



HANDLING DRY CLEANING CUSTOMER COMPLAINTS

By

Steven Pyott

B.Sc., M.Sc., CText A.T.I., Grad.Cert.Ed., Adv.Dip.Ed.

Consulting Chartered Textile Technologist

DRY CLEANING COMPLAINTS ARBITRATION SERVICES (DCCAS)

www.drycleaningcomplaints.com

STEVE PYOTT

After a long career as a higher education/university textile science and technology educator, in both the UK and Australia, and acting as a consulting textile technologist since 1982 in Australia, Steve established **Dry Cleaning Complaints Arbitration Services (DCCAS)** and its web site in 2008. Under the **DCCAS** umbrella, Steve carries out analyses and reporting of garment/textile product problems arising out of professional textile cleaning treatments, such as dry cleaning or laundering, in order to resolve disputes between professional cleaners and their customers, or any other interested parties, including retail organisations, wholesalers, manufacturers or insurance companies. This service is professional, independent, impartial, and scientifically based and the reports are clearly formatted into easy to understand sections.

As far as possible, analyses and written reports attempt to determine responsibility for the garment or consumer textile problem which has occurred in order to fully resolve the dispute between the professional cleaner and the customer. **DCCAS** reports are routinely accepted as technical expert evidence to legal courts, such as **State Small Claims/Civil and Administrative Tribunals**. In many cases, where appropriate, **DCCAS** reports will be supported by applicable high quality technical bulletins and other relevant technical material that has been prepared by external professional bodies, such as the **Drycleaning and Laundry Institute (DLI)** in the U.S. These types of technical bulletins can provide important additional technical information about the textile or garment problem that has been analysed.

The **DCCAS** web site provides important industry and consumer information arising out of the many technical reports prepared by **DCCAS**, such as **DCCAS Case Studies**, a comprehensive archive of **DCCAS Garment Complaint** summaries, **DCCAS Garment Alerts**, **DIA Garment Alerts** in Australia and **DLI 'Heads Up'** garment alerts from the U.S. The **DCCAS** web site also provides numerous photographs of typical garment problems, reports of **State Small Claims/Civil and Administrative Tribunal** cases, where **DCCAS** reports were used, **DCCAS Technical Bulletins**, a copy of the **International Fair Claims Guide For Consumer Textile Products** and interesting **Media Items** where **DCCAS** or its technical reports have been involved.

The **Australian Consumer and Competition Commission (ACCC)** lists **DCCAS** under the '**Consumer and Business Directory**', giving a summary of the services provided, **DCCAS** contact details and a link to the **DCCAS** web site. **DCCAS** and its web site were recently recommended to consumers with dry cleaning problems in an article, entitled '**Who Really Cares**', published in the October 2010 edition of Australia's leading independent consumer magazine '**Choice**', published by the **Australian Consumers' Association (ACA)**.

INTRODUCTION

Customer complaints usually occur when garments, or other textile items, appear to become damaged in some way presumably associated with a treatment carried out by a professional textile cleaning service. When problems appear to occur following such a professional care treatment, the cause can usually be attributed to one of the following three possibilities: (1) incorrect, inappropriate, or even no care labelling information provided by the manufacturer, (2) incorrect, inappropriate or careless handling by the professional cleaner, (3) inappropriate treatment by the consumer, such as food and/or beverage spillages, incorrect storage or unintentional exposure to light. This paper is concerned with the prevention and appropriate handling of customer complaints that have generally arisen in these circumstances.

PREVENTION OF CUSTOMER COMPLAINTS

The first and most important strategy is to set up risk management systems that, as far as possible, are designed to prevent or minimise customer complaints occurring in the first place. The most important and obvious of these is careful pre-cleaning garment inspection at the counter, ideally in the presence of the customer. This requires counter staff members, professional cleaning staff and even external dry cleaners' agents to be well trained and experienced in the examination of textile and clothing items for potential problems. Such staff should really be very highly valued as they can probably save the professional cleaner from a lot of grief.

This pre-cleaning inspection should show up any existing problems with the garment, which then need to be clearly acknowledged by the customer, and fully documented by the cleaner for both the customer and the cleaner for future reference. This would obviously avoid a situation with which I am frequently confronted professionally – trying to determine if the claimed garment problem was present prior to cleaning (as usually claimed by the professional cleaner) or if the problem occurred during cleaning/handling by the cleaner (as usually claimed by the customer).

