

“Now the Fear is Gone”

Advancing Gender Justice through
Worker-driven Social Responsibility



WSR WORKER-DRIVEN
SOCIAL RESPONSIBILITY
NETWORK

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ABOUT THE WSR NETWORK

Founded in 2015, the Worker-driven Social Responsibility (WSR) Network aims to build understanding of the WSR model among a wide range of relevant actors, provide support and coordination for worker-led efforts to replicate the model, and create a paradigm shift within the field to establish the model as the baseline for workers' rights programs within global supply chains.

The Network's Coordinating Committee is comprised of:

- Alliance for Fair Food
- Bangladesh Center for Workers Solidarity
- Business & Human Rights Resource Centre
- Centro de Trabajadores Unidos en la Lucha
- Coalition of Immokalee Workers
- Migrant Justice
- National Economic & Social Rights Initiative
- T'ruah: The Rabbinic Call for Human Rights
- United Students Against Sweatshops.

Worker Rights Consortium and Fair Food Standards Council serve as technical advisors to the Network. The Network is anchored at the National Economic and Social Rights Initiative. For more information, please visit: www.wsr-network.org.

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CIW staff educate workers at a Fair Food Program farm on gender-based violence.

Introduction

Sexual abuse, harassment, and other gender-based violence is a threat to all women workers and an international crisis. It is a chronic assault on the humanity of women, undermines women's health and productivity, and makes the workplace a hostile environment. No group of women suffer more than low-wage women workers. With little power and fewer resources, low-wage women workers often have no choice but to accept humiliating treatment, harassment, quid pro quo arrangements, and even assault simply to earn a meager living.

One of the most extreme examples is in US agriculture where sexual violence, abuse, and harassment is ubiquitous and severe. Over eighty percent of women farmworkers suffer sexual abuse and harassment. Even assault and the most extreme forms of harassment are so common that many women consider it unavoidable.

Despite its pervasiveness, however, sexual harassment is far from inevitable. One powerful solution has emerged in the profoundly male-dominated agricultural sector from what many would consider an unexpected source: A group of farmworkers in the small town of Immokalee, Florida. The Coalition of Immokalee Workers (CIW), a worker-based human rights organization, has pioneered and successfully implemented an innovative model for protecting workers' fundamental human rights—including freedom from sexual abuse and

harassment—in practically the entire tomato industry on the Eastern seaboard.

The CIW's Fair Food Program has been described as "the best workplace-monitoring program in the US" by Professor Janice Fine in *The New York Times* and hailed for its "proactive policies, the participation of workers, and the economic incentives placed on anti-harassment policies" by the producers of the PBS Frontline documentary, "Rape in the Fields." Most importantly, the women workers in the field report a transformation in their daily lives—from chronic abuse to freedom from the constant threat of sexual abuse and harassment. The Fair Food Program's greatest achievement is the systematic prevention of abuses and ensuring of dignified working conditions for the women and men who harvest tomatoes for major buyers such as Walmart and McDonald's.

This report examines the CIW's root-cause solution to gender-based violence and harassment. This structural market intervention grounded in a universal human rights vision, along with sister efforts internationally, has given birth to the new Worker-Driven Social Responsibility model. We will cover the Fair Food Program's mechanisms as well as on-the-ground case studies and assess the potential of this model for eradicating sexual violence and harassment on the job in thousands of global supply chains across the world.



Gender-based Violence in US Agriculture

The Continuum of Human Rights Violations

Sexual abuse and harassment at work do not occur in isolation but rather at the intersection of a degraded labor landscape and gender discrimination. In the case of agriculture, racism, xenophobia, and an abusive global economic framework also come into play. Women farmworkers, just as their male counterparts, in fact suffer a wide range of degradations, including sub-standard wages, wage theft, physical and verbal abuse, gender and racial/ethnic discrimination, and high injury and fatality rates.¹

The US Department of Agriculture has reported that “poverty among farmworkers is more than double that of all wage and salary employees.”² In the extreme, farmworkers have faced situations of modern-day slavery—according to the definition of forced labor and high standard of proof required under federal law. Several such cases have been successfully prosecuted by the US Department of

Justice over the past decade, and many of these servitude operations had components of sexual violence, as well. In short, agriculture represents one of the most degraded labor landscapes in the country.

