Worker Rights Consortium

Prepared for the UW-Oshkosh Campus Sustainability Council

Basic History

"The WRC was founded in April of 2000 by university administrators, students, and international labor rights experts. The WRC was created to assist universities with the enforcement of their labor rights codes of conduct, which were adopted to protect the rights of workers producing apparel and other goods bearing university names and logos. At the time of its founding, the WRC had the support of 44 universities; since then, the total number of college and university affiliates has reached 180 and continues to grow."

–Workersrights.org

In the late 1990s, university students across the U.S. were becoming increasingly concerned about the production of collegiate apparel. Thus, different student groups pressured many universities to adopt codes of conduct concerning the way clothing was produced. However, once universities did create these codes of conduct, the question became how to enforce them. At the time, the major factory-monitoring organization in the world was the Fair Labor Association (FLA).

However, students were concerned that the corporate-controlled FLA would be analogous to "the fox guarding the henhouse." As a result, these student groups decided to create a new factory-monitoring organization that would truly be independent from the corporations meant to be monitored; they called this organization the Worker Rights Consortium. The first university to affiliate with the WRC was Brown University, and today the WRC has over 182 collegiate and university affiliates.

Governing

The WRC has a 15-member Board of Directors made up of 5 University-Caucus representatives, 5 student-representatives, and 5 independent labor rights experts representing the WRC Advisory Council. Apart from the Board of Directors, the University Caucus is made up of all affiliate colleges and universities and meets yearly, the WRC Advisory Council has roughly 30 labor experts from the U.S. and around the world, and the student representatives work and are chosen through United Students Against Sweatshops, the founding-group of the WRC.

WRC Factory Assessment Program

"In every investigation, the WRC works with knowledgeable representatives of the local community, including officials of local labor rights NGOs and/or local academic experts. Investigations are coordinated by a member of the WRC staff, who may or may not work on site. A central criterion in the selection of personnel to perform investigative work is an individual's capacity to assess the evidence objectively.

"WRC investigators conduct comprehensive interviews with workers in their homes and communities (where they are free to speak candidly). The WRC also interviews plant managers, local government labor authorities, relevant labor union officials, local academic and legal experts, and any other relevant parties and visually inspects the plant, if management allows. The WRC reviews relevant records and documents as well as scholarly and/or journalistic materials that bear on the situation. The WRC then analyzes all of the evidence gathered and makes findings as to whether there are any violations of applicable codes of conduct at the plant. When violations are identified, the WRC makes recommendations for remedial action to factory management. The WRC issues reports detailing the findings of our investigations, the evidentiary basis for the findings, recommended remedial steps, and the status of remedial action. Whenever possible, the WRC seeks to work with the factory and its buyers to correct violations before a report is released, so that these positive changes can be reflected in the public report."

-Workersrights.org

For the investigative protocols of the WRC in full, go to
http://workersrights.org/Freports/investigative_protocols.asp

Case Study – Russel Athletic

In October 2008, Russel Athletic (subsidiary of Fruit of the Loom, which is a subsidiary of Berkshire Hathaway) shut down a factory they owned in Honduras called Jerzees de Honduras. The factory employed 1,200 people at the time and, as Russel Athletic had had previous issues regarding violations of employee freedom-of-association, the sudden closure became a matter of concern, and the WRC investigated the situation.

The WRC report on Russel's decision and actions leading up to it showed that there had been numerous instances of employees being fired for organizing a union, others being threatened they would be fired, and management telling other workers that the closure was a direct-result of others creating a union, an action that resulted in the union-president getting repeated anonymous death threats and directly furthering an anti-union culture. These findings showed that Russel had directly violated the codes of conduct it had with many universities, which say employees shall not "be subject to harassment, intimidation or retaliation in their efforts to freely associate or collectively bargain" (WRC Code of Conduct, adopted by most affiliates).

The day that the WRC report came out, the FLA Board of Directors announced that they would be launching their own investigation. When the FLA report came out, the Board of Directors concluded (contrary to the investigation in their own report) that there was no anti-union animus in the decision to close the factory, and that it was purely an economic decision.

Despite the FLA conclusion, the WRC stood by their report and continued to give updates on the situation to affiliate universities. This lead to more than 130 universities in the U.S., Canada, and the UK, as well as the stores Sports Authority and JC Penny, cut their contracts with Russel. As a result, Russel came to an agreement with the labor union in November of 2009. Russel re-opened the factory (under the new name "Jerzees Nuevo Dia"), rehired all the union workers, paid millions in back pay, and agreed to facilitate freedom-of-association trainings and pledge union neutrality in every plant in the country.

FLA	WRC
Seeks to accredit apparel brands as in compliance with FLA standards by requiring that companies adopt monitoring programs.	Works with local non---governmental organizations and local unions to empower workers to report labor rights violations in order to assist colleges and universities in enforcing their codes of conduct.
The FLA board of directors consists of 6 representatives of participating companies, 6 non--- governmental organization representatives, 6 university administrators, and 1 corporate lawyer.	The WRC board consists of 5 representatives of USAS, 5 university administrators, and 5 representatives of the WRC Advisory Council, an independent collection of labor rights experts and representatives of worker---allied organizations.
The board operates by a supermajority vote, meaning that 4 of 6 members of each constituency must approve any major initiative for it to pass. This means that the companies have veto power over any initiative, including changes to the FLA Charter Document, which lays out the FLA's code of conduct and basic monitoring procedures, and other decisions such as the decision to terminate a company's participation in the association.	The WRC board operates by majority vote out of the 15 board members.
Reports to the public via an annual report, which gives a general overview of each company's internal compliance program and the FLA's monitoring system checklist-style.	Reports are regularly made public on its homepage, with a comprehensive background and explanation of the investigative process.
Does not disclose factory name in reports, making them impossible to verify.	List factory names and includes detailed status of remediation efforts (improvements & remaining necessary steps)
The FLA charter states that companies must submit a list of applicable facilities to be monitored. The FLA then determines which facilities will be inspected, selects a monitor from their list of accredited monitors (the majority of which are for--- profit), schedules the visit, and receives the report at the same time as the company.	Investigative Protocols require that any WRC investigative team include, at least, or both of the following: a WRC field staff person, board member, or official delegate, and "on--- site workers or community members in the immediate locality or region of the workplaces to be investigated."
No requirement to involve local workers/worker--- allied organizations, and contracts out all auditing responsibilities to other monitoring organization, many of which are for---profit.	Participation from local workers and/or worker advocates is mandatory in all WRC investigations, and WRC field staff conduct investigations.
Code of Conduct has no mention of women's issues	Specifically protections for women's issues, including equal compensation and reproductive freedom and reproductive health