

CLASP

Policy solutions that work for low-income people



RUTGERS
School of Management and Labor Relations

Center for Innovation in Worker Organization

Labor Standards Enforcement Webinar: Monitoring Strategies

7/26/2018

Participants in Today's Webinar

Cities/Counties

- San Diego, CA
- LA County
- City of LA
- San Francisco, CA
- Montgomery County
- District of Columbia
- Seattle, WA
- New York City
- Minneapolis
- Trenton, NJ
- Oakland, CA
- East Orange, NJ

States

- California
- Maryland
- Michigan
- Massachusetts
- Colorado
- Wyoming
- Oregon
- Minnesota
- US DOL

Advocacy Groups, Funders, Research Orgs

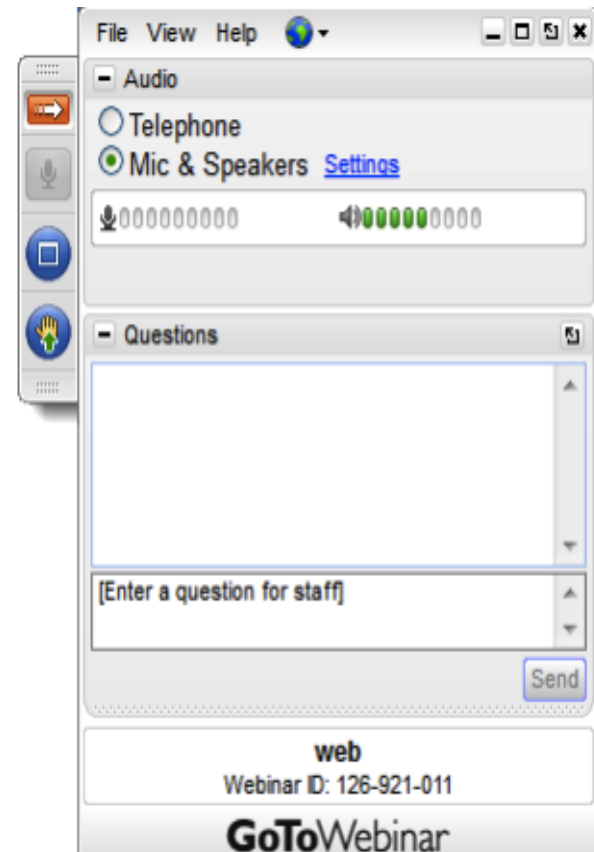
- Harvard Labor and Worklife Program
- Neighborhood Funders Group
- Ford Foundation
- Center for Public Policy Priorities
- Pathways PA
- Family Values @ Work
- A Better Balance
- Public Justice Center
- Chinese Progressive Association
- National Immigration Law Center
- Restaurant Opportunities Center
- East Bay Alliance for a Sustainable Economy
- National Employment Law Project
- Raise the Floor Alliance
- Arise Chicago
- UCLA Labor Center

Ask Us Questions!



Please submit your questions using the GoToWebinar 'Questions' feature.

Please specify who you would like to address your question.



Presenters

- Greg Asbed, Co-Founder of CIW, and 2017 MacArthur Fellow
- Gerardo Reyes Chavez, Worker Leader, CIW; and
- Judge Laura Safer Espinoza, Executive Director, FFSC

Moderators

- Janice Fine, Center for Innovation in Worker Organization
- Pronita Gupta, CLASP
- Laura Fortman, former Deputy Administrator, Wage and Hour Division, US DOL

The Fair Food Program

Verifiable Human Rights Protection



FROM THE FIELDS...



... TO THE PRODUCE AISLE.



THE PROBLEM



Farmworker in the U.S. agricultural industry face a litany of abuses at work.



THE PROBLEM



Specifically, common farm labor abuses include:

- Forced labor
- Violence including sexual assault
- Threat of violence, display of weapons
- Poverty and stagnant wages
- Wage theft
- Discrimination
- Verbal Abuse
- Retaliation for exercising rights and/or making complaints
- Arbitrary discipline and termination
- Unsafe transportation
- Lack of shade / Heat exhaustion
- Exposure to dangerous weather
- Pesticide exposure
- Negligent use of heavy equipment
- Lack of rest breaks and ability to take days off
- Lack of clean and accessible drinking water and bathrooms
- Substandard housing

THE PROBLEM



New standards or laws alone cannot solve deeply-entrenched issues in U.S agriculture.

The principal barriers to promoting farmworker protections are the **lack of enforcement mechanisms** to make standards real, and the failure to **give workers a meaningful voice** at work.



Effective market-based consequences for human rights violations – such as those in place for food safety violations – combined with **worker participation and leadership** offers a new model for uprooting longstanding human rights abuses in agriculture.

