- YKK Türkiye refused to engage in dialogue with Petrol-İş, the authorized bargaining agent.
- Petrol-İş has demanded that YKK Türkiye:
 - Cease pressuring Petrol-İş members.
 - Engage in social dialogue with Petrol-İş.
 - Initiate the collective bargaining process.

Union's Declaration:

“On May 17, 2024, a request for authorization determination was submitted, and on May 22, 2024, the Ministry of Labor and Social Security confirmed that 359 out of 665 workers in our sector were union members, issuing a positive authorization letter.

On May 21, 2024, the employer announced salary and benefit improvements for employees; however, pressure was also exerted on our members to leave the union. These improvements were viewed as an attempt to prevent the union from reaching the required membership number to sign a Collective Bargaining Agreement (CBA).”

Particularly, the Factory Group Manager, informed our members that the employer provides everything they need, and that the union would not be effective at the workplace. Additionally, pressure was applied by other department heads.

“After we secured the majority, the Production Manager intensified production pressure by timing our members' breaks with a stopwatch.”

“In response, our union set up a tent at the shift entrances and exits to show solidarity and began actions such as clapping and whistle-blowing to push the employer to respect our right to unionize. After a meeting with the employer on the second day of the protest, we received assurances that the pressure would cease, and we suspended the actions.”

However, after the holiday period (beginning June 24, 2024), the pressure on our members intensified again, especially on the leading members, with baseless notice letters. As a result, on July 1, we resumed protests, which continued for approximately two weeks.

“On August 14, 2024, the employer appointed a 13-person spokesperson delegation without an election, undermining the legitimate representation power of the union.”

“On August 16, 2024, during a meeting with the factory manager, a 27-point list of demands was submitted, highlighting a systematic effort to eliminate union representation.”

While senior executives at YKK did not engage in anti-union activities directly, mid-level managers exerted pressure on employees to leave the union. On February 16, 2025, a shift supervisor requested a screenshot of a workers' resignation from the union, which was subsequently provided to us.

“At the beginning of February 2025, the employer announced a downsizing plan, citing the negative impact of unionization on YKK's brand and customer losses. This announcement created fear and anxiety among our members, who became concerned about the possibility of

job loss or being the first to be laid off due to their union membership, leading to significant psychological pressure.”

The Petrol-İş Union has been advocating for unionization since 2018, with members who have been part of the union since then, indicating multiple past attempts to organize within the YKK workplace. The employer has been aware of the involvement of the petrochemical sector.

Worker Testimonials and Statements

During the course of the investigation, a total of 46 worker interviews were conducted: 22 onsite, 17 offsite, and 7 via telephone. These interviews took place both during and following the factory visit. The selection process was designed to ensure a diverse and representative sample, including workers from various shifts as well as both current and former employees.

To support the objectivity of the assessment, worker participants were randomly selected from within the factory. In addition to line-level workers, several mid-management and administrative staff members were interviewed to provide a more comprehensive understanding of the factory’s labor relations environment.

To safeguard the anonymity of participants and to prevent any potential retaliation, no names or personally identifiable information of interviewees will be disclosed by the investigator.

The investigation revealed that both workers and mid-level management exhibited a limited understanding of the principles of collective bargaining and freedom of association. There was widespread confusion regarding the role and authority of the union, as well as a lack of clarity about the respective rights and obligations of both workers and factory management. This knowledge gap highlights a critical need for improved education and communication concerning fundamental labor rights.

- Worker Perceptions of Unionization

Interviews revealed that workers who experienced the previous unionization attempt—particularly those who were not union members at the time—have since developed a more negative perception of union activity. This historical experience appears to have contributed to a general sentiment of resistance or scepticism toward union involvement among longer-tenured employees.

Additionally, newer workers expressed apprehension and discomfort when discussing union-related topics. Their reluctance suggests a workplace environment where open dialogue on union matters is inhibited, potentially due to fear of repercussions or a lack of trust in the process.

Key Takeaways from Worker Testimonials

During the investigation, workers provided a range of perspectives concerning unionization efforts and the overall climate within the factory. The following summary reflects recurring themes and notable sentiments, grouped by prevalence among respondents:

- Perception of Management's Stance on Unionization (70%)
Approximately 70% of workers reported that factory top management had verbally expressed a neutral or supportive stance, stating:

"The factory top management has stated they are not against unionization."

