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# Garment Enforcement Report

January 1997 - March 1997

Wage & Hour Division  
U.S. Department of Labor  
Alexis M. Herman, Secretary

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# Garment Enforcement Report

January 1997 - March 1997

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## **FY1997 Second Quarter Garment Enforcement Report**

The Department of Labor is committed to eradicating garment sweatshops and bringing the garment industry into compliance with U.S. labor laws. Encouraging manufacturers to be aware of which contractors consistently violate the law, and to monitor formally their contractors for compliance with minimum wage and overtime laws, is an important step toward the goal of bringing long lasting positive changes for workers in the industry.

To that end, the Department of Labor has developed a multi-pronged strategy of **enforcement, recognition, and education** to eradicate worker abuse in the U.S. garment industry.

### **Enforcement**

The Wage and Hour Division conducts targeted enforcement sweeps in major garment centers and notifies manufacturers of the "hot goods" provision of the Fair Labor Standards Act which prevents the shipment of goods made in violation by contractors.

### **Recognition**

The Department's Trendsetter List highlights retailers and manufacturers that have assumed responsibility for monitoring practices of contractors that make their garments.

### **Education**

Through its garment public service announcement initiative, the Department utilizes print and radio public service announcements and a new Internet World Wide Web site to provide information to consumers interested in helping to combat worker abuse.

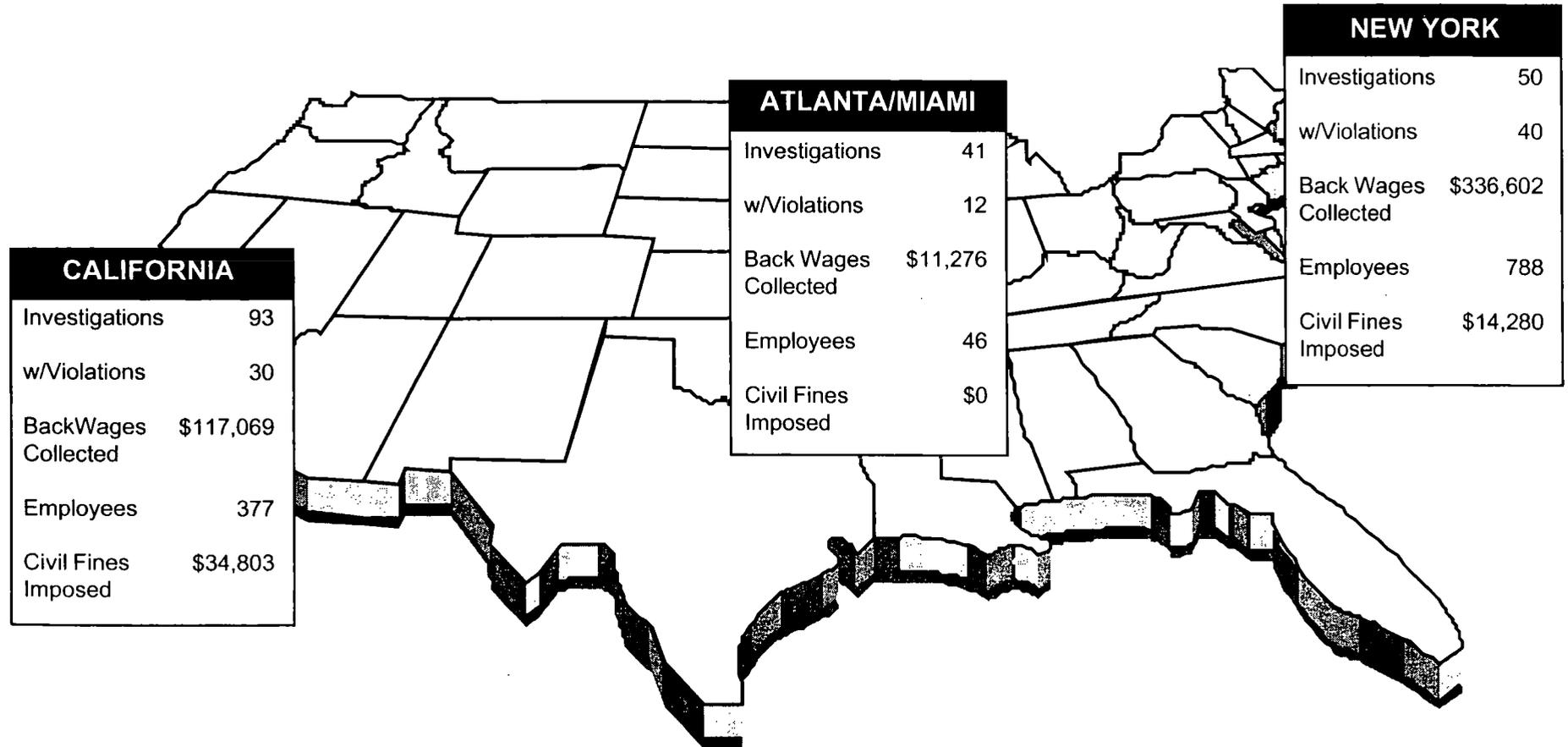
This report consists of a contractors and manufacturers list and enforcement statistics for the second quarter of the fiscal year, January 1, 1997 through March 31, 1997. The manufacturers list contains the names of firms Wage and Hour has contacted to notify them that contractors with whom they do business have been investigated and found to violate the FLSA. The report also contains enforcement results in the industry from the second quarter.

We have designated by bold face type firms that appeared on prior reports.



# Enforcement In 3 Major Garment Centers

January 1997 - March 1997





# Garment Enforcement Summary

January 1997 - March 1997

	TOTAL	BOSTON	PHILA-DELPHIA	NEW YORK	AT-LANTA	CHI-CAGO	CALI-FORNIA
Number of Investigations Conducted	212	2	18	50	41	8	93
Number of Investigations with Violations	102	2	10	40	12	8	30
Amount of Back Wages Recovered	\$486,716	\$3,923	\$5,818	\$336,602	\$11,276	\$12,028	\$117,069
Number of Employees Receiving Back Wages	1,367	16	57	788	46	83	377
Civil Fines Imposed	\$52,133	\$2,100	\$950	\$14,280	\$0	\$0	\$34,803



# Apparel Manufacturers Contacted

January 1997 - March 1997

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## How the list was compiled:

As part of its enforcement process, the Department of Labor's Wage and Hour Division contacts a garment manufacturer when an investigation reveals that a sewing contractor with whom the manufacturer does business has violated the Fair Labor Standards Act (FLSA). Listed below are the names of manufacturers contacted between January 1, 1997 and March 1, 1997 and informed of contractor violations. In a few cases the manufacturer contact occurred earlier, but inclusion of the case in the report was delayed. The contractors and manufacturers are included on this list based on investigative findings of violations, not a judicial determination that any firm has violated the law.

Except where noted, the violations have been resolved and back wages paid by either the contractor or the manufacturer. If all or part of the back wages found by Wage and Hour to be owed to the contractor's employees have not been paid, this is noted by the designation "unpaid" in the Back Wages column. Payment of back wages does not constitute an admission of liability of any firm.

Only cases in which Wage and Hour found back wages due in excess of \$1,000, whether for employees of a contractor or manufacturer, are included on the list. Manufacturers on the list did not necessarily receive goods produced in violation of the FLSA for which back wages were owed, or pay all or part of the back wages: Wage and Hour notifies manufacturers of violations by contractors with whom they did business during the relevant time frame regardless of whether the goods involved were produced for that manufacturer. The manufacturer may or may not still be doing business with the contractor.

The contractors are listed in descending order by the amount of back wages found due. The severity of contractors' violations, however, cannot be compared on the basis of the dollar amounts on this list. Back wage amounts paid to contractor employees vary based upon the facts, circumstances and time periods involved. When there has been no final determination of whether there were any FLSA violations, or, where there were violations, of the amount of back wages owed, the case is listed at the end of the Report with the notation "In Dispute" in the back wage column.

Footnotes designate manufacturers that were contacted because of their own violations; manufacturers that have agreed to monitor or are monitoring their contractors for future compliance; and manufacturers that appear for the first time on a Garment Enforcement Report. Firms that have been included on prior Reports are in boldface type.

The Report presents all information available to the Department of Labor as of the date of publication with respect to the reported investigations. If the Department obtains new information pertinent to an investigation on the Report after that date, it will update the Report, both the Internet and hard copy versions, to reflect that new information.

This list does not constitute an endorsement by the federal government of any company, nor does it constitute disapproval of any company.

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# Apparel Manufacturers Contacted

January 1997 - March 1997

Contractor	Back wages found by Wage & Hour to be due contractor employees	Manufacturers Identified as Doing Business with Contractor During Investigation Period
EJE, Inc. 323 W. 39 <sup>th</sup> St. New York, NY 10018	\$50,913	Meryl Diamond, Ltd. <sup>3</sup> 1384 Broadway New York, NY 10018
Duncan Apparel, Inc. 40-22 College Point Blvd. Flushing, NY 11354	\$21,125	Jenny Fashion <sup>3</sup> 1400 Broadway New York, NY 10018  Michael Blake <sup>3</sup> 1400 Broadway New York, NY 10018
Regal II Fashion 839 40 <sup>th</sup> St. Brooklyn, NY 11232	\$17,796	<b>Early Warning <sup>2</sup></b> <b>1384 Broadway</b> <b>New York, NY 10018</b>
Cheuk Wing Garment 1450 Harrison St. Oakland, CA 94612	\$16,800	Koret of California <sup>3</sup> 611 Mission St. San Francisco, CA 94105

<sup>1</sup> Manufacturer contacted because of own violations.

<sup>2</sup> Manufacturer agreed to begin contractor monitoring program, or has a monitoring program in place.

<sup>3</sup> First time manufacturer has been included on Enforcement Report.