THE IMPORTANCE OF CAREFUL PRE-CLEANING INSPECTION

It is generally technically impossible to determine when most problems with garments have occurred, unless the problem clearly fits into particular categories, such as (1) obvious long term use or wear related damage, (2) insect damage and (3) fading due to sunlight exposure and other problems that could not occur in a single dry cleaning treatment.

This pre-cleaning inspection can also be used to check for the presence of attached care labelling and its appropriateness and to discuss issues arising from this, such as what to do in the absence of any attached care labelling or what to do if the attached care labelling instructions appear to be problematic in some way.

In the absence of attached care labelling, or problematic care labelling, the professional cleaner needs to set up a risk management process whereby the professional cleaner:

- (1) initially explains the risks of processing the garment without any attached care labelling, or using the problematic care instructions,
- (2) provides a professionally-based recommendation for the most appropriate treatment to use on the item, specifically at the customer's own risk and

(3) requests that the customer sign a pre-prepared 'pro forma' written release document fully accepting the risk of the recommended procedure in the event of an adverse outcome.

The only realistic alternative to the use of this risk management procedure is for the cleaner to refuse to process the item at all to avoid having to accept responsibility for technical problems that should really be considered the responsibility of the manufacturer.

Whilst this procedure should prevent most, if not all, inadequate care labelling-related problems, it may not completely eliminate them if the customer considers that there was insufficient explanation and warning of the risks involved in processing the garment and/or the customer suffers some sort of remorse for having given permission for the cleaning procedure to be carried out.

In the case of problematic care labelling, it may be appropriate to refer the customer back to the original retail outlet where the item was purchased, prior to cleaning, in order to get further clarification or explanation concerning the problematic care labelling from either the retailer or the manufacturer. It may even be possible to get some further documented care advice from a retailer or manufacturer for the professional cleaner to use.

A PRE-CLEANING INSPECTION CASE STUDY

I recently had to deal with a very good example of this type of problem. It was a case of very clear melting damage on the surface of a man's polyester suit jacket clearly caused by incorrect pressing with an electric hand iron. The curved and pointed shape of the iron was even visible on the jacket. The customer complained about the damage to the professional cleaner and received an unsatisfactory explanation and response and was eventually referred to me.

The circumstances of the situation were such that I ended up having to write a technical report which concluded that the damage had either occurred during the course of handling by the professional cleaner, or at the very least, had been missed prior to acceptance for cleaning, and, even though it was highly unlikely to have actually been caused by the professional cleaner, since such electric hand irons are rarely used on suits by professional cleaners, the professional cleaner had to be held responsible for the problem because, if present prior to cleaning, it had been missed in its pre-cleaning inspection.

The professional cleaner refused to accept this conclusion as he considered he had never used hand irons on his dry cleaning premises and the customer therefore took the matter to a small claims tribunal and won the case, although the customer was not awarded the full extent of his claimed damages.

The professional cleaner later admitted to me that the day that the suit was processed, he was on his own and he had a large batch of items to sort and process in a short time space and that he must have missed the damage on the suit jacket. His attitude was that he could not possibly have caused the damage and should have been exonerated by the technical report or the Small Claims Tribunal.

FRAMEWORK WITHIN WHICH PROFESSIONAL CLEANERS SHOULD OPERATE IN THE CONTEXT OF HANDLING CUSTOMER COMPLAINTS

The fundamental legal framework in Australia, within which professional textile cleaning and most types of customer complaints arising from it should always be considered, is the Australian textile labelling system. This system requires that almost all consumer textile products sold commercially in Australia, manufactured either here or overseas, must have permanent care labelling attached to them.

This care labelling is required to be **accessible** (can be readily found and read), **adequate** (sufficient to clean the item) and **appropriate** (will not cause any damage). The care labelling should also specifically provide details of both **permitted** (e.g. drycleanable, washable) and **prohibited** (e.g. do not use chlorine bleach, do not tumble dry) treatments.

These care instructions should be provided on permanently attached care labelling and professional cleaners and consumers are effectively legally required to follow them. In addition to the legal responsibilities of manufacturers and professional cleaners, consumers also have a responsibility to handle their textile items appropriately during the course of use and wear and during the course of their own care treatments.

The legal basis of care labelling attached to textile products arises because all consumer products are required to be **fit for the purpose for which they have been sold**. This fitness for purpose includes both the obvious – the product fulfilling its basic function as clothing, furnishing or household item but it also includes being able to be cared for appropriately.