- Concerns Regarding Dismissals (60%)
Roughly 60% of respondents, regardless of their union affiliation, cited rumours or fears associated with job security linked to union activity:

"If the union is established, non-unionized workers will be dismissed."

"If the collective bargaining agreement is not reached, all unionized workers will be forced out of the factory."

- Scepticism and Allegations of Anti-Union Practices (30%)
30% of workers expressed scepticism about management's stated neutrality, and described behaviours perceived as indirect opposition to unionization:

"Although the management states they are not against the union, I believe they do not want this union. The management will not allow this union to establish itself."

"Although the management states they are not against the union, they are asking supervisors and workers close to them to engage in anti-union activities. These anti-union workers are favoured."

- Expectations for Improved Working Conditions (20%)
20% of workers associated union presence with potential improvements in workplace facilities:

"If the union is established, we will have better lunch and rest areas."

- Concerns About Disciplinary Measures (20%)
Another 20% of respondents raised concerns over disciplinary notices, which they felt were connected to their union involvement:

"As union members, we receive more notice letters, which may lead to termination without severance pay (dismissal for just cause)."

"The primary reason for my resignation was the pressure I faced from notice letters. I was concerned about termination without severance due to these warnings. Although my conduct did not change, I was frequently called for testimonies after my union membership and leadership became public."

- Social Tensions and Intimidation (10%)
10% of the workers described social repercussions and feelings of alienation due to their perceived antiunion stance:

"Since the beginning of this process, I feel as though I have become estranged from friends I've had for many years."

"The protests inside the factory were intimidating for those who are not union members."

IndustriALL Opinion and Statements

IndustriALL's perspective is clearly outlined in their public statement mentioned on the IndustriALL website which can be seen in the media search section. They were contacted during the investigation and have explicitly stated that they expect YKK to uphold their commitments to freedom of association, as outlined on YKK's global website, as well as adhere to ILO conventions and norms.

Tom Grinter from IndustriALL was also contacted, and a teleconference was held to gather his current views and perspective on the matter.

IndustriALL stated,

"As a global union, we fully support the requests of our members. We expect a company like YKK to respect the freedom of association rights of workers, especially given that YKK explicitly acknowledges and asserts its commitment to these rights on its own website."

IndustriALL further added,

"As a union, we have observed numerous court cases in Türkiye concerning appointment letters that have spanned several years, effectively obstructing the fundamental collective bargaining rights of workers. Factories often exploit legal loopholes to prolong the process, with the intention of slowing down or even hindering unionization efforts."

Brand Opinion and Statements

All FLA brands, as well as non-member brands like H&M and Inditex, were contacted during the investigation. It is clear that all brands expressed a strong commitment to the importance of social dialogue and open discussions in this context. Since the start of the process, these brands have held both separate and joint meetings, urging the factory to engage in constructive dialogue aimed at ensuring freedom of association. Their efforts have highlighted the importance of complying with both Turkish legislation and international norms, including ILO standards.

Although the factory is not a direct supplier to any of the contacted brands, it operates indirectly through intermediaries such as primary suppliers or agents. These brands place their orders at the supplier level—typically where cut, sew, and finish production occurs—while the factory is subcontracted to produce components like zippers, buttons, and rivets. This indirect relationship has added a layer of complexity to the process, but it has not impeded communication. However, it is clear that the brands have not been successful in encouraging the factory to engage in any form of social dialogue with the union.

All FLA member brands have jointly and unanimously affirmed that workers' representation and freedom of association are fundamental components of their respective Codes of Conduct, as well as core requirements of FLA. This commitment includes fostering good-faith social dialogue. It is important to note that social dialogue does not necessarily imply reaching an immediate agreement or resolution; rather, it ensures that all parties have the opportunity to communicate their needs and intentions openly. As a vital component of industrial relations, social dialogue plays a key role in fostering transparency and mutual understanding among stakeholders.

The FLA member brands, including Adidas, Nike, and Puma, were contacted both online and offline, and their perspectives were aligned. They emphasized that workers must always have the opportunity to join a union that can represent them. In cases where workers are union members and hold a majority, the factory should engage with the union to ensure that workers are properly represented.