Contractor	Back wages found by Wage & Hour to be due contractor employees	Manufacturers Identified as Doing Business with Contractor During Investigation Period
Y.K.Y. Fashion, Inc. 225 W. 35 <sup>th</sup> St. New York, NY 10018	\$9,871	<b>Damas Atlantic<sup>2</sup></b> <b>5900 Decatur St.</b> <b>Glendale, NY 11385</b>
Gordana Fine Sportswear 1636 Decatur St. Ridgewood, NY 11385	\$7,714	Creative Cotton, Inc. <sup>3</sup> 1407 Broadway New York, NY 10018
Nina Fashion, Inc. 12620 Westminster Santa Ana, CA 92706	\$7,550	<b>LA Gal</b> <b>a/k/a Surf and Turf</b> <b>3833 Hill St.</b> <b>Los Angeles, CA 90015</b>
Toan Ky Fashion 1900 Tyler So. El Monte CA 91733	\$6,852	Lee Thomas <sup>3</sup> 13838 S. Figueroa Los Angeles, CA 90061
Annie Fashion 830 S. Hill Los Angeles, CA 90014	\$6,635	Active USA <sup>3</sup> 1100 San Pedro #15 Los Angeles, CA 90015
ICC Fashion 336 W. 37 <sup>th</sup> St. New York, NY 10018	\$6,464	Jeffrey & Dara <sup>3</sup> 1400 Broadway New York, NY 10018
L & M Apparel 1318 60 <sup>th</sup> St. Brooklyn, NY 11219	\$6,221	Carole Wren, Inc. <sup>2,3</sup> 75 Ninth Ave. New York, NY 10011

<sup>1</sup> Manufacturer contacted because of own violations.

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<sup>3</sup> First time manufacturer has been included on Enforcement Report.

**Contractor****Back wages found by Wage & Hour  
to be due contractor employees****Manufacturers Identified as Doing  
Business with Contractor During  
Investigation Period**

Dan Ni Int'l (USA) Inc.  
40-22 College Point Blvd.  
Flushing, NY 11354

\$5,801

Yong Xiang Int'l  
Trade - NYC  
248 W. 35<sup>th</sup> St.  
New York, NY 10001

\$5,649

A&R Contractor  
1700 E. 22<sup>nd</sup> St.  
Los Angeles, CA 90058

\$5,000

Why Not <sup>2,3</sup>  
102 4<sup>th</sup> St.  
Brooklyn, NY 11231

Long Paige <sup>3</sup>  
49A W. 39<sup>th</sup> St.  
New York, NY 10018

Maxi's <sup>3</sup>  
224 W. 35<sup>th</sup> St.  
New York, NY 10001

**Guess ?, Inc.<sup>2</sup>**  
**1444 S. Alameda**  
**Los Angeles, CA 90021**

Boom-Boom <sup>3</sup>  
1733 S. Maple  
Los Angeles, CA 90015

**Gazoz**  
**1616 S. Los Angeles St.**  
**Los Angeles, CA 90015**

Supreme <sup>3</sup>  
1935 Tubeway  
Commerce, CA 90040

<sup>1</sup> Manufacturer contacted because of own violations.

<sup>2</sup> Manufacturer agreed to begin contractor monitoring program, or has a monitoring program in place.

<sup>3</sup> First time manufacturer has been included on Enforcement Report.

Contractor	Back wages found by Wage & Hour to be due contractor employees	Manufacturers Identified as Doing Business with Contractor During Investigation Period
1	\$4,853	Rich & Me <sup>3</sup> 3090 E. 50 <sup>th</sup> St. Los Angeles, CA 90058
Celia Fashion (Augustin E. Linares) 810 Spring St. Los Angeles, CA 90014	\$4,757 (Unpaid)	Mossimo <sup>3</sup> 15320 Barranca Pkwy. Irvine, CA 92718
G.L. Garment, Inc. 261 10 <sup>th</sup> Street Oakland, CA 94607	\$4,419	A & H Apparel Contractors <sup>3</sup> 4141 W. Belmont Chicago, IL 60641
L.A. View 2416 S. San Pedro Los Angeles, CA 90011	\$4,141 (unpaid)	Dixietex Int'l <sup>3</sup> 1026 S. Wall St. Los Angeles, CA 90015
		MBB Marketing <sup>3</sup> 920 S. Olive Los Angeles, CA 90015
		Direct Source Industries <sup>3</sup> 400 Second St. San Francisco, CA 94107
		PA Fashion <sup>3</sup> 1137 S. Santee Los Angeles, CA 90015

<sup>1</sup> Manufacturer contacted because of own violations.

<sup>2</sup> Manufacturer agreed to begin contractor monitoring program, or has a monitoring program in place.

<sup>3</sup> First time manufacturer has been included on Enforcement Report.

Contractor	Back wages found by Wage & Hour to be due contractor employees	Manufacturers Identified as Doing Business with Contractor During Investigation Period
D'Milo 7001 SW 46 <sup>th</sup> St. Miami, FL 33155	\$3,812 (unpaid)	Jini Wonderful <sup>3</sup> 1128 S. Los Angeles Los Angeles, CA 90015  Carina Fashion <sup>3</sup> 411 E. 12 <sup>th</sup> Los Angeles, CA 90015  Lacer Sport <sup>3</sup> 7575 NW 82 <sup>nd</sup> St. Miami, FL 33166  JMS Apparel <sup>3</sup> 1090 E. 24 <sup>th</sup> St. Miami, FL 33013
Debra Fashion 6820 S. Central Los Angeles, CA 90001	\$3,797	Superior Togs of CA <sup>3</sup> 777 E. Washington Blvd. Los Angeles, CA 90021  X-Large <sup>3</sup> 3361 Glendale Blvd. Los Angeles, CA 90039  <b>EBGB (KNL)</b> <b>2155 E. 7<sup>th</sup></b> <b>Los Angeles, CA 90039</b>

<sup>1</sup> Manufacturer contacted because of own violations.  
<sup>2</sup> Manufacturer agreed to begin contractor monitoring program, or has a monitoring program in place.  
<sup>3</sup> First time manufacturer has been included on Enforcement Report.

Contractor	Back wages found by Wage & Hour to be due contractor employees	Manufacturers Identified as Doing Business with Contractor During Investigation Period
Carroll Rhodes 315 Main St. Avera, GA 30803	\$3,718	DKF <sup>3</sup> 200 W. 134 <sup>th</sup> Los Angeles, CA 90061
Tony's Wear 47-09 30 <sup>th</sup> St. Long Island City, NY 11104	\$3,601	Ranger Apparel <sup>3</sup> 1536 Crescent Augusta, GA 30909
EJX Corporation 309 E. 8 <sup>th</sup> St. Los Angeles, CA 90014	\$3,557	<b>Damas Atlantic <sup>2</sup></b> <b>5900 Decatur St.</b> <b>Glendale, NY 11385</b>
Sewing Contractors 4141 W. Belmont Chicago, IL 60641	\$3,416	C & C Company <sup>3</sup> 17822 Gillette Irvine, CA 92614
Andrew Apparel 617 S. Morgan St. Andrews, SC 29510	\$3,342	Uniforms To You <sup>3</sup> 5600 W. 73 <sup>rd</sup> St. Chicago, IL 60638
		Dan Howard Industries <sup>3</sup> 4242 N. Knox Ave. Chicago, IL 60641
		Fun-Tees, Inc. <sup>3</sup> 245 Manor Ave. Concord, NC 28026

<sup>1</sup> Manufacturer contacted because of own violations.

<sup>2</sup> Manufacturer agreed to begin contractor monitoring program, or has a monitoring program in place.

<sup>3</sup> First time manufacturer has been included on Enforcement Report.

<b>Contractor</b>	<b>Back wages found by Wage &amp; Hour to be due contractor employees</b>	<b>Manufacturers Identified as Doing Business with Contractor During Investigation Period</b>
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J & L Sportswear  
14800 Golden West Blvd.  
Westminster, CA 92683

\$3,250

**L'Koral, Inc.** <sup>2</sup>  
**5175 S. Soto**  
**Vernon, CA 90058**

**Back 2 Back** <sup>2</sup>  
**8669 Hayden Place**  
**Culver City, CA 90232**

Sunrise Sewing II  
205 International Blvd.  
Oakland, CA 94606

\$3,233

**Byer of California** <sup>2</sup>  
**66 Potrero Avenue**  
**San Francisco, CA 94105**

Adrimar  
509 74<sup>th</sup> St.  
Guttenberg, NJ 07093

\$3,213

Fashion Land <sup>3</sup>  
18 Chapel Ave.  
Jersey City, NJ 07303

YNK Fashion  
122 E. 7<sup>th</sup> St.  
Los Angeles, CA 90014

\$3,019

**Amiga**  
**1119 S. LA St.**  
**Los Angeles, CA 90015**

Modern Dress Corp.  
1590 Dorchester Ave.  
Dorchester, MA 02124

\$2,723

AV Sportswear, Inc. <sup>3</sup>  
d/b/a Avalanche Wear  
155 Sixth St.  
Chelsea, MA 02150

Global Tex, Inc. <sup>3</sup>  
180 Bodswell St.  
Avon, MA 02322

<sup>1</sup> Manufacturer contacted because of own violations.  
<sup>2</sup> Manufacturer agreed to begin contractor monitoring program, or has a monitoring program in place.  
<sup>3</sup> First time manufacturer has been included on Enforcement Report

Contractor	Back wages found by Wage & Hour to be due contractor employees	Manufacturers Identified as Doing Business with Contractor During Investigation Period
Best Patterns, Inc. 5400 N. 6 <sup>th</sup> Philadelphia, PA 19120	\$2,370	<b>Mother's Work, Inc.</b> <sup>2</sup> <b>456 N. 5<sup>th</sup> St.</b> <b>Philadelphia, PA 19123</b>
Unique Images 10832 Capital Garden Grove, CA 92643	\$2,267	<b>XOXO</b> <b>6000 Sheila St.</b> <b>Commerce, CA 90040</b>
1	\$2,225	Unique Shoreline <sup>3</sup> Apparel, Inc. 3305 W. Castor St. Santa Ana, CA 92704
BT Mode 10772 Capital Garden Grove, CA 92643	\$1,913	<b>Harkam Industries</b> <sup>2</sup> <b>(Jonathan Martin)</b> <b>1157 S. Crocker St.</b> <b>Los Angeles, CA 90021</b>
Advanced Sewing Contractors 3123 N. Pulaski Chicago, IL 60641	\$1,699	Psychographics <sup>3</sup> 363 W. Erie Chicago, IL 60610
Asia Jolie Modele Garment 235 W. 27 <sup>th</sup> St. Los Angeles, CA 90007	\$1,535	Shateon Fashion, Inc. <sup>3</sup> 763 E. 14 <sup>th</sup> St. Los Angeles, CA 90021
		<b>Fritzi of California</b> <sup>2</sup> <b>199 1<sup>st</sup> St.</b> <b>San Francisco, CA 94105</b>

<sup>1</sup> Manufacturer contacted because of own violations.

<sup>2</sup> Manufacturer agreed to begin contractor monitoring program, or has a monitoring program in place.

<sup>3</sup> First time manufacturer has been included on Enforcement Report.

