

S.OLIVER GROUP

Refugee and Migrant Workers Policy (with special focus on Syrian refugees in Turkey)

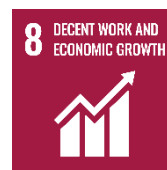
The s.Oliver Group will not tolerate exploitation of refugees and migrants in its supply chain under any circumstances and will review and update its policy regularly to ensure compliance with the international standards, national laws and regulations. This policy serves as guidance and precautionary measure to engage in the activities for the prevention of exploitation of refugees and migrants especially within the s.Oliver Group's supply chain in Turkey.

Background

The s.Oliver Group recognizes that ongoing armed conflicts are forcing civilians to leave their home countries and seek safety across borders. According to [UNHCR](#), more than 89.3 million people were forcibly displaced worldwide at the end of 2021, 27 million of them are officially recognized as refugees. The tendency shows that more and more people are affected by armed conflicts. We understand the vulnerability of refugees and migrants in foreign countries as they may be mistreated or exploited through illegal or unethical employment practices. We expect our suppliers to recognize the plight of refugees and migrants and comply with international standards and principles to avoid exploitation at all times and under all circumstances.

[The UN Agenda 2030](#) with its sustainable development goals "Decent work" (SDG 8) and "Reduced Inequities" (SDG 10) aims to prevent and mitigate exploitation of refugees and migrants and reduce inequalities among and within countries. The s.Oliver Group recognizes its responsibility to take action to eliminate exploitation of refugees and migrants throughout its supply chain and to contribute to the sustainable development goals according to the [UN Guiding Principles on Business and Human Rights](#), especially to:

- 8.8. Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.



- 10.7 Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies



Syrian refugees in Turkey

In consequence of the conflict in the region, many people have fled their home countries to seek shelter and protection in Turkey. The vast majority of these refugees are Syrian nationals. According to [the Turkish Law on Foreigners and International Protection \(LFIP\)](#) passed in April 2013, all refugees from non-European states are considered "conditional refugees" and will be given temporary protection, although they will not be granted regular refugee status until they can find a safe country of residence. They are eligible for a work permit once they have held conditional refugee status for a period of six months. However, despite these rules, the majority of temporary refugees work in the informal sector.

The following risks are possible in the Turkish apparel industry due to the Syrian conflict.

- Undocumented Syrian refugee workers may not have sufficient opportunities to speak out against mistreatment and abuse. They can be discriminated against compared to Turkish nationals and excluded from paying the statutory minimum wage.
- Refugee children may be pushed into the industry as there is no regular source of income, resulting in child labour.
- Refugee women can be subjected to gender-based sexual violence and exploited in the workplace.
- Undocumented refugees may be exploited in the deeper supply chain, including at the subcontractors, Tier 2 and 3 suppliers as well as at plantations (Tier 4).

The s.Oliver Group's Preventive Strategy

Our suppliers must effectively integrate our Code of Conduct in their business area as well as at their suppliers deeper in the supply chain. With a view to preventing the exploitation of refugees and migrants, suppliers should particularly focus on the following provisions:

- No exploitation of child labour
- A legally-binding employment relationship
- No discrimination in employment
- Payment of a legal minimum wages
- Safe and healthy working conditions

In addition to integrating the Code of Conduct provisions, the supplier must undertake numerous activities to minimize the risk of exploitation of refugees and migrants.

- Suppliers must be aware of the legal situation and requirements regarding the employment of refugees in their production process and issue a policy on registering Syrian refugees and migrants.
- Suppliers are responsible for compliance with these legal requirements also in their own supply chain, particularly if they use Manufacturers, Subcontractors, Material Suppliers and any other third party involved or used for the procurement of goods.
- Suppliers must monitor and keep up to date with developments and changes in the national legislation on migrants and refugees as this is the suppliers' responsibility.
- Suppliers must establish a comprehensive management system that enables them to identify and prevent the illegal employment of refugees, conditional refugees and migrant workers and establish sound auditing and monitoring systems for prevention purposes.
- Where illegal employment has occurred, suppliers must take all adequate steps necessary in order to remediate the breach and to mitigate its adverse effect on refugee workers.
- The management system must include careful monitoring and prevention measures for ensuring that the employment of children (nationals as well as refugees and migrants) is avoided under any circumstances. Where children are found to be employed in the supply chain, the Vendor must take adequate measures for the protection of those children to mitigate any adverse impact on their well-being (see child labour policy).
- Suppliers must check the identity documents of all workers by copying the original documents, although these must not be retained. Suppliers may not employ any workers without legal identity papers. Instead, they should provide them with contact details and information on help organisations.