These conditions have their roots in the sordid history of US agriculture—including chattel slavery, convict leasing, and debt peonage—and have been perpetuated by the exclusion of farmworkers from legal rights commonly enjoyed by workers in other industries, including collective bargaining. Furthermore, the scant protections that farmworkers enjoy on paper are generally unrealized in practice due to a lack of political will and insufficient resources for meaningful enforcement by relevant government agencies. Finally, the high degree of market consolidation in the food industry means that multi-billion-dollar retail brands are able to leverage their volume purchasing power to demand ever-lower prices from suppliers, which has resulted in strong downward pressure on farmworker wages and working conditions.³

Sexual Abuse and Harassment: An Unavoidable Condition of Work?

There are an estimated 500,000 female farmworkers laboring in isolated fields across the United States.⁴ They are largely an immigrant workforce speaking Spanish and indigenous languages from Mexico and Central America. On average, women harvesting in the fields earn \$11,250 annually, placing them even farther below the poverty line than male co-workers, who earn \$16,250.⁵ Hired by labor contractors through informal networks, female farmworkers are dependent on male supervisors not only for their jobs but often for their families' jobs and frequently for their housing, as well. Given the landscape of labor rights violations in US agriculture, it is tragic but unsurprising that gender-based violence is endemic to the industry.⁶ Sexual assault and extreme forms of harassment are so common that many farmworker women view these abuses as an unavoidable condition of work.⁷ As one female worker succinctly described it, "You allow it or they fire you."⁸

In a 2010 study of farmworker women in the California's Central Valley, *eighty percent* reported experiencing sexual harassment, citing extreme poverty, language barriers, racial discrimination, isolated worksites, and dependence on men for their ongoing employment as factors that made them extremely vulnerable to abuse.⁹ An EEOC study of that region found that, "Hundreds, if not thousands, of women had to have sex with supervisors



to get or keep jobs and/or put up with a constant barrage of grabbing and touching and propositions for sex by supervisors. A worker from Salinas, California eventually told us that farm workers referred to one company's field as the *fil de calzón*, or 'field of panties,' because so many supervisors raped women there."¹⁰

Failure of Existing Legal Remedies

To date, EEOC efforts to address and prevent sexual harassment in the US workplace have focused on employer responsibility to create a respectful workplace through three elements: Employer workplace anti-harassment policy with a complaint process and corrective action; training of management, workers or both; and the ability of employees to file a charge with the EEOC against employers who fail to address sexual harassment.

Whatever challenges exist for the implementation of such policy in more formal workplace settings are greatly magnified in the informal, isolated settings of commercial agriculture. There are limited official statistics on instances of sexual harassment or assault in the fields because so few cases are ever reported. This is due to the nature of the abuse as well as risks, obstacles, and retaliation faced by those who lodge complaints with their employers or government agencies.

Even when complaints are successfully filed against the odds, the road to justice is long. One recent case of forced labor with sexual violence in Florida that resulted in a \$3.5 million judgement for the workers took *seven years* from first report to final judgment.¹¹ Many of the workers originally involved in the case had long moved on. And while an excellent precedent, most of the judgment is symbolic since it will almost certainly never be collected from the now-defunct employer. Meanwhile, the lack of a human rights-based, structural market intervention allowed large corporate buyers to continue to purchase produce from the implicated farm until it went out of business, no questions asked.¹²

Generally, in this anemic regulatory environment, there is a pervasive sense of impunity on the part of many agricultural employers. This holds true even in the relatively few instances when growers have been held accountable for violations. As former US Secretary of Labor Robert Reich has noted, "Violations were just the cost of doing business. It was cheaper for them, in other words, to pay fines and to continue to pay the fines than to actually clean up their act."¹³ There is little practical incentive, then, for employers to police their own operations. Given this set of factors, in the vast majority of instances, it is reasonable to conclude that the current system of remedies fails to achieve meaningful redress, much less prevention, of gender-based violence in the workplace.



The image shows a screenshot of a news article from the Miami New Times. At the top left is the newspaper's logo, consisting of three horizontal lines and the text "MIAMI New Times" in red. Below the logo is a photograph of a scarecrow in a field with birds flying in the sky. Underneath the photo is the caption "Photo by Christopher Elwell/Shutterstock.com". The main headline of the article is "Florida Farm Owners Assault Migrants While Police and Prosecutors Do Nothing" in large, bold, black font. Below the headline is the author's name "TIM ELFRINK" and the date "MARCH 10, 2015 | 8:00AM". At the bottom left, there are social media sharing icons for Facebook and Twitter, with a "2k" next to the Facebook icon. To the right of these icons is a short excerpt of the article: "The day they came for Sandra Lopez, she was working the line inside Moreno Farms' packing house."