Contractor	Back wages found by Wage & Hour to be due contractor employees	Manufacturers Identified as Doing Business with Contractor During Investigation Period
K & J Sportswear 727 N. Meadow St. Allentown, PA 18102	\$1,510	<b>Carole Little</b> <b>3434 S. Grand Ave.</b> <b>Los Angeles, CA 90007</b>
1	\$1,457	Koral Fashion <sup>3</sup> 311 Market St. Kingston, PA 18704
Paju Corp. d/b/a K You 555 8 <sup>th</sup> Ave. New York, NY 10018	\$1,380	Pacific Cotton <sup>3</sup> 2331 4 <sup>th</sup> Street Oakland, CA 94607
Tuan Le d/b/a Chris Tailor 60 Clayton St. Dorchester, MA 02124	\$1,200	<b>NCC Sportswear, Inc.<sup>2</sup></b> <b>8000 Cooper Ave.</b> <b>Glendale, NY 11379</b>
		Noah Enterprises, Ltd. <sup>2,3</sup> 520 8 <sup>th</sup> Ave. New York, NY 10018
		<b>David H. Smith, Inc.</b> <b>48 Main St.</b> <b>N. Reading, MA 01864</b>
		Cross Roads, LLC <sup>3</sup> 104 Summer St. Stoughton, MA 02072

<sup>1</sup> Manufacturer contacted because of own violations.

<sup>2</sup> Manufacturer agreed to begin contractor monitoring program, or has a monitoring program in place.

<sup>3</sup> First time manufacturer has been included on Enforcement Report.

Contractor	Back wages found by Wage & Hour to be due contractor employees	Manufacturers Identified as Doing Business with Contractor During Investigation Period
Charly & Sunny 1925 S. Los Angeles Los Angeles, CA 90011	\$1,038	<p>Bongo, Inc. <sup>2,3</sup> 4560 Loma Vista Vernon, CA 90058</p> <p><b>Grind Inc.</b> <b>5445 Oceanus</b> <b>Huntington Beach, CA 92649</b></p> <p><b>Big Time</b> <b>1100 S. Wall St.</b> <b>Los Angeles, CA 90015</b></p>
L.P. Unity, Inc. 3123 N. Pulaski Chicago, IL 60641	\$1,031	L.S.P. Limited <sup>3</sup> 1601 E. Mountain Aurora, IL 60505
1	\$1,018	Who ? Division <sup>3</sup> 1000 E. 30 <sup>th</sup> St. Hialeah, FL 33013
Toan Ky Fashion 1900 Tyler So. El Monte, CA 91733	In dispute	Tempted <sup>3</sup> 1744 Santee Los Angeles, CA 90015

<sup>1</sup> Manufacturer contacted because of own violations.

<sup>2</sup> Manufacturer agreed to begin contractor monitoring program, or has a monitoring program in place

<sup>3</sup> First time manufacturer has been included on Enforcement Report.

## Garment Enforcement Report Talking Points

### **After The First Year: Identifying and Addressing the Problems**

- Today's release marks the beginning of our second year of providing garment enforcement results to the public. We initiated our garment enforcement reports to respond to the retailers' request for information that would help them to identify which companies have been found to violate the FLSA -- information they need to be sure their goods, the goods they sell to America's consumers, are not produced in sweatshops.
- When we began, we expected that releasing the garment enforcement report every quarter would enable the Department - and retailers - to look back over several reports and begin to see which manufacturers repeatedly had goods in contract shops that violate the FLSA. With this information, and knowing which firms claimed to do monitoring or had committed to the Department to do monitoring, we could target for remedial assistance, or stepped up enforcement if necessary, manufacturers that don't monitor at all or that don't monitor effectively.
- And that is exactly what we are doing. Fourteen of the manufacturers on today's report have appeared on three of the four reports and had already made commitments of some form to monitor their contractors. What happened? We intend to find out.
- So we are asking those manufacturers that, with today's release, have appeared on three reports and have signed long form monitoring agreements with the Department to review the status of their monitoring programs and report us within 30 days, identifying both the deficiencies they find and the steps they intend to take to remedy them.
- As for the manufacturers that have now been on three reports and had indicated to us that they had implemented their own, voluntary monitoring program, we will now insist they sign the Department's long-form monitoring agreement.
- And all 14 of the three-time repeaters will be asked to attend a monitoring seminar in Los Angeles in May, in which the Department will provide them with additional guidance on how to do effective monitoring.

### **Monitoring Works - and Manufacturers Need to Get on Board**

- This is all consistent with our commitment to engage the industry as our partners in achieving full compliance within the garment industry. The Department of course must continue its enforcement role - but it is essential that we get manufacturers to do their share by monitoring their contractors.

- We already have data that shows that monitoring works. In the spring of 1996 we conducted a compliance survey in California, and we compared our data with a similar survey from 1994. The comparison showed that a significant improvement in the compliance rates of garment shops being monitored: only 27% of the monitored shops had minimum wage violations, compared to 64% of non-monitored shops.
- The Department will be conducting additional compliance surveys in New York City/Northern New Jersey and the San Francisco Bay area later this year.

### **The Results of Today's Report**

- The largest case on today's report involved Pride Jeans, Inc. of Vernon, California - we recovered \$101,300 in unpaid overtime for 146 current and former employees of Pride Jeans, who were paid on a piece rate basis regardless of the number of hours they worked. Two manufacturers were involved - Guess? and Revatex. The contractor, Pride Jeans, paid the entire back wages owed amount.
- There are a total of 70 contractors and 127 manufacturers on today's Report. Of the manufacturers,
  - ♦ 92 are on for the first time
  - ♦ 35 have been on prior Report(s)
  - ♦ 28 manufacturers on the Report do some form of monitoring: 17 of those have signed a DOL long form monitoring agreement. (A total of 74 manufacturers have signed long forms.)
- During the first quarter of FY 1997 (Oct. '96-Dec. '96), the Department collected a total of \$827,466 in back wages, and assessed a total of \$196,419 in civil money penalties.
- There are three Trendsetters on the Report: David Brooks (a subsidiary of Kellwood); Jerell; and Guess? (on probation).
- This is the first time Guess? will appear on a quarterly Report - but there are 5 Guess? cases on the Report:

<u>Contractor</u>	<u>Amount</u>	<u>Other Manufacturers</u>
Pride Jeans, Inc.	\$101,300	Revatex
Line 8	\$ 45,000	Azteca; JNCO; Mepotex
Indigo	\$ 16,121	none
Total Denim	\$ 12,480	Kik Wear; Baby Guess;
		Revatex; Tribe; Roam Jeans
Star Avenue	\$ 8,805	Francine Browner; Entre
		Deux Modes; Revelee; ABS

(Note: There are two additional Guess? cases that are not on this Report because the rest of the manufacturer contacts in those cases are not complete. Those cases will appear on the next quarterly Report.) (Baby Guess is also on this Report, but Guess? and Baby Guess are different companies.)

## **General Background on the “No Sweat” Initiative**

- The garment enforcement reports are part of the Department’s “**No Sweat**” garment industry initiative – an innovative three-prong strategy of **enforcement, recognition, and education** to eradicate sweatshops in the United States.

### Enforcement

We continue our stepped-up investigations in the garment industry. For example, earlier this month I announced the results of selected strike forces we conducted this Fall in Los Angeles and New York City, the leading garment centers in the country.

The Report contains enforcement statistics and lists contractors that found in violation of minimum wage and overtime laws and the manufacturers associated with those contractors.

### Recognition

In November, the department issued the Second Annual Trendsetter List – a directory of garment manufacturers and retailers that take additional steps to ensure their goods are not made in sweatshop conditions. This list now includes 31 companies – representing more than 115 apparel lines.

To be a Trendsetter, companies must:

- ♦ demonstrate a commitment to labor laws;
- ♦ cooperate with law enforcement agencies when violations are found;
- ♦ educate suppliers regarding the Fair Labor Standards Act; and
- ♦ regularly monitor their cutting and sewing contractors and subcontractors.

### Education

On the education front, within the next few months, Wage and Hour will be conducting more of its Compliance Monitoring Workshops to provide the industry with information on how to implement an effective monitoring program to ensure that goods are made in compliance. We are pleased that nearly 70 manufacturers have signed DOL’s compliance monitoring agreement. We note that manufacturers are voluntarily agreeing to monitor in increasing numbers.

We will also continue initiatives to publicize our activities and garner the public's interest to pressure the industry to improve compliance. This will include working with a group of socially responsible businesses that have supported our initiative and with religious leaders.

- We are extraordinarily pleased that the Department's "No Sweat" program was named a winner of the **Innovations in American Government Award**. The "No Sweat" program, selected from more than 1,500 applicants, was one of ten winning programs providing innovative solutions to some of the problems people care about most – in this case helping garment workers get the wages they earn and mobilizing the industry to assume responsibility for the conditions under which their goods are produced.
- The Department's "No Sweat" campaign leads our efforts to achieve greater compliance with the nation's labor standards laws, concentrating our enforcement and education/outreach efforts in low-wage industries where the most vulnerable workers are employed and the most egregious violations are typically found. We have learned a lot from our work in garment, and hope to apply what we've learned in other low-wage industries in our continued efforts to protect the workers who most need our help.

**First Quarter Garment Enforcement Report at a Glance**

- Time period covered: manufacturers contacted between October 1, 1996 and December 31, 1996.
- Total back wages collected:       \$827,466
- Total civil money penalties:       \$196,419
- Largest case:
  - Contractor:           Pride Jeans, Inc., Los Angeles, CA
  - Manufacturers:       Guess? Inc., Los Angeles, CA
  - Revatex, Los Angeles, CA
  - Amount:               \$101,300
- There are three Trendsetters on the Report: David Brooks (a subsidiary of Kellwood); Jerell; and Guess? (on probation).
- 70 contractors are on the Report
- 127 manufacturers are on the Report
  - ♦ 92 are on for the first time
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the next quarterly Report.) (Baby Guess is also on this Report, but Guess? and Baby Guess are different companies.)

- This is the fourth Garment Enforcement Report we have released. No manufacturer has been on all four. However, 14 manufacturers have appeared on 3 of the 4 Reports:

- ♦ 8 of those have agreed to monitor by signing DOL long form monitoring agreements:

Azteca Production	Byer of California
Jonathon Martin	L'Koral
Paris Blues	Rampage Clothing
RSV Sports	Turn On Products

(None of these are Trendsetters)

- ♦ 5 have agreed to do monitoring and have set up their own programs:

Copy Cats, Inc.	David Brooks
Fritzi	Jerry Leigh
Mother's Work, Inc.	