Non-FLA brands, specifically H&M and Inditex that were interviewed also expressed similar views on workers' representation and freedom of association. During the interview with Inditex, an IndustriALL representative was present, in line with their Global Framework Agreement. Inditex reaffirmed its commitment to these principles, stating:

"Freedom of association is a fundamental human right. If workers achieve a majority, their voice must be heard. This is essential for adhering to both our own Code of Conduct, international norms, and our Global Framework Agreement."

FLA Opinion and Statements

Although FLA's TPC procedure formally applies to Tier 1 suppliers—that is, suppliers producing finished goods for FLA-member companies—FLA has consistently demonstrated flexibility and responsiveness, even when complaints fall outside this formal scope. In such cases, FLA works to help complainants access appropriate grievance channels.

In this instance, the complaint concerning YKK does not fall under the scope of the existing TPC procedure, as YKK is a zipper manufacturer and not a Tier 1 supplier. Nevertheless, given the seriousness of the allegations and the involvement of multiple stakeholders, FLA decided to engage in the matter and pursue a constructive resolution.

FLA-member brands involved in this case had already received the complaint independently and were actively seeking a resolution. When FLA received the formal complaint from the Petrol-İş Union, all three affiliated brands strongly encouraged FLA to participate and provide support to the ongoing process.

To that end, FLA organized multiple meetings with its member brands to develop a joint strategy for addressing the issue. Following agreement on this approach, FLA also contacted two non-member brands—H&M and Inditex—to inform them of the joint plan and coordinate efforts.

FLA and the involved brands collectively agreed that the issues raised in the complaint could be effectively resolved through the initiation of good faith based social dialogue between the parties. However, during both online and in-person meetings with YKK Türkiye, it became clear that the company was unwilling to enter into social dialogue due to legal advice received from their counsel. Their legal team advised against engaging with the union while litigation between the parties is ongoing.

Despite this position, YKK Türkiye expressed confidence in their handling of the situation and welcomed an independent investigation by FLA. They stated that this investigation would help demonstrate that the allegations presented in the complaint are unfounded.

While FLA and its member brands initially prioritized the establishment of social dialogue as the preferred resolution path, they believe that this independent investigation will serve as a

meaningful step forward. It will offer an objective evaluation of the claims and provide a set of corrective actions, if necessary, to address any verified concerns.

FLA and the involved brands are fully committed to monitoring the outcome of the investigation and ensuring that any recommended corrective actions are effectively implemented. As with other TPC cases, FLA will publish regular updates on its website to maintain transparency and accountability throughout the process.

Conclusions and Recommendations

Before presenting the conclusions and recommendations, the investigator would like to express sincere appreciation to both YKK Türkiye and Petrol-İş union representatives for their cooperation and support throughout the investigation process. At no point did the investigator encounter issues of transparency or unwillingness to engage. It is clear that both parties were committed to supporting an impartial and thorough evaluation of the allegations. Naturally, each side firmly believes in the legitimacy of its actions during the unionization process and the subsequent developments, and holds strong convictions about having acted appropriately.

The investigator also extends gratitude to all additional stakeholders who contributed to this process, including representatives from the FLA member brands, FLA, IndustriALL, and several sector-specific professionals who generously shared valuable insights and perspectives.

Although the investigation was conducted in a constructive and collaborative environment, the investigator believes that it did not uncover significantly new information beyond what was already known to the involved parties. Most findings were acknowledged and generally agreed upon by all stakeholders. The real complexity lies not in the facts themselves, but in the differing interpretations of these facts, the root causes of the issues, and the potential avenues for resolution.

The central point of contention remains the absence of a shared understanding and agreement on an appropriate mechanism for social dialogue, as well as a provisional channel for worker representation until a final, mutually accepted solution is reached.

It is evident to the investigator that YKK Türkiye has consistently ensured that all actions taken throughout this process were conducted in close alignment with both legal and expert counsel. From the outset, the company sought guidance from legal and labor experts to ensure that its decisions and actions were well-informed and fully compliant with national legislation. This approach has been supported by the findings of the investigation, which confirm that YKK Türkiye acted in accordance with the legal advice and expert recommendations it received.

While it is challenging to assign the hindrance of unionization and the exercise of freedom of association to a single cause, it is evident that these processes have been significantly obstructed. Factors contributing to this situation include ambiguities in the legal framework, sector-specific constraints, and the exploitation of legal loopholes.