THE SOLUTION



The Fair Food Program:

A market-based, worker-driven social responsibility program



THE SOLUTION



Key mechanisms for monitoring and enforcement in the Fair Food Program



- Worker-drafted Code of Conduct
- Worker-to-worker education
- 24-hour complaint mechanism
- In-depth audits
- Fair Food Premium
- Market consequences

THE SOLUTION



The Fair Food Standards Council



The mission of the Fair Food Standards Council (FFSC) is to monitor the development of a sustainable agricultural industry that advances the human rights of farmworkers, the long-term interests of growers, and the ethical supply chain concerns of retail food companies through implementation of the Fair Food Program.

THE SOLUTION



The Fair Food Standards Council

Audits provide a snapshot of conditions at a moment in time. Audits should include interviews with a significant percentage of workers at any given supplier (FFP audits interview at least 50%)



THE SOLUTION



The Fair Food Standards Council



Complaint mechanisms can provide a continuous video feed on conditions.

The FFP has a 24/7 complaint line, which answered live by the same auditors who are familiar with conditions faced by workers.

Complaints are resolved promptly while protecting workers from retaliation.

BENEFITS OF THE FFP



For buyers: transparency and elimination of supply chain risks at a time when consumers, in an age of instant information and communication, are increasingly demanding to know the conditions under which their products are produced.

For growers: benefits include becoming an employer of choice, reducing turnover, preventing risks, improving management systems, and obtaining verification of ethical labor practices, giving them a competitive edge.

BENEFITS OF THE FFP FOR WORKERS



- Sexual assault, forced labor, violence against workers eliminated
- Elimination of systematic wage theft (bucket standard, time clocks)
- Over 2,100 worker complaints resolved
- Worst actors banned from Fair Food Program farms
- Over \$28 million in Fair Food Premiums distributed to workers
- Over 220,000 workers received rights education
- Health & Safety Committees established on FFP farms
- Shade in the fields

ROLES OF KEY PLAYERS



RECOGNITION



Harvard Business Review
Among the "most important social-impact success stories of the past century."
Harvard Business Review

"This is the best workplace-monitoring program" in the US.
The New York Times

A "visionary strategy... with potential to transform workplace environments across the global supply chain."
Mazzy J. or Delunski
MEET THE 2017 MACARTHUR FELLOWS
24 Extraordinarily Creative People Who Inspire Us All



"This is an extraordinary accomplishment, and reminds all of us... that dedicated individuals, like those here with us today from the Coalition, can strike out against injustice, break down barriers, and make a world of difference."
Secretary of State John Kerry

"One of the great human rights success stories of our day."
Washington Post/Op/Ed

"Unique in the country" for preventing sexual violence.
PBS Frontline Producer

EXPANSION



Fair Food Program Expansion

- Seven new states, including Texas
- Four new crops (strawberries, peppers, melons, citrus)

Worker-driven Social Responsibility Model Expansion

- *Domestic:* Vermont dairy workers (Milk with Dignity Program)
- *International:* Bangladesh garment industry (Bangladesh Accord)

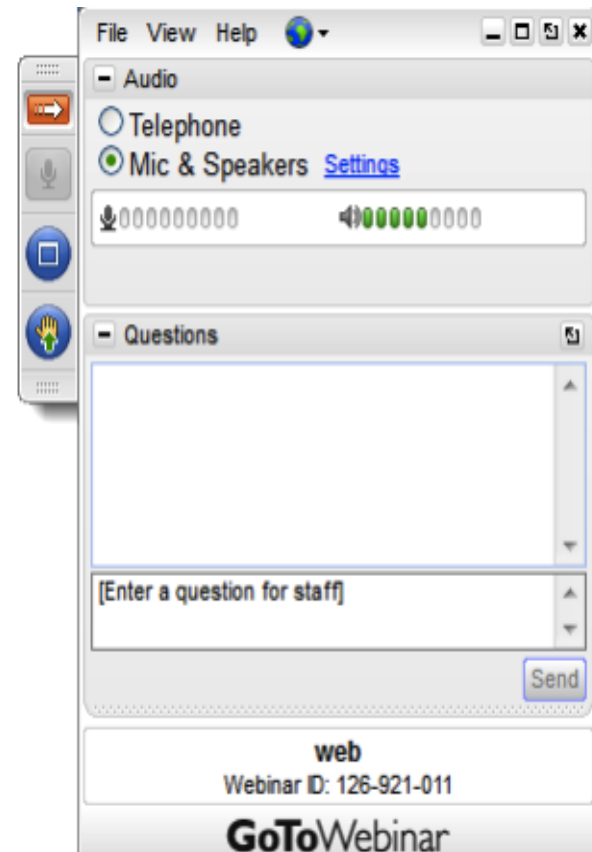


Future Opportunities

- U.S. and U.K. fashion industry
- U.S. poultry industry
- U.S. construction industry
- International garment industry

Please submit your questions using the GoToWebinar 'Questions' feature.

Please specify who you would like to address your question.





Please suggest ideas for future webinars! If you have additional questions about today's presentation, please email:

Janice Fine, CIWO
Email: jrfine@smlr.rutgers.edu

Pronita Gupta, CLASP
Email: pgupta@clasp.org