(David Brooks is a Trendsetter)

- ♦ 1 has signed a DOL short form agreement not to ship hot goods:

The Lilli Group

(Not a Trendsetter)

- 13 manufacturers on today's Report appear more than once in the Report - that is, they were contacted with respect to violations by more than one contractor:

Azteca Productions (2)	Bay Street Clothing, Inc. (2)
Byer of California (2)	Fritzi California (2)
Guess? (5)	Howard Wolf (2)
Jerell (2)	Joan Walters (2)
Rampage Clothing (2)	Revatex (2)
RSV Sports (2)	Toby Kids (2)
Vogue Int'l Collection (2)	

- Below are national garment statistics for the period covered by this Report (1<sup>st</sup> quarter of '97):

Investigations conducted:	293
Investigations with violations:	123
Amount of back wages recovered:	\$827,466
Number of Employees:	2,200
Civil Money Penalties:	\$196,419

Note: Recall that inclusion of specific cases on a given Report is driven by when the manufacturer contact date occurs, and that cases worth less than \$1,000 or involving only technical violations are not listed. The above numbers are **totals** for the three month period, October '96- December '96, without those limitations.

**Garment Meeting**  
**Wednesday, March 12, 1997**  
**4:00 pm – 5:00 pm**  
**Agenda**

1. Status of Apparel Industry Partnership
2. Outstanding Issues
3. Strategy for Immediate Closure
4. April 2nd Event
5. Long-term Next Steps

**DRAFT - DOL INTERNAL DOCUMENT**

*workers and their representatives*  
 ↘

<b>ISSUES</b>	<b>CO. WANTS</b>	<b>UNION/NGOs WANT</b>	<b>DOL WANTS</b>	<b>HOW TO GET WHAT WE WANT</b>
<p><u>Report - (page 1)</u></p> <p>1. Transition period to form association and develop consumer communication strategy</p>	9 months	9 months	3-6 months	
2. Governance of association	association representing a "diversity of interests including business, consumers, workers and human rights organizations"	"association governed by a board representing a balance of interests composed of companies as well as <b>unions</b> and consumer, human rights and religious groups"	ensure that unions are adequately represented	
3. Ensuring the implementation of the code of conduct and monitoring principles	a. "provide information to signatory companies assisting them in the implementation of the code and monitoring and seek to develop and improve the monitoring practices of external monitors..."	a. "provide information to companies adopting the code to assist them in the implementation of the code and monitoring,.. seek to <b>establish standard monitoring practices</b> of external monitors..."	ensure enforcement mechanism	
	b. companies agree to code of conduct and monitoring program "that meets the requirements of the principles of monitoring."	b. companies agree to monitoring program "certified by the association."	ensure enforcement mechanism	

**DRAFT - DOL INTERNAL DOCUMENT**

- 2 -

ISSUES	CO. WANTS	UNION/NGOs WANT	DOL WANTS	HOW TO GET WHAT WE WANT
<p><u>Principles of monitoring</u> (union page 5)</p> <p>4. Involvement of local leaders in internal and external monitoring</p>	<p>a. no involvement in internal monitoring</p>	<p>a. "seek to utilize such local leaders to facilitate communication with company employees and employees of contractors and suppliers both in the conduct of employee interviews and the reporting of violations"</p>	<p>push for inclusion in external monitoring at minimum</p>	
	<p>b. none</p>	<p>b. "make relationships with local leaders known to company factories and suppliers as well as to company employees and employees of contractors and suppliers"</p>	<p>Push for inclusion in external monitoring at a minimum</p>	
<p><u>Principles of monitoring</u> (both external and internal) (union pages 5 and 6)</p> <p>6. Cooperation with local unions at the worksite</p>	<p>no reference</p>	<p>"assure that implementation of monitoring is consistent with applicable collective bargaining agreements and performed in cooperation with legally constituted unions at the worksite."</p>	<p>At a minimum there should be some consultation mechanism</p>	

**DRAFT - DOL INTERNAL DOCUMENT**

- 3 -

<b>ISSUES</b>	<b>CO. WANTS</b>	<b>UNION/NGOs/WANT</b>	<b>DOL WANTS</b>	<b>HOW TO GET WHAT WE WANT</b>
<p><u>Obligations by all members of partnership</u> (company page 7)</p> <p>7. Opportunity to remediate before public disclosure</p>	<p>“no member of the partnership... will publicly comment on another member with regard to compliance... without first providing the member adequate opportunity to investigate and respond to the alleged compliance issue. If there has been an instance of noncompliance, the member will have adequate time to address and remedy the problem before the issue is raised publicly.”</p>	<p>Not yet aware of company’s request</p>	<p>This may raise anti-trust issues but may be a useful incentive for companies to sign on</p>	

New

## REPORT OF APPAREL INDUSTRY PARTNERSHIP

The members of the Apparel Industry Partnership will report to the President and the public on:

- The adoption of the attached "Workplace Code of Conduct";
- The agreement of each company participating in the Partnership to pledge to adhere to the Code and to implement as soon as reasonably practicable a monitoring program consistent with the attached "Principles of Monitoring," by adopting an internal monitoring program generally consistent with such Principles and utilizing an external monitor that agrees to conduct its monitoring consistent with such Principles; and
- The intention of each participant in the Partnership to work together during a nine-month transition period to reach agreement on the formation of an association representing a diversity of interests including, business, consumers, workers and human rights organizations. The association would serve as a source of information to consumers, provide information to signatory companies and assist them in the implementation of the Code and monitoring, and seek to develop and improve the monitoring practices of external monitors in a manner which would provide the public with confidence about compliance with the Code of Conduct.

## WORKPLACE CODE OF CONDUCT

While recognizing that cultures, economies and standards of living differ significantly throughout the world, all companies which sign the Workplace Code of Conduct and Principles of Monitoring are committed toward the development of safe and healthy manufacturing facilities world-wide, where workers are treated with respect and dignity.

To help advance these goals, companies signing the Workplace Code of Conduct agree that, in addition to complying with all applicable laws of the country of manufacturing, they will comply with and support the following code of conduct in accordance with a monitoring program consistent with the following Principles of Monitoring. A signatory company will apply the higher standard in cases of differences between the code and the applicable laws of the country of manufacturing, where doing so is not in violation of local law. A signatory company likewise agrees to require the contractors which make the products a signatory company sells to comply with applicable local law, and to support the Code of Conduct in accordance with a monitoring program consistent with the following Principles of Monitoring.

Forced Labor There shall not be any use of forced labor, whether in the form of prison labor, indentured labor, bonded labor or otherwise.

Child Labor No person shall be employed at an age younger than 15 (or 14 where the law of the country of manufacture allows) or younger than the age of completing compulsory education in the country of manufacture where such age is higher than 15.

Harassment and Abuse Every employee shall be treated with respect and dignity. No employee shall be subject to any physical, sexual, psychological or verbal harassment or abuse.

Nondiscrimination No person shall be subject to any discrimination in employment, including hiring, salary, benefits, advancement, discipline, termination or retirement, on the basis of gender, race, religion, age, disability, sexual orientation, nationality, political opinion, or social or ethnic origin.

Health and Safety Employers shall provide a safe and healthy working environment to prevent accidents and injury to health arising out of, linked with, or occurring in the course of work or as a result of the operation of employer facilities.

Freedom of Association and Collective Bargaining Employers shall recognize and respect the right of employees to freedom of association and collective bargaining.

Wages and Benefits Employers recognize that wages are essential to meeting employees' basic needs. Employers shall pay employees, as a floor, at least the minimum wage required by local law or the prevailing industry wage, whichever is higher, and shall provide legally mandated benefits.

Hours of Work Employees shall not be required to work more than the maximum weekly work hours, including overtime, allowed by the law of the country of manufacture. Except in extraordinary business circumstances, employees shall:

- now*
1. not be required to work more than 48 hours per week and more than 12 hours additional overtime per week in those countries where the maximum weekly work hours, including overtime, are not defined or in those countries where the maximum weekly work week, including overtime, cumulatively exceed the hour caps above; and
  2. be entitled to at least one day off in every 7 day period.

Overtime Compensation Employees shall be compensated for overtime hours at such premium rate as is legally applicable in the country of manufacture or, in those countries where such laws do not exist, at a rate at least equal to their regular compensation rate.

*Principles*  
ELEMENTS OF MONITORING

I. OBLIGATIONS OF COMPANIES<sup>1</sup>

A. Establish Clear Standards

- Establish and articulate clear, written workplace standards<sup>2</sup>
- Formally convey those standards to company factories as well as to contractors and suppliers<sup>3</sup>.
- Receive written certifications, on a regular basis, from company factories as well as contractors and suppliers that standards are being met, and that employees have been informed about the standards.
- Obtain written agreement of company factories and contractors and suppliers to submit to periodic inspections and audits, including by external monitors, for compliance with the workplace standards.

B. Create An Informed Workplace

Ensure that all company factories as well as contractors and suppliers inform their employees about the workplace standards orally and through the posting of standards in a prominent place (in the local languages spoken by employees and managers) and undertake other efforts to educate employees about the standards on a regular basis

C. Develop An Information Database

- Develop a questionnaire to verify and quantify compliance with the workplace standards
- Require company factories and contractors and suppliers to complete and submit the questionnaire to the company on a regular basis

D. Establish Program to Train Company Monitors

Provide training on a regular basis to company monitors about the workplace

<sup>1</sup> It is recognized that implementation by companies of internal monitoring programs might vary depending upon the extent of their resources but that any internal monitoring program adopted by a company would be consistent with these Principles of Monitoring.

<sup>2</sup> Adoption of the Workplace Code of Conduct would satisfy the requirement to establish and articulate clear written standards. Accordingly, all references to the "workplace standards" and the "standards" throughout this document could be replaced with a reference to the Workplace Code of Conduct.

<sup>3</sup> These Principles of Monitoring should apply to contractors where the company adopting the workplace standards is a manufacturer (including a retailer acting as a manufacturer) and to suppliers where the company adopting the standards is a retailer (including a manufacturer acting as a retailer). A "contractor" shall mean any contractor engaged in a manufacturing process, including cutting, sewing, assembling, and packaging, which results in a finished product for the consumer.

standards and applicable local and international law, as well as about effective monitoring practices, so as to enable company monitors to assess compliance with the standards.