It is essential to recognize the critical role that unions play in addressing and resolving workplace disputes. Despite ongoing unionization efforts, interviews consistently pointed to persistent dissatisfaction among workers on several issues.

The investigator emphasizes that sustainable resolution of such challenges depends on collaborative, transparent, and inclusive engagement. Constructive, collaborative and inclusive dialogue remains indispensable. Based on these considerations, the investigator concludes the following:

Allegation #1: Obstructing workers' freedom of association and collective bargaining rights by leveraging the legal system—specifically, manipulating the factory's industry registration status with the Ministry of Labor—to prevent the initiation of collective bargaining negotiations on behalf of its registered members.

Evaluation: As detailed in the relevant sections of this report, the factory's sectorial registration status played a significant role in the legal dispute between the union and the factory. This issue ultimately prevented the initiation of a collective bargaining process—something that both the union and its members had anticipated following the successful organization efforts and the union's receipt of a certificate of competency from the Ministry of Labor, officially designating it as the workers' legal bargaining agent.

The failure to commence collective bargaining negotiations placed considerable strain on the relationship between the union and factory management. In the absence of direct and consistent social dialogue, misunderstandings and mutual allegations escalated the situation further and deteriorated trust between the parties.

It is important to emphasize that the investigator did not find convincing evidence to support the claim that YKK Türkiye deliberately changed the sectorial registration code of the workplace in order to obstruct unionization efforts or prevent a potential collective bargaining agreement. However, the investigator also notes that YKK Türkiye repeatedly failed to respond to calls for constructive engagement with the union—this, despite YKK's position as a globally recognized company and a key supplier to numerous international brands that have committed to upholding codes of conduct aimed at improving labor conditions in their supply chains. These principles are also reflected in YKK's own global social compliance guidelines⁷.

YKK's decision to approach the matter primarily through a narrow interpretation of local labor law ultimately led to a situation in which a majority of workers—already formally affiliated with the union—were left without effective representation and denied the opportunity to benefit from a collective bargaining agreement, which they had strongly anticipated.

In light of these findings, the investigator partially dismisses the allegation regarding the deliberate alteration of the factory's sectorial registration code, as no conclusive evidence was found to support this claim. However, the investigator upholds the allegation concerning YKK's failure to engage in constructive dialogue with the union and to act in accordance with both local labor requirements and the higher international standards expected of global suppliers to socially responsible brands.

Relevant FLA Benchmarks:

- FOA.2 Right to Freely Associate: Workers, without distinction whatsoever, shall have the right to establish and to join organizations of their own choosing, subject only to the rules of the organization concerned, without previous authorization. The right to freedom of association begins at the time that workers seeks employment and

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<https://www.ykk.com/english/philosophy/guidelines.html#:~:text=We%20base%20our%20business%20activities,subject%20to%20any%20disadvantageous%20treatment>

continues through the course of employment, including eventual termination of employment, and is applicable as well to unemployed and retired workers.

- FOA.16.2: Employers and worker representatives shall bargain in good faith, i.e. engage in genuine and constructive negotiations and make every effort to reach an agreement.

Allegation #2: Engaging in anti-union practices, including actions intended to discourage workers from joining Petrol-İş and pressuring existing members to resign.

Evaluation: Although the investigator did not find direct evidence of deliberate anti-union practices orchestrated by YKK Türkiye or senior leadership—such as coordinated actions to undermine union activity—multiple worker testimonies suggest that certain managerial staff overstepped the boundaries of impartiality regarding union membership. On several occasions, these individuals reportedly shared personal opinions and beliefs about unionization with workers. Such behaviour constitutes a violation of workers’ rights to freedom of association.

The investigator believes these incidents were likely the result of insufficient knowledge and experience among managerial staff regarding both local labor law and international labor standards. Furthermore, despite repeated allegations and formal complaints submitted by the union and workers concerning violations of freedom of association (FoA) and collective bargaining agreement (CBA) rights, the investigator could not find any evidence that YKK headquarters conducted a thorough internal audit to investigate or clarify these claims.

While YKK Türkiye did seek legal consultation from an academic expert on the factory’s sectoral registration status, they did not adopt a similarly proactive or transparent approach in addressing the FoA and CBA allegations. This omission represents a missed opportunity to better understand the underlying issues and demonstrate commitment to responsible business conduct.