If the item could not be cared for appropriately, such as by recognised washing or dry cleaning treatments, it was not considered fit for its purpose. Prior to the introduction of compulsory care labelling requirements, the system was much less defined for manufacturers, retailers, professional cleaners and consumers, and it was much more difficult to substantiate damage claims where care treatments were involved.

CUSTOMER AWARENESS OF THE IMPORTANCE OF CARE LABELLING

Consumers may not fully appreciate the importance and significance of care labelling but the system of care labelling is the professional cleaner's only real protection or defence against manufacturers who do not ensure that their attached care labelling is correct. Professional cleaners are entitled to assume that the care labelling attached to textile products is correct but they need to be certain that they have followed the attached care labelling correctly.

In the event of customer complaints, cleaners need to make it clear to customers that they only operate professionally within the requirements of the Australian textile labelling system. This includes being able to convince their customers that they are fully aware of textile care labelling requirements and that they and their staff make sure that all care labelling on items to be cleaned is carefully noted and that all items are only processed according to the requirements of their attached care labelling.

In dealing with customer complaints, professional cleaners need to be able to convince their customers that they have taken full cognisance of the care labelling requirements of the item. The consequence of this is that it would generally mean that the particular problem has been

caused either by the manufacturer having attached incorrect care labelling to the item or the customer having misused or mishandled the item in some way.

In the case of fairly obvious manufacturer responsibility, the professional cleaner needs to be as supportive as possible to the customer and provide as much helpful advice as possible about how the customer can deal with the problem. This might mean interceding with the retail outlet to assist the customer, or even contacting the manufacturer on the customer's behalf.

APPROPRIATE OWNERSHIP OF TEXTILE AND GARMENT PROBLEMS

Although it may be reasonable for professional cleaners to attempt to correct a problem that has been caused inadvertently by their own actions, it is not appropriate for professional cleaners to attempt to correct problems that have not been caused by the professional cleaner and are therefore not their responsibility.

In the event of textile and garment problems arising out of what is known to be a correct or recommended professional cleaning treatment, the professional cleaner must avoid the temptation to attempt to correct the problem, particularly when it is clearly the responsibility of the manufacturer through incorrect care labelling or faulty manufacture.

Any attempt to correct such a problem, not the responsibility of the professional cleaner, (unless it happens to be completely successful) effectively means that the professional cleaner takes ownership of a problem that was rightly that of the manufacturer and the professional cleaner must therefore accept all the consequences of this action by taking final responsibility for the problem, which could mean compensating the customer for the loss of the garment.

Apart from the important principle of justly assigning correct responsibility for textile and garment problems to the appropriate party, any incorrectly care labelled or faulty garments should be able to be identified and recognised within the professional care industries and, hopefully, even more widely amongst consumers.

DETERMINING THE RESPONSIBILITY FOR GARMENT PROBLEMS

In the event of a textile and garment problem arising out of a professional cleaning treatment whose cause is either unknown or not known for certain, the professional cleaner may need to seek external specialist advice to determine the actual or most likely cause of the problem.

This advice could come from more experienced industry colleagues, professional industry associations and their publications, specialist professional care industry publications or specialist professional technical analysis services. Even where the cause is either known or very strongly suspected, the professional cleaner may still wish to seek external specialist advice for a technical report to provide reassurance to the customer about the cause of the problem.

There is a very natural tendency on the part of customers to assume that because the professional cleaner was the last person to handle their item, the professional cleaner must therefore be responsible for causing the problem with their item. When I receive calls from customers requesting assistance with problems, it is rare for them to even consider initially

that any party other than the professional cleaner must be responsible for causing their problem.

This can persist even after trying to explain other possibilities to the customer. I have even had customers completely reject my technical advice altogether as being biased after explaining that a party other than the professional cleaner may be responsible for causing the problem with their item.

Some customers think that professional cleaners have insurance for such problem situations and they cannot understand why professional cleaners cannot just pay out their customers using this insurance, even after explaining that such insurance can only be used if the professional cleaner is clearly at fault.

Although it is very difficult, the professional cleaner needs to try to overcome this prejudicial tendency on the part of customers without sounding defensive or negative. One of the commonest reactions I have seen in customers of professional cleaners, who have contacted me for advice, is that they are much more upset about the unpleasant way the professional cleaner has dealt with them in connection with their complaint than they are about the actual garment problem itself.