E. Conduct Periodic Visits and Audits

- Have trained company monitors conduct periodic announced and unannounced visits to an appropriate sampling of company factories and facilities of contractors and suppliers to assess compliance with workplace standards.
- Have company monitors conduct periodic audits of production records and practices, and of wage, hour and other employee records and practices of company factories and contractors and suppliers.

F. Provide Employees With Opportunity to Report Non-Compliance

*New* Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable company employees and employees of contractors and suppliers to report to the company and to external monitors, on non-compliance with workplace standards when they occur, with security that they will not be punished or prejudiced for doing so.

G. Conduct Confidential Employee Interviews

Conduct periodic confidential interviews, in a manner appropriate to the culture and situation, with a random sampling of company employees and employees of contractors and suppliers (in their local languages) to determine employee perspective on compliance with workplace standards

H. Establish Relationships with Labor, Human Rights, Religious or Other Local Leaders

In assessing compliance with workplace standards, consult periodically with local human rights, labor unions, religious or other local leaders who are likely to have the trust of workers and knowledge of local conditions.

I. Establish Means of Remediation

- *New* Work with company factories and contractors and suppliers to correct instances of non-compliance with the workplace standards promptly as they are discovered and to take steps to ensure that instances do not recur.
- Condition future business with contractors and suppliers upon compliance with the standards.

### III. OBLIGATIONS OF EXTERNAL MONITORS

- Establish clear, written criteria and guidelines for evaluation of company compliance with workplace standards.
- Conduct independent review of written data obtained by company to verify and quantify compliance with workplace standards.
- Verify that company employees and employees of contractors and suppliers have been informed about the workplace standards orally, through the posting of standards in a prominent place (in the local languages spoken by employees and managers) and through other educational efforts.
- Conduct independent audits, on a confidential basis, of production records and practices and of wage, hour and other employee records and practices of an appropriate sampling of company factories and contractors and suppliers.
- Conduct periodic unannounced visits, on a confidential basis, of an appropriate sampling of company factories and facilities of contractors and suppliers to survey compliance with workplace standards.
- Conduct periodic confidential interviews in a manner appropriate to the culture and situation, with an appropriate sampling of company employees and employees of contractors and suppliers (in their local languages) to determine employee perspective on compliance with workplace standards.
- Consult periodically with local human rights, labor union, religious or other local leaders who are likely to have the trust of workers and knowledge of local conditions.
- Work, where appropriate, with company factories and contractors and suppliers to correct instances on non-compliance with workplace standards.
- Complete a report evaluating company compliance with workplace standards

1 - New

**IV. OBLIGATIONS OF ALL MEMBERS OF APPAREL INDUSTRY PARTNERSHIP**

During the nine month transition period, all members of the Partnership agree to abide by the following:

It is important to recognize that, while the main purpose of the Apparel Industry Partnership is to eradicate sweatshops worldwide, it is also a Partnership. Its members include a wide variety of companies, organizations and associations representing diverse interests. This trust can be built upon the mutual obligations undertaken by all Partnership members.

The company members of the Partnership have agreed to establish and implement the Workplace Code of Conduct agreed by the entire Partnership, and to enforce the Code of Conduct consistent with the Principles of Monitoring outlined above. Each member of the Partnership agrees that, before commenting publicly on another members alleged instances of non-compliance with the Workplace Code of Conduct and Principles of Monitoring, it will first provide that member notice and sufficient details of the alleged compliance issue, and provide the member adequate opportunity to investigate and respond to the alleged compliance issue.

Each company participating in the Partnership agrees to investigate, in a manner consistent with the monitoring principles outlined above, instances of alleged non-compliance brought to the attention of another member of the Partnership. If there has been an instance of noncompliance, the member will have adequate time to address and remedy the problem before the issue is raised publicly.

*All Now*

*r. Now*

**Timeline for April 2nd Event  
DRAFT**

<b><u>Date Completed By</u></b>	<b><u>Task</u></b>
Wednesday, March 12.....	Meet with Maria and Anne
Thursday, March 13.....	a. Brief acting secretary on April 2nd event b. Initial DOL phone calls to participants
Friday, March 14.....	a. Draft of business review letter sent to DOJ b. <i>Closure on outstanding issues</i>
Wednesday, March 19.....	a. DOJ sign-off on business review letter b. Share report with USTR, State, Commerce, DOJ, etc. c. <i>Companies sign off on report</i>
Friday, March 21.....	a. White House calls to event participants b. DOJ sign-off on business review letter
Monday, March 24.....	White House invitations sent out
Friday, March 28.....	Products completed: a. Qs and As b. POTUS talking points c. Fact sheet d. Partnership final report e. Program (format, speakers) f. Names for White House to give media
Tuesday, April 2.....	White House event

MEMORANDUM



TO: HUMAN RIGHTS AND LABOR MEMBERS OF THE PARTNERSHIP  
FROM: ROBBIE KARP  
DATE: MARCH 12, 1997  
RE: INDUSTRY RESPONSE

=====

Attached please find a collective corporate response to your March 3 proposal. We believe that the Partnership's work has resulted in nothing less than a historic document, one that reflects an unprecedented effort that was initiated by the President and forged among leaders of the garment industry, labor community and human rights groups.

There are areas we have agreed upon that previously were at the very core of basic philosophical differences. There are also areas where we need to continue the dialogue and find the common ground.

We considered every one of your requests in detail, and we have incorporated many of your ideas. In other cases, we have proposed compromise positions. However, we could not accept certain suggestions. Why? Because those of us who will be bound by the Code and the Principles of Monitoring must be absolutely comfortable that we can deliver on our promises.

We are already committed to meeting a significant challenge -- the current proposal. And to attempt to do more at this time would be counterproductive. The Partnership is nothing less than a national model for the entire industry and we hope it will serve that purpose. While the active participation of the national leaders has led to this milestone, our effort can only be effective if there is an industry wide endorsement of our Partnership's work.

As a Partnership, of course, we all have more work to do. We have spent a considerable amount of time and energy on the Code and the Principles of Monitoring -- probably more than any of us imagined. We still need more time to finish our task. The next phase of our work will concentrate on the association and on developing consumer education methods. Companies, in the meantime, can start applying the Code and Principles, and we can all start to recruit other players in the business, and perhaps even other industries, to join the Partnership.

The best way, perhaps, to think about our presentation to the President is as a mid-term status report -- a report that admirably meets the Partnerships' original objectives. Let's accomplish this before we begin the next phase.

We have all come too far to let this go.

970475

*Agards,*  
*RK*

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**PRIVILEGED AND CONFIDENTIAL**

**LIZ CLAIBORNE, INC.  
ONE CLAIBORNE AVENUE  
NORTH BERGEN, NJ 07047**

**OFFICE #: (201) 295-7830  
FAX #: (201) 295-7803**



**PANAFAX TRANSMISSION LEAD SHEET**

**FROM: ROBERTA S. KARP**

**DATE: March 12, 1997**

<b>TO:</b>	<b><u>Name/Company</u></b>	<b><u>Telefax Number</u></b>	<b><u>Voice Contact Number</u></b>
	Rev. David M. Schilling (ICCR)	(212) 870-2023	(212) 870-2928
	Stanley W. Levy, Esq. (Kane)	(310) 553-0687	(310) 785-6829
	Michael Posner (LCHR)	(212) 967-0916	(212) 629-6170 X147
	Jack Robinson (LL Bean)	(207) 865-0972	(207) 865-4100 X6073#
	Brad G. Figel (NIKE)	(202) 544-6453	(202) 543-6453
	Roger McDivitt (Patagonia)	(805) 643-1648	(805) 667-4599
	Art Heffner (Phillips-VH)	(212) 468-7338	(212) 468-7300
	Lenore Miller (AFL-CIO, CLC)	(212) 779-2809	(212) 684-5300
	Martin Brill (Tweeds)	(201) 319-3458	(201) 319-2447
	Alan Howard (UNITE)	(212) 265-3415	(212) 265-7000
	Phyllis O. Bonanno (Warnaco)	(202) 393-1004	(202) 737-3800
	Stephanie Swirsky (DOL)	(202) 219-9216	(202) 219-6197
	Andrew Samet (DOL)	(202) 219-5980	(202) 219-6043
	James Silk (RFK)	(202) 333-4903	(202) 333-1880 X236
	Pharis J. Harvey (ILRF)	(202) 544-7767	(202) 544-7198
	Gary Lewi (Kathy Lee)	(212) 843-9200	(212) 843-8010
	Sharon Cohen (Reebok)	(617) 297-4806	(617) 341-7430
	Aron Cramer (BSR)	(415) 865-2505	(415) 865-2500
	Lynda Clarizio (LCHR)	(202) 942-5999	(202) 942-5333
<b>CC:</b>	<b>LINDA F. GOLODNER (NCL)</b>	(202) 835-0747	(202) 835-3323

**NUMBER OF PAGES FOLLOWING:  8**

**MESSAGE:** \_\_\_\_\_  
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<p><u>Report - (page 1)</u></p> <p>1. Transition period to form association and develop consumer communication strategy</p>	<p>9 months</p>	<p>9 months</p>	<p>3-6 months</p>	
<p>2. Governance of association</p>	<p>association representing a “diversity of interests including business, consumers, workers and human rights organizations”</p>	<p>“association governed by a board representing a balance of interests composed of companies as well as <b>unions</b> and consumer, human rights and religious groups”</p>	<p>ensure that unions are adequately represented</p>	
<p>3. Ensuring the implementation of the code of conduct and monitoring principles</p>	<p>a. “provide information to signatory companies assisting them in the implementation of the code and monitoring and seek to develop and improve the monitoring practices of external monitors...”</p>	<p>a. “provide information to companies adopting the code to assist them in the implementation of the code and monitoring... seek to <b>establish standard monitoring practices</b> of external monitors...”</p>	<p>ensure enforcement mechanism</p>	
	<p>b. companies agree to code of conduct and monitoring program “that meets the requirements of the principles of monitoring.”</p>	<p>b. companies agree to monitoring program “certified by the association.”</p>	<p>ensure enforcement mechanism</p>	