In light of these findings, the investigator partially upholds this allegation—primarily due to the lack of due diligence, insufficient oversight, and inadequate training of managerial staff, some of whom influenced workers by sharing personal views on the unionization process. These actions, although not formally sanctioned, were perceived by some workers as implicit messages from YKK’s top management and reportedly contributed to a number of union resignations.

Relevant FLA Benchmarks:

- FOA.2 Right to Freely Associate: Workers, without distinction whatsoever, shall have the right to establish and to join organizations of their own choosing, subject only to the rules of the organization concerned, without previous authorization. The right to freedom of association begins at the time that workers seek employment and continues through the course of employment, including eventual termination of employment, and is applicable as well to unemployed and retired workers.
- FOA.4.1: Employers shall not use any form of physical or psychological violence, threats, intimidation, retaliation, harassment or abuse against union representatives and

workers seeking to form, in the process of forming, or who have joined an organization of their own choosing.

- FOA.5.1 Employers shall not engage in any acts of anti-union discrimination or retaliation, i.e. shall not make any employment decisions which negatively affect workers based wholly or in part on a workers' union membership or participation in union activity, including the formation of a union, previous employment in a unionized facility, participation in collective bargaining efforts or participation in a legal strike.

Allegation #3: Using workplace-elected worker representatives as an alternative bargaining body, thereby undermining Petrol-İş's legal right to represent its members.

Evaluation: Interviews with both workers and managerial staff indicate that the election of worker representatives and the subsequent meetings between these representatives and management have had a positive impact on working conditions, as well as on the structure of wages and benefits within the factory.

Although the formation of such a representative committee could be perceived as potentially undermining the union's role—particularly in terms of offering an alternative channel of representation for workers, including union members, and considering the timing of its establishment—the investigator does not consider this committee an alternative bargaining body. This is primarily because the committee does not hold any legal authority for collective representation. On the contrary, given that the majority of workers in the factory are union members, these meetings might even be interpreted as an indirect form of social dialogue between the union and management, facilitated through elected union-member representatives.

It is also important to note that international labor standards allow for the presence of such representative bodies even in workplaces where a union is formally recognized. This is based on the understanding that some workers may choose not to join a union for various personal reasons, yet still wish to have a mechanism for representation in discussions with management.

Considering all of the above—and in the absence of compelling evidence to suggest that the management's intent was to deliberately undermine the union's authority—the investigator dismisses this allegation.

Allegation #4: Refusal to engage in social dialogue with Petrol-İş, despite the union holding an official certificate of competency from local authorities, which affirms its legal eligibility to represent workers at the facility.

Evaluation: As detailed in the evaluation of Allegation #1, the investigator upholds this allegation based on YKK Türkiye's repeated failure to engage in any dialogue with the union. This lack of good faith effort to address disagreements between the parties stands in clear

violation of fundamental international labor standards concerning freedom of association and the right to collective bargaining.

YKK's consistent reliance on the legal framework and the ongoing litigation as justification for avoiding dialogue cannot be considered a valid excuse, particularly given that there are no specific legal prohibitions under local law that would prevent engagement in social dialogue during an ongoing legal process.

It is important to underscore that the expectation for social dialogue does not necessarily imply that the parties must reach a resolution or agreement. Rather, it reflects a commitment to mutual respect and a willingness to engage in a genuine, good-faith effort to discuss and evaluate the situation together. Even if such discussions had ultimately ended in disagreement, the act of engaging itself would have demonstrated YKK's respect for international labor rights standards. The absence of such an effort reflects a missed opportunity to uphold these principles in practice.

Relevant FLA Benchmarks:

- FOA.16 Right to Collective Bargaining / Good Faith
- FOA.16.1 Employers shall recognize the rights of workers to free and voluntary collective bargaining with a view to the regulation of terms and conditions of employment by collective agreements.
- FOA.16.2 Employers and worker representatives shall bargain in good faith, i.e. engage in genuine and constructive negotiations and make every effort to reach an agreement.