An FFSC investigator speaks with a worker on a Fair Food Program farm.

Eliminating Abuse from the Roots

Farmworkers Organize for Corporate Accountability

In 2001, the Coalition of Immokalee Workers (CIW) launched the Campaign Fair Food with the goal of securing legally binding agreements from the top of the supply chain (the buyers of tomatoes such as supermarkets and restaurant chains) to create what later became the Fair Food Program. The Fair Food Program was the first comprehensive, fully operational model of the Worker-Driven Social Responsibility (WSR) paradigm. In the WSR approach, the workers whose rights are at stake play a leading role in the definition, monitoring, and protection of their own rights; enforcement is prioritized; and brands atop the supply chain sign legally binding agreements to support that enforcement with their purchasing decisions. Building power through organizing in multiple domains is essential to WSR.

Through the Campaign for Fair Food, propelled by an alliance of farmworkers and consumers, the

CIW has secured legally binding agreements with fourteen (14) retail and fast-food industry leaders including Walmart, Whole Foods, McDonald's and Subway. The agreements are necessary to harness hundreds of millions of dollars in annual purchasing power to restructure power relations at the farm level. The success of the Campaign for Fair Food has required ongoing investment in popular education and leadership development among farmworkers in Immokalee as well as the creation and sustainment of a national consumer network drawn primarily from student and faith sectors. Creative protest actions uniting farmworkers and consumers, strategic messaging, and effective negotiations have been campaign hallmarks.

In 2011, after years of campaigning and building worker power—including winning agreements with ten (10) of the largest buyers of Florida tomatoes through campaign efforts at the time—the CIW began to implement the Fair Food Program (FFP) in order to address the full spectrum of human rights

abuses faced by farmworkers in Florida's tomato fields. The Program brings together workers, consumers, growers and retail food companies in a partnership to improve wages and raise labor standards in the agricultural industry. Today, the FFP covers 30,000 workers in three crops across seven Eastern seaboard states. In its six years of operation, the FFP has proven to be the most comprehensive and effective solution to the industry's intractable human rights problems, including gender-based violence and forced labor.¹⁴ These achievements have been recognized by human rights observers, non-governmental organizations, and government bodies, including the EEOC, which hailed the FFP at a select task force hearing on workplace sexual harassment.¹⁵

Overlapping Mechanisms to Achieve Change

The transformational results of the FFP have been achieved through a series of multiple, intentionally redundant mechanisms that together foster worker participation, create transparency and accountability in the industry, and deliver swift and meaningful consequences for supplier non-compliance. These mechanisms are:

Fair Food Code of Conduct

The human rights-based Code of Conduct was crafted with significant worker input for implementation on Program farms. It reaffirms legal requirements and establishes additional protections that are comprehensive and context-sensitive. The Code stipulates zero tolerance for sexual assault and forced labor and addresses retaliation, harassment, verbal abuse, health and safety, company housing, wage theft, and sub-contracting (workers must be directly hired by a participating grower). The Code also establishes a wage increase supported by a small price premium paid by signatory buyers.

Worker-to-worker Education

Workers on FFP farms receive multilingual training at the point of hire with materials created by current and former workers themselves,

including a popular education video drawing on real-life scenarios and a small booklet explaining workers' rights and responsibilities under the Code. CIW's farmworker staff also conducts in-person training sessions at FFP farms. All training is compensated at an hourly rate and equips workers with the knowledge necessary to actively enforce their own rights as frontline monitors.

Monitoring

The Fair Food Standards Council (FFSC), an independent monitoring organization solely dedicated to the FFP, regularly audits every participating grower.¹⁶ FFSC investigators interview over half the workforce—well above perfunctory audit sample sizes in corporate social responsibility schemes—and review payroll, policies, and management systems in depth.¹⁷ FFSC audits provide “a high-resolution snapshot of conditions,” while the 24/7 worker complaint hotline, answered live by the same auditors who understand conditions in the fields, “provides an ongoing video feed.”¹⁸ Most importantly, the FFSC has investigated and resolved nearly 2,000 farmworker complaints, normally within days, since 2011.