**DRAFT - DOL INTERNAL DOCUMENT**

- 2 -

ISSUES	CO. WANTS	UNION/NGOs WANT	DOL WANTS	HOW TO GET WHAT WE WANT
<p><u>Principles of monitoring</u> (union page 5)</p> <p>4. Involvement of local leaders in internal and external monitoring</p>	<p>a. no involvement in internal monitoring</p>	<p>a. "seek to utilize such local leaders to facilitate communication with company employees and employees of contractors and suppliers both in the conduct of employee interviews and the reporting of violations"</p>	<p>push for inclusion in external monitoring at minimum</p>	
	<p>b. none</p>	<p>b. "make relationships with local leaders known to company factories and suppliers as well as to company employees and employees of contractors and suppliers"</p>	<p>Push for inclusion in external monitoring at a minimum</p>	
<p><u>Principles of monitoring</u> (both external and internal) (union pages 5 and 6)</p> <p>6. Cooperation with local unions at the worksite</p>	<p>no reference</p>	<p>"assure that implementation of monitoring is consistent with applicable collective bargaining agreements and performed in cooperation with legally constituted unions at the worksite."</p>	<p>At a minimum there should be some consultation mechanism</p>	

**DRAFT - DOL INTERNAL DOCUMENT**

ISSUES	CO. WANTS	UNION/NGOs/WANT	DOL WANTS	HOW TO GET WHAT WE WANT
<p><u>Obligations by all members of partnership</u> (company page 7)</p> <p>7. Opportunity to remediate before public disclosure</p>	<p>“no member of the partnership... will publicly comment on another member with regard to compliance... without first providing the member adequate opportunity to investigate and respond to the alleged compliance issue. If there has been an instance of noncompliance, the member will have adequate time to address and remedy the problem before the issue is raised publicly.”</p>	<p>Not yet aware of company’s request</p>	<p>This may raise anti-trust issues but may be a useful incentive for companies to sign on</p>	

**Timeline for April 2nd Event  
DRAFT**

<b><u>Date Completed By</u></b>	<b><u>Task</u></b>
Wednesday, March 12.....	Meet with Maria and Anne
Thursday, March 13.....	a. Brief acting secretary on April 2nd event b. Initial DOL phone calls to participants
Friday, March 14.....	a. Draft of business review letter sent to DOJ b. <i>Closure on outstanding issues</i>
Wednesday, March 19.....	a. DOJ sign-off on business review letter b. Share report with USTR, State, Commerce, DOJ, etc. c. <i>Companies sign off on report</i>
Friday, March 21.....	a. White House calls to event participants b. DOJ sign-off on business review letter
Monday, March 24.....	White House invitations sent out
Friday, March 28.....	Products completed: a. Qs and As b. POTUS talking points c. Fact sheet d. Partnership final report e. Program (format, speakers) f. Names for White House to give media
Tuesday, April 2.....	White House event

New

## REPORT OF APPAREL INDUSTRY PARTNERSHIP

The members of the Apparel Industry Partnership will report to the President and the public on:

- The adoption of the attached "Workplace Code of Conduct";
- The agreement of each company participating in the Partnership to pledge to adhere to the Code and to implement as soon as reasonably practicable a monitoring program consistent with the attached "Principles of Monitoring," by adopting an internal monitoring program generally consistent with such Principles and utilizing an external monitor that agrees to conduct its monitoring consistent with such Principles; and
- The intention of each participant in the Partnership to work together during a nine-month transition period to reach agreement on the formation of an association representing a diversity of interests including, business, consumers, workers and human rights organizations. The association would serve as a source of information to consumers, provide information to signatory companies and assist them in the implementation of the Code and monitoring, and seek to develop and improve the monitoring practices of external monitors in a manner which would provide the public with confidence about compliance with the Code of Conduct.

## WORKPLACE CODE OF CONDUCT

While recognizing that cultures, economies and standards of living differ significantly throughout the world, all companies which sign the Workplace Code of Conduct and Principles of Monitoring are committed toward the development of safe and healthy manufacturing facilities world-wide, where workers are treated with respect and dignity.

To help advance these goals, companies signing the Workplace Code of Conduct agree that, in addition to complying with all applicable laws of the country of manufacturing, they will comply with and support the following code of conduct in accordance with a monitoring program consistent with the following Principles of Monitoring. A signatory company will apply the higher standard in cases of differences between the code and the applicable laws of the country of manufacturing, where doing so is not in violation of local law. A signatory company likewise agrees to require the contractors which make the products a signatory company sells to comply with applicable local law, and to support the Code of Conduct in accordance with a monitoring program consistent with the following Principles of Monitoring.

Forced Labor There shall not be any use of forced labor, whether in the form of prison labor, indentured labor, bonded labor or otherwise.

Child Labor No person shall be employed at an age younger than 15 (or 14 where the law of the country of manufacture allows) or younger than the age of completing compulsory education in the country of manufacture where such age is higher than 15.

Harassment and Abuse Every employee shall be treated with respect and dignity. No employee shall be subject to any physical, sexual, psychological or verbal harassment or abuse.

Nondiscrimination No person shall be subject to any discrimination in employment, including hiring, salary, benefits, advancement, discipline, termination or retirement, on the basis of gender, race, religion, age, disability, sexual orientation, nationality, political opinion, or social or ethnic origin.

Health and Safety Employers shall provide a safe and healthy working environment to prevent accidents and injury to health arising out of, linked with, or occurring in the course of work or as a result of the operation of employer facilities.

Freedom of Association and Collective Bargaining Employers shall recognize and respect the right of employees to freedom of association and collective bargaining.

Wages and Benefits Employers recognize that wages are essential to meeting employees' basic needs. Employers shall pay employees, as a floor, at least the minimum wage required by local law or the prevailing industry wage, whichever is higher, and shall provide legally mandated benefits.

Hours of Work Employees shall not be required to work more than the maximum weekly work hours, including overtime, allowed by the law of the country of manufacture. Except in extraordinary business circumstances, employees shall:

now |

1. not be required to work more than 48 hours per week and more than 12 hours additional overtime per week in those countries where the maximum weekly work hours, including overtime, are not defined or in those countries where the maximum weekly work week, including overtime, cumulatively exceed the hour caps above; and
2. be entitled to at least one day off in every 7 day period.

Overtime Compensation Employees shall be compensated for overtime hours at such premium rate as is legally applicable in the country of manufacture or, in those countries where such laws do not exist, at a rate at least equal to their regular compensation rate.

*Principles*  
ELEMENTS OF MONITORING

I. OBLIGATIONS OF COMPANIES<sup>1</sup>

A. Establish Clear Standards

- Establish and articulate clear, written workplace standards<sup>2</sup>
- Formally convey those standards to company factories as well as to contractors and suppliers<sup>3</sup>.
- Receive written certifications, on a regular basis, from company factories as well as contractors and suppliers that standards are being met, and that employees have been informed about the standards.
- Obtain written agreement of company factories and contractors and suppliers to submit to periodic inspections and audits, including by external monitors, for compliance with the workplace standards.

B. Create An Informed Workplace

Ensure that all company factories as well as contractors and suppliers inform their employees about the workplace standards orally and through the posting of standards in a prominent place (in the local languages spoken by employees and managers) and undertake other efforts to educate employees about the standards on a regular basis

C. Develop An Information Database

- Develop a questionnaire to verify and quantify compliance with the workplace standards
- Require company factories and contractors and suppliers to complete and submit the questionnaire to the company on a regular basis

D. Establish Program to Train Company Monitors

Provide training on a regular basis to company monitors about the workplace

<sup>1</sup> It is recognized that implementation by companies of internal monitoring programs might vary depending upon the extent of their resources but that any internal monitoring program adopted by a company would be consistent with these Principles of Monitoring.

<sup>2</sup> Adoption of the Workplace Code of Conduct would satisfy the requirement to establish and articulate clear written standards. Accordingly, all references to the "workplace standards" and the "standards" throughout this document could be replaced with a reference to the Workplace Code of Conduct.

<sup>3</sup> These Principles of Monitoring should apply to contractors where the company adopting the workplace standards is a manufacturer (including a retailer acting as a manufacturer) and to suppliers where the company adopting the standards is a retailer (including a manufacturer acting as a retailer). A "contractor" shall mean any contractor engaged in a manufacturing process, including cutting, sewing, assembling, and packaging, which results in a finished product for the consumer.

standards and applicable local and international law, as well as about effective monitoring practices, so as to enable company monitors to assess compliance with the standards.

E. Conduct Periodic Visits and Audits

- Have trained company monitors conduct periodic announced and unannounced visits to an appropriate sampling of company factories and facilities of contractors and suppliers to assess compliance with workplace standards.
- Have company monitors conduct periodic audits of production records and practices, and of wage, hour and other employee records and practices of company factories and contractors and suppliers.

F. Provide Employees With Opportunity to Report Non-Compliance

*New* Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable company employees and employees of contractors and suppliers to report to the company and to external monitors, on non-compliance with workplace standards when they occur, with security that they will not be punished or prejudiced for doing so.

G. Conduct Confidential Employee Interviews

Conduct periodic confidential interviews, in a manner appropriate to the culture and situation, with a random sampling of company employees and employees of contractors and suppliers (in their local languages) to determine employee perspective on compliance with workplace standards

H. Establish Relationships with Labor, Human Rights, Religious or Other Local Leaders

In assessing compliance with workplace standards, consult periodically with local human rights, labor unions, religious or other local leaders who are likely to have the trust of workers and knowledge of local conditions.

I. Establish Means of Remediation

- *New* Work with company factories and contractors and suppliers to correct instances of non-compliance with the workplace standards promptly as they are discovered and to take steps to ensure that instances do not recur.
  - Condition future business with contractors and suppliers upon compliance with the standards.
- . . .

### III. OBLIGATIONS OF EXTERNAL MONITORS

- Establish clear, written criteria and guidelines for evaluation of company compliance with workplace standards.
- Conduct independent review of written data obtained by company to verify and quantify compliance with workplace standards.
- Verify that company employees and employees of contractors and suppliers have been informed about the workplace standards orally, through the posting of standards in a prominent place (in the local languages spoken by employees and managers) and through other educational efforts.
- Conduct independent audits, on a confidential basis, of production records and practices and of wage, hour and other employee records and practices of an appropriate sampling of company factories and contractors and suppliers.
- Conduct periodic unannounced visits, on a confidential basis, of an appropriate sampling of company factories and facilities of contractors and suppliers to survey compliance with workplace standards.
- Conduct periodic confidential interviews in a manner appropriate to the culture and situation, with an appropriate sampling of company employees and employees of contractors and suppliers (in their local languages) to determine employee perspective on compliance with workplace standards.
- Consult periodically with local human rights, labor union, religious or other local leaders who are likely to have the trust of workers and knowledge of local conditions.
- Work, where appropriate, with company factories and contractors and suppliers to correct instances on non-compliance with workplace standards.
- Complete a report evaluating company compliance with workplace standards

1 - New

**IV. OBLIGATIONS OF ALL MEMBERS OF APPAREL INDUSTRY PARTNERSHIP**

During the nine month transition period, all members of the Partnership agree to abide by the following:

It is important to recognize that, while the main purpose of the Apparel Industry Partnership is to eradicate sweatshops worldwide, it is also a Partnership. Its members include a wide variety of companies, organizations and associations representing diverse interests. This trust can be built upon the mutual obligations undertaken by all Partnership members.