The s.Oliver Group's social teams are regularly auditing the manufactures and Tier 2 suppliers to determine the compliance with social standards. The s.Oliver Group is engaged to set up control mechanisms at the Tier 3 and 4 suppliers. We are in the continues dialogue with our Turkish partners through our agency in Turkey.

Requirements

1. Conditional refugees may not take up work without a work permit.
2. Only employers can file an application for a work permit with the Ministry of Labour and Social Security at their cost.
3. Refugees must be provided with a fixed term contract describing their position and employed at the legal minimum wage.
4. Refugees may only work in their province of temporary residence.
5. A work permit is issued for one year. After that, a new application must be filed for a permit which is then valid for three more years, provided they work in the same job for the same employer. This permit may be extended further.
6. The application fees must be paid every year.
7. The employer is responsible for the payment of social insurance premiums for any refugees working for them.
8. Refugees must not be treated differently to a comparable Turkish employee or discriminated against with regard to working times, remuneration, social benefits or any other work-related criteria.

9. As far as accommodation is provided, the accommodation costs must be on par with comparable market costs. Any unreasonable and unjustified wage deductions must be avoided.

The s.Oliver Group's Remedy Action

1. Where employment of migrants, refugees and workers under temporary protection without the necessary work permit is found to have occurred, the supplier must take the necessary and adequate action to remedy the situation. The dismissal of such workers is not considered an adequate response.
2. Supplier shall require their contractual partners to take responsibility for the registration that facilitates the necessary legal process.
3. The employment of workers who do not hold a valid work permit is in breach of Turkish law and the employer risks penalties that could include high fines for both the employer and the respective worker.
4. The supplier must strive to support their contractual business partners as well as the workers concerned with regard to the legalisation of their employment by obtaining the necessary work permits. They must also provide them with information regarding all other forms of protection and benefits available such as public education centres, language courses and vocational training, for example.
5. If a worker cannot present any formal registration documents, the supplier should refer this potential employee to the Directorate General of Migration Management (DGMM) to apply for temporary protection status. If a worker already holds the temporary protection status, the employer must refer this worker to the Ministry of Labour and Social Security in order to jointly file the documents necessary for obtaining a work permit. The supplier is also advised to refer such potential employees to respective NGOs and support organisations for further support. A list is available from the s.Oliver Group on request.
6. The use of labour brokering by Manufacturer, Subcontractor or any third party involved or used for the procurement of goods is deemed illegal under Turkish law. Vendors shall not accept any illegal recruitment and employment.

The s.Oliver Group will hold the suppliers responsible to urge, monitor and support their production facilities to conduct and fulfil their obligations for remediation as requested in this Policy. If the concerned supplier and factory fails to follow the aforesaid measures within 30 working days of identifying the violation, a warning letter will be issued, giving the business partner an additional 10 days to start the implementation. The s.Oliver Group will put on hold any order with the business partner and their factory until all parties reach an agreement on the remediation plan and until all remediation costs are settled.

The s.Oliver Group will terminate the business relationship with the concerned supplier who fails to act in a manner consistent with this Policy, and/or when the concerned business partner is unwilling to undertake the measures needed to fulfil any of the obligations set out in and/or inherent to this Policy.

Anyone who observes that this policy is violated may contact us in any language using any means of communication, including email to the following email address: complaints@fairwear.org. Hints can also be submitted via the s.Oliver Group grievance procedure <https://soliver-group.hintbox.eu>.

Legal Notice:

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