Recommendations:

In this section, the investigator presents several remedial actions to address the issues identified through a careful evaluation of the allegations raised in the current complaint. It is important for both parties to understand that, based on the investigator's assessment—and in comparison with similar cases reviewed in the past—both YKK Türkiye and the Petrol-İş Union have demonstrated a relatively measured and respectful approach throughout this process. Despite periods of heightened tension, both sides have generally maintained a level of mutual respect, which is both rare and commendable in disputes of this nature. In many comparable cases the investigator has reviewed, parties often resort to counterproductive tactics—such as smear campaigns, false accusations, or excessive legal action against individual union or management representatives—as tensions escalate. That has not occurred here, and this restraint provides a constructive foundation for a potential mutual resolution, should both parties continue to engage in good faith.

With regard to YKK Türkiye's conduct, the investigator notes that the company's actions—as outlined in earlier sections of this report—have been largely guided by legal and expert counsel. However, this guidance appears to have been framed primarily within the boundaries of local legal requirements, which may have limited the company's broader perspective on international labor standards that YKK has committed to uphold. While this legalistic approach ensured compliance with national legislation, it fell short of fully addressing the

complexities of industrial relations and the importance of sustained social dialogue within the framework of international labor standards.

In light of the investigator's analysis of the allegations, direct observations, and professional experience, the following remedial actions are recommended to address the issues outlined in this report:

1. Establishment of a Structured Dialogue Mechanism

It is recommended that a structured, transparent, and sustained dialogue mechanism be established between Petrol-İş Union and YKK Türkiye. This process should be facilitated by an impartial and mutually agreed-upon third party with the aim of fostering mutual understanding, de-escalating tensions, and supporting long-term industrial harmony.

The core objectives of this mechanism should include:

- **Acknowledging and Respecting Workers' Will**
Formally recognize the workers' expressed choice to join a union of their preference within the legally recognized sector at the time of joining, in accordance with both national legislation and international labor standards.
- **Creating a Roadmap for Constructive Engagement**
Enable both parties to jointly develop a clear and actionable roadmap for future engagement. This roadmap should outline practical steps to maintain open communication, address past grievances, and build a more collaborative industrial relationship moving forward.

Given the complexity of the current dispute and its potential implications for both immediate operations and long-term labor relations, it is strongly advised that the mediation process include a comprehensive assessment of potential future scenarios. This assessment should detail possible outcomes and propose workable arrangements that align with principles of sustainability, mutual respect, and workers' rights.

The facilitation process should focus on building trust, promoting transparency, and ensuring that any agreement reached respects both the requirements of national legislation and the core conventions of internationally recognized labor standards.

2. Training for Workers and Management

It is recommended that YKK Türkiye implement comprehensive and ongoing training programs for both workers and management. These trainings should cover the principles of freedom of association (FOA), the right to collective bargaining (CBA), relevant international labor standards, and applicable national labor laws.

The primary objective is to cultivate a shared and practical understanding of labor rights and obligations across all levels of the organization. By doing so, the company can minimize the risk of miscommunication, misunderstandings, and inadvertent non-compliance with legal or ethical standards.

To maximize effectiveness, training modules should be:

- Tailored to the specific roles and responsibilities of different employee groups,
- Delivered by qualified experts with experience in labor rights and industrial relations,
- Conducted at regular intervals to ensure consistent reinforcement and updated knowledge.

This proactive approach will help foster a culture of mutual respect, legal compliance, and constructive engagement between all stakeholders in the workplace.

3. Enhanced Internal Oversight Mechanisms

To reinforce its commitment to labor rights and internal policy compliance, YKK Türkiye is encouraged to strengthen its internal oversight and monitoring mechanisms. This should include regular assessments—either conducted internally or by independent third parties—coordinated in close collaboration with the company’s corporate headquarters.

These evaluations should focus in particular on adherence to freedom of association (FOA) and collective bargaining rights, aligning with both national regulations and international labor standards. To ensure credibility and inclusiveness, the oversight process should be transparent and participatory, incorporating input from workers and their representatives.

Consistent reporting on audit findings, as well as on the implementation of any corrective actions, will be key to maintaining accountability, building trust, and supporting the development of a more constructive and rights-respecting labor relations environment.

4. Addressing Misinformation on Freedom of Association

The investigation identified a widespread lack of understanding—and in some cases, misinformation—regarding the concept of Freedom of Association (FOA) among both unionized and non-unionized workers. Interviews with factory management and employees highlighted the need for independent, unbiased education on this fundamental right.