The company members of the Partnership have agreed to establish and implement the Workplace Code of Conduct agreed by the entire Partnership, and to enforce the Code of Conduct consistent with the Principles of Monitoring outlined above. Each member of the Partnership agrees that, before commenting publicly on another members alleged instances of non-compliance with the Workplace Code of Conduct and Principles of Monitoring, it will first provide that member notice and sufficient details of the alleged compliance issue, and provide the member adequate opportunity to investigate and respond to the alleged compliance issue.

Each company participating in the Partnership agrees to investigate, in a manner consistent with the monitoring principles outlined above, instances of alleged non-compliance brought to the attention of another member of the Partnership. If there has been an instance of noncompliance, the member will have adequate time to address and remedy the problem before the issue is raised publicly.

*All Now*

*7 - Now*

U.S. Department of Labor

Employment Standards Administration  
Wage and Hour Division  
Washington, D.C. 20210



**FAX COVER SHEET**

**OFFICE OF THE ADMINISTRATOR**  
**WAGE AND HOUR DIVISION**

**FAX NUMBER (202) 219-4753**  
**COMMERCIAL (202) 219-8305**

TO:   Maria Echaveste  

DATE:   3/19/97  

FAX NUMBER:   456-2983  

PAGES:   3    
(include cover sheet)

LOCATION: \_\_\_\_\_

FROM   Suzanne Seiden  

If you do not receive all of the pages please call:

NAME: \_\_\_\_\_

NUMBER: \_\_\_\_\_

**COMMENTS/INSTRUCTIONS:**

  Re: Apparel Partnership    
  Enclosed are the talking points.    
  for calls with companies and the    
  unions.  

  Suzanne

## **Apparel Industry Partnership Talking Points**

---

### **Companies:**

- This is a critical point for the industry. Any proposal or initiative that does not have NGO/union support or involvement will be immediately vulnerable.
- The two positions are remarkably close, with only a few items requiring some language modifications.
- The most serious concern is that the language establishing the association needs to be clear and specific to provide sufficient confidence that it will be created and have a focus for its future work (in the form of a charter?).
- We know all of the parties are tired of the process but want to encourage them to continue in this final stretch--too much work has been put into it and the possibility of success is too great to let it fall apart now. We must all move beyond our differences and look to the long term positive impact success of this group could have.
- We understand that much progress has been made, but it will all be for naught if it appears to be unilateral. Any proposal must provide for long term, credible change that is real enough for the NGOs and the unions to sign off. Anything less will be considered suspect by the media, and they will discount any progress as a result.
- We are already vulnerable because of the inability to address to date the consumer communication piece--which was the commitment made to the President last August. If the announcement does not have the endorsement and long term involvement of the NGOs and the unions, the negative reaction will overwhelm anything positive that may exist.
- We have been delaying taking a position on the legislation (both labeling and extended liability), deferring to the industry/union/NGO effort to come up with a voluntary system that would make additional legislation unnecessary and unwarranted. If this group fails to come to closure on something meaningful, there will be no incentive for us to not support the legislation. We will have to conclude that the industry is unable or unwilling to come to a voluntary agreement with the NGOs and the unions, and we will have to support the more punitive approach provided in the legislation.
- In addition, it would be difficult for the Administration to support a unilateral approach by the industry. We have to be concerned with the perception that we are providing the companies with "cover," if they are unwilling to continue to work with the NGOs and the unions to develop a meaningful system that would provide long term systemic change in the industry.

**Unions:**

- This is a critical point in time for the garment industry. The partnership of the NGOs and the unions has enabled you to obtain agreements from the companies that no one thought possible a year ago. The agreement as written is not perfect. It is not what it would be if you were able to write it yourselves in isolation from the companies.
- It represents enormous progress and requires the companies to continue the process. They cannot walk away.
- The companies have agreed to an industry code of conduct and independent monitoring. That is historic--no matter what else they agree to, that will change the industry for the better.
- The two positions are remarkably close, with only a few items requiring some language modifications.
- The most serious concern is that the language establishing the association needs to be clear and specific to provide sufficient confidence that it will be created and a focus for its future work. This would be helpful in ensuring that the participants fulfill their commitments.
- We know all of the parties are tired of the process but want to encourage them to continue in this final stretch--too much work has been put into it and the possibility of success is too great to let it fall apart now. We must all move beyond our differences and look to the long term positive impact success of this group could have.
- In addition, the participating companies have agreed to go out and deliver the rest of the industry into the process. That is also historic. We have the opportunity to have this become the standard from which the rest of the industry then works.
- While that is not perfect and does not go as far as it might, it does go further than we were a year ago. And it requires the companies to continue to engage in the process and for the NGOs and the unions to be a part of that process.

## **Maria Echaveste**

---

**From:** Enrique Figueroa[SMTP:eef1@cornell.edu]  
**Sent:** Monday, March 10, 1997 4:38 AM  
**To:** ech@fenix2.dol-esa.gov  
**Subject:** Models needed for Sweatshop Fashion Show

Maria:

the following may be of interest. this is going on here at Cornell--como la vez?

I hope this gets to you--no se your new e-mail address.

yo soy,

e.e.f.

-----  
Gente,

LLEC, CUSLAR, COLA, LSP, ILR, AND the Phi Chi's are sponsoring a sweatshop fashion show on March 28th.

Models are needed for this event. If you are interested, go to the rehearsals on Tues. March 11th at Annabel Taylor Aud. from 9-11, Tues. March 25th same place and time, or on WEd. March 26 from 5-till same place.

Also, production assistants are needed (i.e. ushering, lighting, sound, etc.) If you are willing to help out in this worthy cause let Patricia Campos know via e-mail or at 3-5456.

The following is a bit of background info.

Hello everyone,  
I want to give you a little background on what the SweatShop Fashion Show.

In the last few years there has been a great increase in Sweatshops (Definition of Sweatshops: any factory or employer that violates one or more labor standards) in the fashion/textile industry. In most of this sweatshops women workers, mostly Latino and Asian immigrants, work 12-15 hours a day under misserable working conditions (i.e. crowded rooms with few windows and very poor ventilation) and are paid under the minimum wage. Last year the GAP was busted in Los Angeles paying Latino workers (mostly women) \$1.66 dollars per hour per 12 hour days. In New York City alone there are over 2000 sweatshops, with another 1000 stimated in Los Angeles. Latin Ameican is another hot spot for Sweatshops. Over 65% of the clothes sold in the U.S. are madee in Latin American under even worse conditions than those seen in Los Angeles and New York. This is a very serious issue and we must take a stand. Latino workers, whether here on in LA, are among the most desfrinched workers today, and we must come together to help them empower themselves.

In order to educate the community about the labor violations in the textile industry, the Latino Labor Education Coalition (LLEC), Cornell Organization on Labor Action (COLA), Committee on US-Latin American Relations (CUSLAR), and Latinas Promoviendo Comunidad/Lambda Pi Chi Sorority Inc. have planned the Sweatshop Fashion Show. Here we will use the Fashion Show, as a tool to educate students about what is really going on behind the making of the clothes we all wear. The "truth behind the label" is the theme for the fashion show.

To make this show a success, we need your help. If any of you will be interessted in "modeling" or helping with the production of the show, I will really appreciate it. If you want to help out, please call me at 253-5456 or e-mail me back and I will call you. I specifically need models, but if you have stage fright, there are many

other things you can do.

I hope that you find this project an interesting one and that you choose to help.

I hope to hear from all of you soon.

Sincerely,

Patricia Campos

---

Copy to Dan  
Wexler

**facsimile**  
TRANSMITTAL

---

**to:** Marge Tarmey  
**fax #:** 456-2983  
**re:** Apparel Partnership Names and Numbers  
**date:** March 20, 1997  
**pages:** 12, including this cover sheet.

Call me if you have any questions (219-6197). I marked with arrows the folks who should be included in the working meeting (they are the ones who attend regularly).

THANKS!!!

From the desk of...  
**Stephanie Swirsky**  
Office of Policy

Fax:

## WHITE HOUSE APPAREL INDUSTRY PARTNERSHIP

### COMPANY

Business for Social Responsibility (BSR)

Interfaith Center on Corporate  
Responsibility (ICCR)

International Labor Rights Fund

January 29, 1997

### PARTICIPANT

**Robert H. Dunn**  
President & CEO  
Business for Social Responsibility (BSR)  
1683 Folsom Street  
San Francisco, California 94103-3722  
Telephone: 415-865-2503  
Fax: 415-865-2505

**Aron Cramer**  
Director, Business and Human Rights  
Business for Social Responsibility (BSR)  
683 Folsom Street  
San Francisco, California 94103-3722  
Telephone: 415-865-2510  
Fax: 415-865-2505

**Rev. David M. Schilling**  
Director, Global Corporate  
Accountability Programs  
ICCR  
475 Riverside Drive, Room 550  
New York, New York 10115  
Telephone: 212-870-2928  
Fax: 212-870-2023  
E-Mail [iccr@netreach.net](mailto:iccr@netreach.net)

**Timothy Smith**  
Executive Director  
ICCR  
475 Riverside Drive, Room 550  
New York, New York 10115  
Telephone: 212-870-2294  
Fax: 212-870-2023  
E-Mail [iccr@netreach.net](mailto:iccr@netreach.net)

**Pharis J. Harvey**  
Executive Director  
International Labor Rights Fund  
110 Maryland Avenue, N.E.  
Box 74  
Washington, D.C. 20002  
Telephone: 202-544-7198  
Fax: 202-544-7767

**Karen Kane, Inc.**

→  
**Lonnie Kane**  
 CEO/President  
 Karen Kane, Inc.  
 2275 East 37th Street  
 Los Angeles, California 90058-1435  
 Telephone: 213-588-0000  
 Fax: 213-584-5955

**Margaret Trester**  
 Operations Manager  
 Karen Kane, Inc.  
 2275 East 37th Street  
 Los Angeles, California 90058-1435  
 Telephone: 213-588-0000  
 Fax: 213-584-5955

**Kathy Lee Gifford**

→  
**Howard Rubenstein**  
 Rubenstein Associates  
 1345 Avenue of the Americas  
 New York, New York 10105  
 Telephone: 212-489-6900  
 Fax: 212-843-9200

**Lawyers Committee for Human Rights**

→  
**Michael Posner**  
 Executive Director  
 Lawyers Committee for Human Rights  
 330 Seventh Avenue, 10th Floor  
 New York, New York 10001  
 Telephone: 212-629-6170  
 Fax: 212-967-0916

**Joe Eldridge**  
 Director, Washington Office  
 Lawyers Committee for Human Rights  
 100 Maryland Avenue, N.E., Suite 502  
 Washington, D.C. 20002  
 Telephone: 202-547-5692  
 Fax: 202-543-5999

→  
**Lynda Clarizio, Esq.**  
 Arnold & Porter  
 555 12th Street, N.W.  
 Washington, D.C. 20004-1202  
 Telephone: 202-942-5333  
 Fax: 202-942-5999

Levy, Stanley W.

