

Minutes of the Labor Standards and Human Rights Meeting
January 19, 2001

Members Present: Kristen Ablauf, Alan Deardorff, Louis Green, Sioban Harlow, Kevin Kolben, Larry Root, Stevan Rosenberg, Scott Trudeau

Present via Speaker Phone: Veronica Johnson

Members Absent: Rob Howse

The meeting opened with discussion of the upcoming Living Wage Association meeting. The Committee agreed to recommend that UM send one or two individuals (preferably one would be a student).

Committee then turned to the issue of code flexibility addressed in the January meeting with President Bollinger. The individual committee members discussed their views on how we should be thinking about flexibility with regard to other codes.

A proposal was introduced, which focused on clarifying how compliance with the CLC code (including the women's rights provisions) and the FLA (including their benchmarks) could address some of the differences between the draft UM code and the other codes. (That proposal allowed for exceeding the absolute maximum of 60 hours of mandatory work if that was truly limited to extraordinary circumstances. The proposal called for a two-year trial period during which the effects of this approach would be evaluated.

The Committee discussed this approach and agreed to consider it further in the next meeting.

Next meeting January 26, 2001. 8:30-10:00

Respectfully submitted,

Larry Root

Attachment:

Proposal (1/19/01)

Recommendation to the President for implementation of the University of Michigan Code of Conduct in light of the fact that some licensees have already adopted other codes of conduct.

The recommended University of Michigan code of conduct is similar in many of its provisions to other codes. In some instances, differences with other codes are relatively clear (e.g., limits on mandatory hours of work). In other cases, the differences are elaborations and clarifications which reflect the Committee's view of how a general provision should be interpreted (e.g., specification of "freedom of association").

Recognizing that licensees may have already implemented other codes of conduct, we recommend that for a trial period of two years, licensees who have adopted the CLC Code (including women's rights provisions) and FLA Code (including the FLA Compliance Benchmarks) be deemed to meet their contractual obligation to protecting the rights of workers if compliance with the codes meets the following conditions:

1. code provisions apply not only to the supplier factories but also to manufactured components purchased by those factories
2. the women's rights provisions are understood to include the right of a new mother to take a leave of absence and that nondiscrimination includes protections against adverse employment decisions based on marital status and reproductive or family situation
3. freedom of association means that (a) employers are prohibited from taking actions which unduly interfere with the ability of union organizers to communicate with workers and (b) employer do not harass, intimidate, or retaliate against workers because of legitimate union activities
4. any scheduling of mandatory hours of work exceeding 60 hours in a week be truly limited to extraordinary circumstances

Note: This allowance for extraordinary circumstance must be closely monitored. During the 2-year trial period, efforts will be undertaken by the University (e.g., research, symposiums, and monitoring) to determine the extent to which this exception results in undue hardship for workers.

5. language in the CLC and FLA codes recognizing that wages are necessary to meet basic needs implies that this is a goal for the wage programs of licensees

At the end of the two-year trial period (or prior to then, if significant problems are identified), the effects of these compliance guidelines related to other codes will be assessed and recommendations will be made on future arrangements.