Real Enforcement

When violations are uncovered by worker complaints or audits, remediation is rapid since growers must fix violations or lose the ability to sell their produce to Participating Buyers. This threat of lost business has been a substantial incentive for compliance, even though the FFP encompasses a relatively small percentage of total purchases.¹⁹ Supervisors who violate zero-tolerance provisions or serially violate other standards are terminated and barred from employment at FFP farms. Education for supervisors and workers at the time of those terminations sends a powerful, preventive message to others.²⁰

The cumulative impact of these reinforcing elements has been to fundamentally realign relationships between workers, supervisors and employers.



Fair Food Program training by CIW occurs regularly, on the clock and on company property.

Those who would violate workers' rights know that if they do, they will be caught, and if they are, there will be consequences. As a result, the longstanding culture of impunity has been transformed into one of accountability, and respect for workers' rights—including their right to work free from gender-based violence—is the new norm. As one female farmworker recently described life under the FFP, "You can work freely. You're not going to be harassed. You're not going to be insulted. You're not going to be forced to work. There is more respect now."²¹

Experiences from the Fair Food Program

Since the FFP launched in 2011, FFSC has received eighty (80) individual complaints of sexual harassment. Eleven (11) calls came from workers outside of the FFP, sixty-nine (69) calls came from within the FFP, and twenty (20) of those FFP complaints were reported to FFSC by participating growers.

FFSC found forty-six (46) of the FFP complaints to be valid. Twenty-nine (29) of these complaints involved allegations against supervisors, and seventeen (17) involved co-workers. All twenty-nine (29) valid cases against supervisors resulted in disciplinary actions taken against those supervisors by Participating Growers, including eleven (11) terminations. In the valid cases involving co-workers, seven (7) resulted in terminations, while disciplinary actions or re-trainings were implemented

in the remainder, depending on the severity of conduct found.

Additionally, FFSC was able to negotiate a resolution for twelve (12) of the remaining twenty-three (23) sexual harassment complaints, although no Code violation was ultimately found in these cases. Three (3) supervisors were disciplined as part of the resolution to these complaints, for failure to comply with a number of FFP and company policies.

Four (4) additional supervisors have been disciplined for issues of sexual harassment that were raised during audits, for a total of thirty-six (36) supervisors disciplined for sexual harassment. These unprecedented terminations of offenders and the protection against retaliation for workers who raised complaints, had far-reaching impact beyond the individual cases at hand.

In addition to individual cases, audit findings have reflected many interviews with women on a confidential basis regarding inappropriate conduct or language by supervisors and/or co-workers. Corrective actions measures, including sharing of audit findings, re-trainings, and warnings of disciplinary consequences for sexual harassment, have also helped to bring about the improved work environment reported by the vast majority of workers.

To gain a sense of how the program operates on the ground, the following two case studies and series of vignettes illustrate how gender-based violence has been dealt with promptly and severely within the FFP.

CASE STUDY I

A young farmworker couple, J.M. and R.M., came to the CIW in March 2012 to report that, while she was at home alone, the crewleader who supervised her and her husband came to company housing and said that, in exchange for seeing and touching her breasts, he would loan her much-needed money. When she replied no, he tried to push his hand under her shirt and ran his hands across her chest as she put her arms up to shield herself. She repeated “no” more loudly and he threatened that her husband would be deported. He then tried to grab her again and asked why she was crying. She was pulling away and he grabbed her arm and said he would give her the money, but she had to swear not to tell anyone. She did not respond, and he left.

CIW staff listened to her story and helped the couple make a report with local law enforcement. Then CIW reported the incident to the Fair Food Standards Council since this occurred on a farm which had joined the Fair Food Program only months prior. FFSC immediately assigned an investigator and began interviewing the family, co-workers and contacted the involved grower to set up a time to interview the crewleader who had allegedly harassed her. After the complaint was validated the crewleader was terminated in a matter of days. FFSC then assisted them as their criminal complaint went to court.