MANUFACTURER/RETAIL RESPONSES TO GARMENT COMPLAINTS

Customers who refer their textile or garment problem back to the appropriate retailer and/or manufacturer, even after obtaining a technical report on their garment with the help of their professional cleaner, may still not receive full redress because the manufacturer remains convinced that there are no problems with their garment.

The response that is most often encountered from manufacturers, when confronted with a problem item, is that they have not had any other problems with that particular line of garments, without considering that there may be numerous other reasons, unconnected with the particular fault in the garment, why faulty or potentially faulty garments have not been returned by consumers, particularly if the garment is a relatively short life fashion item.

It is a very powerful response to a manufacturer to be able to demonstrate that two or more garments of a particular type have been seen with the same problem. To this end, garment alert systems can be very useful in assisting the professional textile care industries with handling problem garments and the more that such alert mechanisms can be developed and publicised, the greater the benefit will be to these industries.

It is much more important for a manufacturer to be able to provide clear objective evidence that formal testing has been carried out on the item to ensure that it is fully stable, particularly in terms of colourfastness, dimensional stability and attached trim stability, to repeated cycles of their recommended care treatments, preferably equivalent to at least three treatments.

Bitter experience is now showing that if the party clearly responsible for the garment or textile product problem, particularly as evidenced by a technical report, refuses to accept responsibility for the problem and negotiate appropriate redress with the customer immediately or within a reasonable time frame, the party should be informed that the matter will be taken directly to the State Civil and Administrative Tribunal to resolve the matter.

RECENTLY ENCOUNTERED GARMENT PROBLEMS

Numerous fashion garments featuring black or navy and white design effects have been seen with the typical problem of dye staining into the white areas from the dark areas.

In regard to this, I have prepared a **DCCAS Technical Bulletin** on this problem, called **Black and White Fashions**, available on the DCCAS web site, and the **DLI** in the U.S. have now also published a **TAB** on this particular problem – **TABS-385 Black Dye Bleeds Into White**.

Numerous wedding dresses have been seen with customer claims of objectionable changes in their white appearance following professional cleaning treatments.

Several Hugo Boss men's suit jackets with severe failure of their fusible interfacing causing extensive blistering on their fronts. In one case, the dry cleaner concerned reported he was contacted by a person claiming to be from the Head Office of Hugo Boss, who would not give her full name and who threatened him with legal action for simply showing his customer a copy of the **Hugo Boss Suit/Fusible Interfacing Failure DCCAS Garment Alert** that had just been published in the industry trade journal, **The National Dry Cleaner and Launderer**. The person also claimed the DCCAS Garment Alert was biased in favour of the person paying for the report to be prepared. It would be very interesting to know if dry cleaners have seen any other cases and possible outcomes of this problem. A copy of the **DCCAS Garment Alert** can be provided on request.

Lady's dresses with horizontal markings approximating to the position of the waistline and potentially caused by the wearing of some type of belt rather than the dry cleaning treatment used on them.

Loss of black flock printed polka dots from a lady's **ME TOO** red dress following immediate contact with the recommended perchlorethylene dry cleaning solvent. Any other industry experience with this specific problem with this brand of garment would be appreciated.

Several cases of a single problem garment within a dry cleaning load causing severe damage to most, if not all, the other garments. Examples encountered include loss of print from a garment contaminating the others and attached plastic trim dissolving in the dry cleaning solvent and damaging and staining other garments in the same load.

Several garments have been seen with either plastic trim, which dissolves in perchlorethylene, or metallic trim or finish, which becomes removed, during dry cleaning in perchlorethylene where this type of cleaning was indicated as acceptable by the attached care labelling.

In one unusual case, the importer of the problem garment called in a lawyer, which produced difficult and tortuous negotiations for the dry cleaner, to finally achieve a reasonable settlement. In this case, the lawyer was attempting to avoid the importer being taken to court.

THE DCCAS WEB SITE IS CURRENTLY RECEIVING A MAJOR UPDATE

The **DCCAS** web site has now received major updates in a number of important sections, including the **DCCAS Garment Complaints** archive, **Case Studies** and **Garment Alerts** from **DCCAS**, the **DIA** and the **DLI**. Please do not hesitate to get in contact with **DCCAS** if you have any enquiries about any garment and textile product problems.