

Kocaeli, 1 July 2015

Mr. Jyrki Raina
General Secretary

Mr. Ulrich Eckelmann
General Secretary
IndustriALL European Trade Union

By e-mail: hMareque@industriALL-Union.org

Dear Sirs;

We are in receipt of your letter dated 1 July 2015. We are surprised to read that you call on us to respect union rights and freedoms of our workers at our plant since ENPAY A.S. has been a unionized plant for years and has been an excellent example of the work environment in our industry. As we informed our workers repeatedly, our workers can choose their union freely on their own choice. We must state that TURK Metal Union has authorization from the Ministry of Labor in ENPAY A.S. Plant until 31.08. 2017. According to Law it will not be possible for an other Union to be authorized in this period of time.

We must however inform you that on 18 June 2015 some of our workers acting on Birlesik Metal Is directives participated in an illegal strike which prompted ENPAY A.S. management to take action following the procedure according to Turkish Law. According to Turkish Law and proceeding's a team of experts and a Labor judge must visit the sight and report the finding on whether there was an illegal strike. An illegal strike would result in a devastating commercial loss for the company and it must be substantiated according to Turkish Law.

We must also inform you that during one month prior to 18 June 2015, we observed that some of our workers switched their membership from Turk Metal to Birlesik Metal Is. Although during this period some of our workers expressed their discomfort from the pressures they received from Birlesik Metal Is in order to switch, that they received threats, we have not taken any action. We had full respect to our workers choice of union. ENPAY A.S. management well knows and acknowledges that it will not intervene in any way the unionization process of its workers.

However since a strike was performed on 18 June 2015 that stopped our company from functioning prompted us to take legal action. This strike had no legal base, nor was it a proper way to handle freedom of choice of a union. It is obvious that Birlesik Metal Is can only apply for an authorization in ENPAY A.S. Plant not before 2017. Also the representatives appointed on 17.06.2015 are not deemed to be legitimate since Birlesik Metal Is do not have any authorization in our plant according to ILO 87 and 89, Turkish Labour Law No: 6356 and regulations of Birlesik Metal is Clause 4-f.