When J.M. was interviewed for this report, she said:

There are a lot of people, and they are afraid. I was afraid. I was afraid

I would be evicted. I was afraid my husband would lose his job. But people have to see that now there is a way to speak out, and the FFSC doesn't let the company fire you if you speak out. A lot of people are quiet because they have to feed their families, and they do not know how they will do that if they are fired. Now they are starting to believe that they will not get fired and that there is a program that will support them against abuse.²²

She explained that she and her husband were frightened of going to the authorities because they were undocumented. They were also frightened of reporting the abuse because they were living in company housing and might lose that along with her husband's job. They had a new baby as well as another child. The couple decided to report the incident to the CIW because she had friends who attended the CIW's women's group and they felt CIW would understand and guide them in the process. She adds, “Through the CIW, they told us the process; what we would do to go to the police and how people from the CIW would go with us.”

Describing what happened when the FFSC became involved, she said:

I thought we were just alone in what had happened to us. When [FFSC Executive Director] Laura [Safer Espinoza] came, I saw it was not that way. There was an organization that was going to listen to our story and try to achieve justice, and that is what happened. The person who attacked me was fired. We were not

evicted, and my husband was able to keep working. Our lives went forward and we saw that we were not alone.

She added:

I only had to speak with Laura once, and I did not have to go through any more interviews. The FFSC presented my case to the company, and the crewleader was fired. After that, my husband had some problems with the crewleader's father, and the FFSC was involved in making sure that my husband was okay. I understand that the father was upset because no one wants to see a family member fired, but he was the only one who was responsible for the actions that took place.

To conclude, she expressed her confidence in the Fair Food Program and her hope that other women would step forward and speak out.

The message that I would like to give is that people should not be quiet. There are many women in my situation that have suffered my kind of abuse and have been afraid to speak out. It was very difficult for me, but the Program was there for me and will be there for other women. However, if we stay quiet, change will not happen. If I had stayed quiet that man would still be doing this. But I did, and it stopped. We need to speak out. There were many abuses in the past, but I have more confidence because now there's the Fair Food Program.

CASE STUDY II

Faced with the Fair Food Program's market consequences for non-compliance, many growers have become eager to *prevent* abuse in the first place. In one instance in 2013, this prompted a grower to resolve a multi-state complaint at a time when the FFP did not yet operate beyond Florida. The FFSC quickly investigated and within two weeks implemented corrective actions to address problems that had festered for several years.

In this case, the complaint came into the FFSC hotline just after 4 a.m. The investigator immediately answered and spoke with the complainant for 128 minutes.²³ (These details are noted to demonstrate the importance of the 24-hour hotline, particularly in an industry where workers are up before dawn and often return late in the evening, rendering traditional office hours an obstacle to filing a complaint.) The complainant, L.S., was a farmworker who had been harassed in the past and was concerned about harassment against her daughter by the same perpetrator. In one instance, after her husband left for work, L.S. was sleeping in her bed with her younger child when the crewleader appeared at the foot of her bed, staring at her. Now the crewleader was targeting her 18-year-old daughter, who also worked on his crew as they moved between states, harvesting for the same grower.

When the crewleader began targeting the daughter, L.S. encouraged her daughter's husband to address the crewleader's behavior with a higher-level supervisor. Afterwards, the crewleader approached the complainant and harassed her further. The crewleader appeared to

retaliate against her husband, who had worked for the grower for many years, by saying there was no longer work for him. The complainants feared they would lose their jobs. At that point, they contacted the FFSC. As the FFSC investigated, other women were identified who could testify to the crewleader's harassment and at least one sexual assault.

The case involved out-of-state farms that were not yet (but now are) covered by the FFP, as well as harassing actions that went back two years for some women. Notably, this case demonstrated the lack of reliable processes within the growers' operation for bringing complaints forward. Indeed, a number of women had registered complaints with field supervisors, but these had never been reported to management, creating a bottleneck in the valuable flow of information from the fields.

The entire process from intake through investigation to resolution, lasted two weeks. The harassing supervisor was terminated and barred from working on FFP farms

for one year. With re-training arranged through the Program, he later became eligible for re-hire. However, a second offense would trigger a life-time bar from employment on FFP farms. When this crewleader was terminated, it had a significant impact on the industry; because of his notoriety, this crewleader was widely perceived to be untouchable.

The company's human resources managers, staff, and field-level supervisors were required to undergo comprehensive re-training. The company also agreed for human resource staff to visit crews regularly in the fields and at housing to establish channels of communication with workers and serve as an intake point for complaints. Furthermore, the FFSC held joint meetings, on company property and on the clock, with workers and crewleaders to underscore that the grower was serious about ensuring a workplace free of sexual harassment and to assure farmworkers that they will be protected against retaliation if they bring complaints forward.



