President’s Advisory Committee on Labor Standards and Human Rights

Minutes (DRAFT)

Friday, October 31st, 2003
9:00 – 11:00am

Present
Kristen Ablauf, Ona Hahs, Sioban Harlow (chair), Heather Johnson (ex-officio), Veronica Johnson, Kristin McRay, Rosa Peralta, Larry Root, Katherine Terrell

Absent
Timothy Fort, Lisa Stowe

1) Review and approval of minutes
The committee reviewed and approved minutes of September 26 meeting.

2) Announcements
There will be a WTO panel discussion (organized by William Davidson Institute) on November 11th from 4:00 – 6:00pm in Hale Auditorium.

3) Lecture by Ken Kolben on November 13- plans and publicity
Kevin Kolben is an alumnus of U-M Law and CSAS. He has worked on labor rights issues in Cambodia and was funded by ILIR’s Labor and Global Change program. He will be speaking on Thursday, November 13 from 4:00 – 6:00pm in 1636 SSWB. Program cosponsored by ILIR, CSAS, Law School and LS-HR.

Publicity: L. Root will design flier and distribute electronically to LS-HR members and co-sponsors. SOLE representatives will help publicize with students.

4) Clarification of Relationship among Codes of Conduct
Question arose regarding the relationship among the codes of conduct, particularly with their relationship with the UM code. The history of the committee’s effort to identify differences across the codes particularly the relevant differences between U-M and WRC/FLA/CLC codes of conduct was reviewed. The UM CIC contract provides a clarification for licenses on what UM’s additional requirements are if they currently implement FLA, CLC or WRC codes.

5) Procedures for responding to complaints and the Lands End/Primo complaint.
The committee began a discussion of procedures for responding to complaints involving its licensees/their suppliers. As a current concern exists with the licensee, the discussion took place in the context of how to respond to this particular situation.

Lands End
A letter expressing awareness of concern about possible failure to comply with UM’s code of conduct at Primo SA de CV (El Salvador) was sent to Ann Kies at Lands End on April 25, 2003 from L. Root as chair of this committee. The letter did not specifically request a response and no formal response was received. A memo was sent by Scott Nova, WRC, providing an update on the complaint on October 28th. The memo indicated that complaint has not yet been remediated. USAS has requested University’s to cut their contracts with Lands End. Committee requested clarification of the chain of communication from workers at Primo to USAS.

Email communication with WRC indicated that WRC policy has changed and they no longer request University partners to take specific actions. Phone conversations with FLA indicate that they also perceive the Lands End/Primo case to be stalled and that appropriate remediation has not occurred.

Kristin Ablauf clarified for the committee that most of Lands End’s sales are catalogue based and the the Collegiate Licensed Product represents a small part of their market.

Decision: A letter will be sent to Lands End requesting information about the complaint with specific reference to allegations of blacklisting by Nov 5th. Justification for action is based on concerns regarding potential breech of our freedom of association clause. Request for response in time for our Nov 21st meeting. CC to Stan Bies and Marvin Krislov.

Procedures for Response to a Complaint
A general discussion of the sequence of steps that are relevant in responding to a complaint took place, along with some discussion of who in the University should be involved at each step took place. These include:

i. Informational
Committee should engage in fact finding through multiple sources including WRC, FLA, USAS, and Licensee.

1. Communication with Licensee regarding University’s awareness of potential problem, encouragement to cooperate with monitoring organizations.
2. Communication with Licensee regarding Request for Information regarding specific allegation of potential code violation(s).

Letter to Licensee from Chair of Committee (cc General Counsel)

   ii. Communication to Licensee that Consideration is being given to taking action on licensing contract (decision not to renew or to break contract).
Letter to Licensee from Chair of Committee with review by General Counsel’s office.

   iii. Recommendation to President’s office to break/renew contract.

Other aspects to consider in procedures

   · Develop a clear timeline for response
   · Need to identify what specific breaches of contract exist
   · Consider at what points the General Counsel’s advice should be sought
   · Final action on contract (if necessary) is recommended by the committee to the President.

Postponed to next meeting

6) WRC governing board meeting (5 minutes)
7) Update on other possible programs (15 minutes)

Action Items

Kristin Ablauf

   · Date for Land’s End contract renewal
   · Find dollar amount of business conducted with Land’s End
   · Send current contract language as it relates to code to Sioban for website.

Sioban Harlow

   · Update website to include newest contract language (work with Kristin Albauf), approved September minutes, and links to WRC/FLA/CLC codes.
   · Review minutes for procedural steps in New Era case.
   · Draft letter to Land’s End today for committee review and send by Nov 5
   · Inform General Counsel of intent to send letter to Lands End.
   · Gather most recent information from FLA and WRC

Heather Johnson

   · Email T. Fort and L. Stowe for availability on Nov. 21

Larry Root

   · Prepare and send Kevin Kolben flyer to committee for distribution, send email announcing event