To protect workers’ rights and ensure informed decision-making, it is crucial to deliver clear, accurate, and neutral information about FOA. This training should be conducted by impartial experts and made accessible to all workers, regardless of their union affiliation. Doing so will help build a more informed workforce and promote a workplace culture grounded in respect for labor rights.

5. Union Membership Accessibility

Currently, workers face limitations in their ability to join a union of their choice, as union membership is restricted to the sector designated through the government’s e-portal. This situation must be addressed to ensure that workers have the freedom to join a union that truly represents their interests. The ongoing dispute over the factory sector classification is currently obstructing workers' right to appropriate representation.

Investigator’s Note: Alternative systems for gathering worker input, such as internal representative structures, does not fulfil the role of union representation. Workers who wish to be represented by a union should have the clear and unrestricted opportunity to do so. Although the factory is not directly responsible for the sector classification issue, workers have clearly expressed their desire for union representation.

It is important to acknowledge that the unionization process is unlikely to be resolved quickly. Understanding and responding to the workers' demands and needs is essential for engaging in meaningful dialogue. While initial discussions may take various forms or follow different channels, there is a clear and vocal request from unionized workers for their concerns to be heard and addressed.

6. Right to Representation:

Workers who have already joined unions have taken the necessary steps to secure their representation. However, the investigation could not conclusively determine the cause of, or assign responsibility for, the sectorial limitations. As a result, workers' rights to proper representation and collective bargaining have been effectively suspended for over a year.

Investigator's Note: According to the initial court ruling, the case will continue, preventing workers from joining a representative union until a final decision is made, which could take over two years. Furthermore, this ruling will directly impact the factory's sector classification. Until a formal decision is reached regarding the factory's sector, workers will remain unable to join a union with the legal authority to represent them.

7. Understanding International Social Dialogue Norms:

The investigator recommends expanding the understanding of international social dialogue frameworks and their potential outcomes by reviewing relevant ILO norms and reports. This will help broaden management's perspective, which is currently limited to the local legislative framework. Specifically, the **Social Dialogue Report 2024: Peak-Level Social Dialogue for Economic Development and Social Progress** should be considered a valuable resource for gaining deeper insights. For further information, please refer to the full report [here](#).

8. Training for Mid-Management and Supervisors

Given that the majority of mid-management and supervisory staff have been promoted from within the workforce without prior managerial experience, it is essential to provide targeted training in management skills. Special emphasis should be placed on effective communication and problem-solving skills and the fair treatment of employees. Findings from interviews with both management and staff highlight a clear need for improvement in these areas across various levels of the organization.

9. Sectoral Unionizing Related Disputes and the Need for Coordinated Efforts

The case under review highlights the recurring and systemic nature of sectoral organizing disputes within the labor landscape in Türkiye—particularly in relation to unionization and collective bargaining efforts. This situation calls for a more strategic and coordinated advocacy approach—one that goes beyond the efforts of the directly involved union and includes the broader labor movement—to sustainably address the issue through changes in the local legislative framework and reduce the risk of prolonged legal battles between unions and employers.

Global unions such as IndustriALL, whose affiliates are affected by similar challenges, along with other local unions in Türkiye, should actively collaborate to address these sectoral limitations. The persistence of such disputes suggests they are not isolated incidents but rather part of a broader structural issue that requires sustained, collective attention.

Active engagement from all relevant stakeholders is essential to drive meaningful change. Furthermore, international platforms such as the International Labour Organization (ILO) should be leveraged to raise global awareness, foster dialogue, and encourage broader international support and accountability.

10. Brand Supply Chain Visibility and Involvement

The case under review underscores the critical importance of enhancing brand engagement and establishing direct relationships with sub-tier (beyond Tier 1) suppliers—particularly in regions where country-specific risks are prevalent. While the brands involved have acted in good faith and made considerable efforts to support the resolution process in this case, the lack of pre-existing relationships or formal partnerships with the factories in question has significantly limited their ability to effectively communicate international standards and brand-specific expectations during times of dispute.

Establishing long-term dialogue and structured engagement programs that extend beyond finished product manufacturers to include sub-tier suppliers would foster deeper mutual understanding of each party's expectations and operational realities. Such initiatives would also bring sub-tier suppliers under the monitoring and grievance mechanisms of international brands—building trust, improving transparency, and facilitating more effective conflict resolution and alignment with global compliance standards.