CASE VIGNETTES

The following snapshots are illustrative of sexual harassment complaints and resolutions in the FFP:

■ In a case reported to FFSC in the fall of 2013, a field-level supervisor had made unwanted advances to a woman whose husband was working at the same farm. After being rejected, this supervisor slapped a bucket out of the woman's hands and ordered her to pick up the tomatoes that had spilled. When her husband protested, the supervisor made loud statements about having a gun and not being afraid to shoot someone. Based on FFSC's investigation, this supervisor was terminated within days.

■ In the winter of 2012, a woman reported to FFSC that a supervisor, under the guise of instructing her about work, had on two occasions touched her inappropriately on her back and shoulders. She was particularly concerned since he had recruited her for the job and normally provided her with a ride to and from the farm. Following investigation by FFSC and the company, this supervisor was terminated. The female worker was assured that her job was secure, since she was hired directly by the company under the

FFP, and any form of retaliation for making complaints under the Program is strictly prohibited. The company then helped to arrange transportation for this worker.

■ In the fall of 2013, a worker reported to a FFP grower's designated complaint contact staff person (a position that is itself required by the Program and new for most growers) that a crewleader had harassed her with unwelcome comments at the end of the prior season. She requested that preventive action be taken to avoid a repetition of this conduct. As a result, the crewleader was written up and warned that he would be terminated if the reported conduct continued or any other complaints of this nature were made. When contacted by FFSC to verify the resolution, the worker reported being able to work in peace.

■ In the winter of 2015, a female worker called FFSC after a supervisor, whose advances she had rejected, threatened her, "You will see what happens, just wait." A collaborative investigation was carried out by FFSC with the participating grower. Witnesses came forward—something that was also unlikely to have occurred before the Program—

and the supervisor was provided with a final disciplinary warning and mandatory re-training. The worker and her husband were very pleased with the results, and continued working at the company, with no further issues.

■ In 2015, a female worker reported being harassed by her former husband who had a pattern of verbal abuse toward her in the workplace. FFSC was notified of this issue by a Health and Safety Committee member during an FFP audit. The complaint was confirmed by the company and the male worker was provided with written warnings, as well as a copy of the company policy on harassment. He was mandated to ride on a different bus than his former wife and assigned to work at a separate location. Because the female worker had tried unsuccessfully to resolve this complaint earlier with her crewleader, that crewleader was also disciplined and re-trained by the company that he must report all such complaints or face further disciplinary action.

Following the first years of implementation, the Fair Food Program has resulted in significantly higher levels of compliance with human rights standards across the board, including for violations pertaining to gender-based violence and retaliation. As FFSC Executive Director Laura Safer Espinoza commented in 2014, "The record that the FFSC has amassed [in its first three years] is critical to getting to the point of *prevention* without a single woman having to put themselves on the line. It's about changing the environment (emphasis added)."²⁴



The Human Rights Vision in Practice

As it has sought to change the environment of US agriculture, the CIW has utilized a human rights framework in its internal base-building and external corporate campaigns.²⁵ It is instructive to review the manner in which human rights principles have been operationalized in the Fair Food Program:

Universality

The CIW contends that extreme abuses, such as gender-based violence and forced labor, can only be eliminated through deep reforms to the degraded work environment in which such abuses take root and flourish. As a result, the FFP centers the most marginalized workers but improves conditions for all workers.

Equity

The FFP protects workers from all backgrounds, regardless of gender, race/ethnicity, language, age, literacy level, or immigration status. Context-appropriate training materials and methods ensure that all workers understand their rights and how to access remedies. Moreover, the Program responds in specific ways to the most vulnerable workers. For example, FFSC invests additional time and resources into cases of women farmworkers facing sexual abuse. Lastly, the Program works to shift the culture in the fields among co-workers as well as between supervisors and workers.

Transparency

The FFP has created unprecedented transparency in two areas: In the agricultural workplace through wall-to-wall, worker-driven monitoring; and in the corporate food industry by requiring Participating Buyers to disclose purchase records to FFSC, which is necessary information for enforcing the Program's market consequences.