→ Stanley W. Levy  
 Greenberg Glusker Fields  
 Claman & Machtinger LLP  
 1900 Avenue of the Stars  
 Suite 2100  
 Los Angeles, California 90067  
 Telephone: 310-553-3610  
 Fax: 310-553-0687

Liz Claiborne, Inc.

Paul Charron  
 President - Chairman, CEO  
 Liz Claiborne, Inc.  
 One Claiborne Avenue  
 North Bergen, New Jersey 07047  
 Telephone: 201-626-3500  
 Fax: 201-626-1803

→ Roberta Karp  
 Vice President - Corporate Affairs  
 and General Counsel  
 Liz Claiborne, Inc.  
 One Claiborne Avenue  
 North Bergen, New Jersey 07047  
 Telephone: 201-295-7830  
 Fax: 201-295-7851

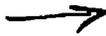
Jane Randel  
 Manager of Public Relations  
 Liz Claiborne, Inc.  
 One Claiborne Avenue  
 North Bergen, New Jersey 07047  
 Telephone: 201-626-3408  
 Fax: 201-626-3416

Bob Zane  
 Senior Vice President -  
 Manufacturing and Sourcing  
 Liz Claiborne, Inc.  
 One Claiborne Avenue  
 North Bergen, New Jersey 07047  
 Telephone: 201-295-6800  
 Fax: 201-295-6663

Peggy Contreras  
 Vice President - Production & Manu-  
 facturing and Director of Human Rights  
 Liz Claiborne, Inc.  
 One Claiborne Avenue  
 North Bergen, New Jersey 07047  
 Telephone: 201-295-6063  
 Fax: 201-295-6304

L.L. Bean, Inc.

**Tom Harden**  
Senior Vice President  
Manufacturing Information &  
Merchandise Services



L.L. Bean, Inc.  
Casco Street  
Freeport, Maine 04033  
Telephone: 207-552-2603  
Fax: 207-865-0972

**Jack Robinson**  
Director, Production Management  
L.L. Bean, Inc.



Casco Street  
Freeport, Maine 04033  
Telephone: 207-865-4100, x6073#  
Fax: 207-865-0972

**John Oliver**  
Director, Public Affairs  
L.L. Bean, Inc.  
Casco Street  
Freeport, Maine 04033  
Telephone: 207-865-4100, x6006#  
Fax: 207-865-0972

National Consumers League (NCL)



**Linda F. Golodner**  
President  
National Consumers League  
1701 K Street, N.W., Suite 1200  
Washington, D.C. 20005  
Telephone: 202-835-3323  
Fax: 202-835-0747

**Sara Cooper**  
Executive Assistant to the President  
**Darlene Adkins**  
Senior Program Associate  
National Consumers League  
1701 K Street, N.W., Suite 1200  
Washington, D.C. 20005  
Telephone: 202-835-3323  
Fax: 202-835-0747

Nicole Miller

**Bud Konheim**  
 CEO  
 Nicole Miller  
 → 525 Seventh Avenue  
 New York City, New York 10018  
 Telephone: 212-719-9200  
 Fax: 212-391-4327

**Nicole Miller**  
 President  
 Nicole Miller  
 525 Seventh Avenue  
 New York City, New York 10018  
 Telephone: 212-719-9200  
 Fax: 212-391-4327

**Honey Fishman**  
 Assistant to the CEO  
 Nicole Miller  
 525 Seventh Avenue  
 New York City, New York 10018  
 Telephone: 212-719-9200  
 Fax: 212-391-4327

NIKE, Inc.

**Philip H. Knight**  
Chairman of the Board and CEO  
NIKE, Inc.  
One Bowerman Drive  
Beaverton, Oregon 97005  
Telephone: 503-671-4901  
Fax: 503-644-6655

**Lindsay D. Stewart**  
Vice President of Law and  
Corporate Affairs  
NIKE, Inc.  
One Bowerman Drive  
Beaverton, Oregon 97005  
Telephone: 503-671-2629  
Fax: 503-643-3938



**Brad G. Figel**  
Director of Governmental Affairs  
and International Trade Counsel  
NIKE, Inc.  
507 Second Street, N.E.  
Washington, D.C. 20002  
Telephone: 202-543-6453  
Fax: 202-544-6453

**Dusty Kidd**  
Director of Labor Practices  
NIKE International Ltd.  
34th Floor, The Gateway, Tower 1  
25 Canton Road, Tsimshatsui  
Kowloon, Hong Kong  
Telephone: 011-852-2737-7310  
Fax: 011-852-2736-6897

**Patagonia**

**Kevin Sweeney**  
 Vice President  
 Patagonia  
 259 W. Santa Clara Street  
 Ventura, California 93001  
 Telephone: 805-667-4599  
 Fax: 805-643-1648



**Roger McDivitt**  
 Patagonia  
 259 W. Santa Clara Street  
 Ventura, California 93001  
 Telephone: 805-643-8616  
 Fax: 805-643-1648

**Phillips-Van Heusen Corporation**

**Bruce Klatsky**  
 Chairman, President & CEO  
 Phillips-Van Heusen Corporation  
 1290 Avenue of the Americas  
 11th Floor  
 New York, New York 10104  
 Telephone: 212-468-7200  
 Fax: 212-468-7398

**Arthur Heffner**  
 Executive Vice President,  
 Logistics Services  
 1290 Avenue of the Americas  
 11th Floor  
 New York, New York 10104  
 Telephone: 212-468-7300  
 Fax: 212-468-7338



**Robert Crocco**  
 Executive Vice President,  
 Global Manufacturing & Sourcing  
 1290 Avenue of the Americas  
 11th Floor  
 New York, New York 10104  
 Telephone: 212-468-7050  
 Fax: 212-468-7226

Reebok International Ltd.

→ Sharon Cohen  
Vice President - Public Affairs  
Reebok International Ltd.  
100 Technology Center Drive  
Stoughton, Massachusetts 02072  
Telephone: 617-341-7430  
Fax: 617-297-4806

→ Doug Cahn  
Senior Director, Human Rights Program  
Reebok International Ltd.  
100 Technology Center Drive  
Stoughton, Massachusetts 02072  
Telephone: 617-341-7690  
Fax: 617-297-4806

Peter Friedmann  
Of Counsel  
Lindsay Hart Neil & Weigler  
1201 Pennsylvania Avenue, N.W.  
Suite 821  
Washington, D.C. 20004  
Telephone: 202-467-8383  
Fax: 202-467-8381

Retail, Wholesale and Department  
Store Union, AFL-CIO, CLC

**Lenore Miller**  
President  
Retail, Wholesale and Department  
Store Union, AFL-CIO, CLC  
→ 30 East 29th Street  
New York, New York 10016  
Telephone: 212-684-5300  
Fax: 212-779-2809

→ **Stuart Appelbaum**  
Secretary-Treasurer  
~~David~~ **David Mertz**  
Assistant  
**Adrienne Markowitz**  
Industrial Hygienist  
Retail, Wholesale and Department  
Store Union, AFL-CIO, CLC  
30 East 29th Street  
New York, New York 10016  
Telephone: 212-684-5300  
Fax: 212-779-2809

Robert F. Kennedy Memorial  
Center for Human Rights

→ **Sandra Cuneo**  
Executive Director  
Robert F. Kennedy Memorial Center  
for Human Rights  
1206 30th Street, N.W.  
Washington, D.C. 20007  
Telephone: 202-333-1880, Ext.  
Fax: 202-342-7445

→ **James J. Silk**  
Director  
Robert F. Kennedy Memorial Center  
for Human Rights  
1206 30th Street, N.W.  
Washington, D.C. 20007  
Telephone: 202-333-1880, Ext. 236  
Fax: 202-342-7445  
E.Mail: rfkmem@igc.apc.org

**Abigail Abrash**  
Program Director  
1206 30th Street, N.W.  
Washington, D.C. 20007  
Telephone: 202-333-1880, Ext. 235  
Fax: 202-342-7445

**Tweeds, Inc.**

→ **Martin Brill**  
 President  
 Tweeds, Inc. (a division of Hanover  
 Direct, Inc.)  
 1500 Harbor Boulevard  
 Weehawken, New Jersey 07087  
 Telephone: 201-319-2447  
 Fax: 201-319-3458

**Katherine Hyde**  
 Associate General Counsel  
 Hanover Direct, Inc.  
 1500 Harbor Boulevard  
 Weehawken, New Jersey 07087  
 Telephone: 201-330-3190  
 Fax: 201-392-5005

**Union of Needletrades, Industrial  
and Textile Employees (UNITE)**

→ **Jay Mazur**  
 President  
 UNITE  
 1710 Broadway  
 New York, New York 10019  
 Telephone: 212-265-7000  
 Fax: 212-315-3803

→ **Alan Howard**  
 Assistant to the President  
 UNITE  
 1710 Broadway  
 New York, New York 10019-5299  
 Telephone: 212-265-7000  
 Fax: 212-265-3415

→ **Ann Hoffman**  
 Assistant Legislative Director  
 UNITE  
 815 16th Street, N.W., Suite 401  
 Washington, D.C. 20006  
 Telephone: 202-347-7417  
 Fax: 202-347-0708

Warnaco, Inc.

**Linda J. Wachner**  
Chairman, President and CEO  
Warnaco, Inc.  
90 Park Avenue  
New York, New York 10016  
Telephone: 212-370-8205  
Fax: 212-687-6771

**Phyllis O. Bonanno**  
Vice President, International  
Trade Development  
Warnaco, Inc.  
→ 1455 Pennsylvania Avenue, N.W.  
Suite 525  
Washington, D.C. 20004  
Telephone: 202-737-3800  
Fax: 202-393-1004

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