

Summary of the Debate over Sweatshop Monitoring

Background:

The wages and working conditions of people who make clothing and shoes for US markets have been a political issue since the 1996 disclosure that clothes carrying the Kathie Lee brand name were being produced by children in horrible sweatshop conditions both inside and outside the US. University students around the country became concerned after many university administrations signed deals with corporations like Nike (at UNC), Champion (Harvard), and Reebok (University of Wisconsin) to provide uniforms and shoes for sports teams. Student-instigated research disclosed that many of these corporations, and other brands that contracted with their universities to sell clothes with the university logo, got their products from sweatshops.

The protests began at UNC in 1997 and climaxed last spring with a sit-in at South Building. Chancellor McCoy agreed to student demands that the University join other schools to require licensees demonstrate adherence to a labor code. McCoy created a committee of faculty, administrators and students to make recommendations on exactly how this should work. After the students had gone home for the summer, McCoy announced that the university would join the Fair Labor Association (or FLA, described below) and work to determine company compliance to specific codes of conduct through this association. According to Pete Andrews, co-chair of the Labor Licensing Advisory Committee created by McCoy, the committee initially decided against joining the FLA because it did not seem to give universities much power. The committee changed its mind later because, again according to Andrews in several letters to the editor and op-ed pieces, FLA made moves to become more “responsive” to universities.

Some students protested that the decision was made after the students left because McCoy knew the students would not be satisfied with the FLA. When school started up again this fall (the deadline for licensees to comply with the code of conduct), students renewed their protests and demanded that UNC withdraw from FLA and join a different and newer organization, the Workers’ Rights Consortium (or WRC). The Labor Licensing Advisory Committee has agreed to consider the students’ concerns and is now deliberating on the question. There is some urgency to the matter because the WRC is holding its charter meeting on April 7. Its existence and certainly its power depends upon how many universities have agreed to join it (and help to fund it) and to attend this meeting by this date.

A brief comparison of FLA and WRC:

This brief summary (which I do not pretend is exhaustive) is distilled from student newspapers from around the country and from the two organizations’ websites.

FLA:

The Fair Labor Association (FLA) was created out of a task force established in 1998 by the Clinton Administration following the Kathie Lee crisis. The Apparel Industry Partnership “brought together apparel and footwear companies, human rights groups, labor unions [initially], religious organizations, consumer advocates, and universities to work collaboratively to protect workers worldwide and to give consumers the information they need to make informed purchasing decisions,” according to the FLA website (www.fairlabor.org). The process of creating FLA was contentious from the start. When it became clear that the corporations involved were not willing to take a stand on wage levels (specifically, on requiring all employers to pay a “living wage”), the labor unions in the Partnership withdrew their support.

FLA is mainly concerned with certifying corporations (and publicizing that certification) that have essentially eliminated “sweated” labor. Its strategy is to get corporations to join the

association and then requiring them to monitor their own factories around the world for adherence to a code of conduct determined collectively by the members of the Association. It also accredits (or will—this has not actually started) external monitors who are to visit some sample of member corporations' factories periodically and verify code adherence. FLA's code of conduct (check the web site for details) includes the abolition of: child labor, "discrimination," hazardous working conditions, intimidation of workers trying to organize unions, and mandatory overtime. The hope is that by pressuring companies to monitor themselves and by encouraging consumers to purchase only goods produced by member companies in compliance with the code, the apparel/footwear industry as a whole will begin to reform.

FLA is run by a board. Six seats on this board are held by corporations. Six seats are held by NGO's (and I couldn't really discover how these NGO's are selected; they are supposed to have some connection to workers but this seemed rather vague; maybe someone else knows about this). University members have a single seat on the board. There is also a president and a chairman (who has one seat). This board makes all decisions regarding certification, monitor accreditation and so forth. FLA will ultimately be funded almost entirely by corporations.

WRC:

The Workers' Rights Consortium was created more recently (last summer) by the national student group, United Students Against Sweatshops (USAS) in association with workers' organizations and several human rights groups. It was formed independently of corporations and in direct response to the FLA. Unlike the FLA, which plans to deal with the entire apparel/footwear industry, WRA plans to focus exclusively on the part of the industry producing college apparel.

Like FLA, WRC plans to monitor corporations and pressure them to adhere to a code of conduct. Its code of conduct is similar to that of FLA on some issues such as child labor. But it goes much further by demanding that workers be paid a "living wage" (probably the most crucial and contentious difference), that women workers have equal opportunity and pay to men as well as the right to maternity leave and reproductive freedom, and that corporations fully disclose the locations of their factories (a provision explicitly opposed by FLA members on the grounds that company secrets can then be stolen).

The WRC's monitoring plan is a bit vague yet but will rely on two things: **independent follow up to worker complaints and external, independent, non-corporate "spot checking."** The success of WRC depends heavily on whether or not workers can and will make specific complaints about company's adherence to codes of conduct and on local organizations' ability and willingness to follow up on such complaints and support workers' efforts. The "spot checking" strategy does not seem to be fully worked out yet but will also rely heavily on local organizations as well as on labor experts.

Corporations cannot be members of WRC. Universities, workers and NGO's determine the code of conduct. Universities in the WRC must be willing to "punish" companies that do not adhere to the code of conduct, if necessary by rescinding their licensing contracts with them, although the WRC hopes that that will be necessary only in extreme cases. The WRC has yet to fully work out its funding mechanism but university profits from logo licensing will be a major source of support, at least initially.

I hope this clears up at least a bit of the confusion about this debate. I'm not launching into a list of student criticisms of FLA or administration criticisms of WRC because I think we should discuss all of that with students and administrators and make our own conclusions. I do own up to my own biases against FLA and for WRC, however. I hope these haven't overly influenced my summary. I hope others will feel free to supplement, critique, comment upon these notes.

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