Participation

From design to implementation to monitoring, the FFP harnesses decades of learning by CIW and the involvement of tens of thousands of workers to ensure that change is concrete, meaningful, and long-lasting. Participating growers are able to provide feedback through the Program's working group, which is chaired by CIW and helps the Program adapt to new or unforeseen challenges.

Accountability

Through its human rights-based intervention in the market, the FFP has created new structures of accountability in the agricultural workplace and in the corporate food industry. The FFP itself remains adaptive to farmworkers' evolving needs through feedback loops, including complaints and audits, and through workers' leadership in the CIW.

There is one additional, practical consideration that demonstrates the value of a human rights vision in the context of the FFP. The agricultural workforce is overwhelmingly male, with percentages as high as 80–90% in some sectors. Though the CIW has developed a strong women's program over the last decade, the organization's membership is also predominantly male. However, since the CIW is driven by a set of universal values, not simply by the majority represented at the table, the organization has been able to put significant resources into addressing gender-based violence despite the fact that the constituency of female farmworkers is relatively small. This is best understood in light of the CIW's decades-long commitment to popular education grounded in universal values. It was precisely this approach that allowed the nascent organization in the early 1990s to overcome ethnic and racial divisions in the farmworker community in order to form the "Coalition" of Immokalee Workers. Once again, this set of values allowed the organization to transcend a marker of difference and pursue solutions that benefit all.



Conclusion: Implications for Other Sectors

At a broad level, the experience of the Fair Food Program demonstrates that an effective approach for advancing gender justice lies with structural interventions that address underlying root causes through universal solutions. More specifically, the Worker-driven Social Responsibility model holds tremendous promise for addressing similar abuses in other global supply chains.

Towards that end, in 2015, seven organizations from diverse sectors and fields of expertise, both domestic and international, came together to form the Worker-driven Social Responsibility Network.²⁶ This multi-disciplinary collaboration drew from some of its members' unique success with a novel approach to human rights enforcement in global supply chains that is embodied in the Fair Food Program in US agriculture as well as the Accord on Fire and Building Safety in Bangladesh in the garment sector. The stated purpose of the Network is to build understanding of the WSR model among a wide range of relevant actors; provide support for

efforts to adapt the model to new sectors and places; and amplify and strengthen existing efforts through coordination, information sharing, and collective action.

Over the past two years, the WSR Network has carefully cultivated collaborative practice and strategic alignment among its members, often against a backdrop of complex political terrain and varied experiences in the domestic and international arenas. One of the Network's initial, high-level accomplishments is a promising WSR adaptation on Vermont dairy farms by Migrant Justice. This was achieved through a multi-year effort that involved extensive support from Network members (in particular the CIW), a public campaign and negotiations with Ben & Jerry's to secure a legally binding agreement for implementation. This resulted, among other outcomes, in the creation of an independent enforcement organization, the Milk with Dignity Standards Council.

A cornerstone element of the Milk with Dignity

program is the eradication of gender-based violence, discrimination and harassment within the dairy industry. At 10% of the workforce, women dairy workers are at high risk for sexual harassment and gender-based violence, an issue highlighted by the recent case of Norm McAllister, a Vermont state senator and farmer arrested on multiple counts of sexual assault against women living on his farm. Women dairy workers in general face significant barriers; often the last hired and first fired, they receive lower pay and fewer hours than their male counterparts. But they will now have reliable recourse when confronted with abuse, and a program designed to change the labor landscape and prevent these violations of basic human rights.

Indisputably, corporate supply chains everywhere are plagued by structural injustices similar to those in US agriculture, and sexual violence and harassment remain the norm. The Worker-driven Social Responsibility model and its unique mechanisms for monitoring and enforcing human rights standards are necessary for real, measurable progress in industries both here in the US and across the globe. Indeed, the efficacy of the model transnationally for enforcement of basic rights, as noted above, has already been demonstrated through the



Accord on Fire and Building Safety in Bangladesh in the garment sector.

The key insight from the success of the Fair Food Program is that—as is true of all gender-based violence—sexual abuse and harassment are enabled by a much broader structural context that creates dangerous vulnerabilities and imposes them in particularly severe ways on women. To address the crisis, our solutions must respond to its causes. Worker-driven Social Responsibility programs created by workers themselves are a proven approach with the promise to bring long overdue change to the lives of low-wage working women across the globe.

The Bangladesh Accord holds its first all-employee meeting to introduce an Occupational Safety and Health Committee in a garment factory.



Notes

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