

Programme of Work for the Sportswear Industry

The proposals below were developed by the ICFTU, ITGLWF, Clean Clothes Campaign and Oxfam as part of the Play Fair at the Olympics campaign. They were first presented to the ILO, the WFSGI, several of its member companies and other organisations at a consultation organized by the ILO on May 25 2004. The organizations supporting the Play Fair at the Olympics campaign welcome all feedback from industry and others.

1. Substantially increase activities that promote freedom of association and collective bargaining, as well as participate in international social dialogue.

1.1. The industry must take positive measures to ensure that people performing work in this industry have the right to form and join trade unions of their own choosing and to bargain collectively with their employers. Such positive measures are particularly important in situations where workers are faced with oppression and can include:

- Provision of clear guidance on what is expected from suppliers concerning compliance with the standards on FoA and CBA, and what constitutes appropriate consultative and representative mechanisms. Such guidance shall be consistent with the meaning of Freedom of Association developed through ILO procedures.
- Open communication of this policy to national governments
- Support for an facilitation training of management, workers and workers representatives (separately and jointly) in freedom of association, CBA and labour-management relations. Such training should take into account the gendered nature of the workforce in this industry. Sourcing companies should ensure the full commitment of suppliers in these initiative.
- Providing paid time-off for worker representatives to participate in exchanges with worker representatives from other suppliers providing the same brands.

1.2. The industry should formally recognize, and engage in dialogue with the organization that represents workers performing work in this industry at the global level by:

- Entering into a formal agreement (framework agreement) to be negotiated between the ITGLWF and the WFSGI and its member companies and signed by the ITGLWF and the WFSGI and its member companies.
- The purpose of the sectoral framework agreement is to establish a mutual relationship, which can facilitate freedom of association and collective bargaining as the preferred mechanism for implementing fundamental employment rights and resolving labour disputes in supplier factories in the sector.
- The sectoral framework agreement will contain a set of standards, which represents best practice from the industry and which makes direct reference to internationally recognized labour standards (ILO and UN declaration of human rights). It shall include all of the human rights standards identified by the ILO as being the fundamental rights at work PLUS the right to a living wage based on a regular working week that does not exceed 48 hours, humane working hours with no forced overtime, a safe and healthy workplace free from harassment, and in a recognized employment relationship with labour and social protection.
- It shall explicitly state that these policies can not be used to weaken any already existing protection for workers established through law or practice (for example by adding that when code and law conflict, the company will follow whichever offers the highest protection to workers).
- A key provision in the sectoral framework agreement shall be access for the ITGLWF to supplier locations of WFSGI member firms for the purposes of facilitating recognition of trade unions of the workers choosing consistent with the principles of freedom of association.
- **The ongoing negotiations of a sectoral agreement shall in no way prejudice present or future efforts within member firms of the WFSGI to meaningfully address the issues of freedom of association and collective bargaining, as outlined under 1.1 and, nor shall it impede or replace any other efforts taken by sportswear companies, individually or collectively, as outlined under 2.1 and 2.2.**

2. Company-based and industry-wide action and cooperation with relevant stakeholders to ensure large-scale, credible and effective code implementation:

2.1: Notwithstanding the successful negotiation of a sectoral framework agreement, improve and align code standards and compliance programmes with best practice in the sector, including:

- Creating management systems to ensure that managerial responsibility is assigned appropriately in ensuring that suppliers are aware of their responsibilities in respecting all of the fundamental rights that people have at work.
- Creating the infrastructure to deal with complaints by recognizing trade unions and providing paid release for trade union representatives to be trained in resolving disputes over employment rights, and developing confidential and accessible means for workers to report exploitation and abuse. Ensuring timely and effective handling of complaints regarding violations.
- Mapping and investigating supply chains and developing mechanisms to ensure that the company knows where and under what circumstances work is performed throughout their supply chains.
- Without prejudicing existing trade unions representation working with credible (local) organizations that have the confidence of workers and their trade unions to conduct, or assist in conducting, social audits or workplace inspections;
- Providing workers with independent education and training concerning their rights at work, and increasing workers participation as well as consultation and cooperation with local trade unions and labour related NGOs in all activities related to code implementation.
- Undertaking concrete activities to promote freedom of association, collective bargaining and credible worker presentation in line with 1.1.
- Increasing transparency about the composition and conditions in the supply chain and about code implementation activities, with priority on ensuring feedback to the workers themselves.
- Addressing the negative impacts that their purchasing practices can have on code compliance by developing more stable relationships with suppliers, providing sufficient lead times so that production can be carried out using humane working hours and by fully reflecting the costs of observing labour standards in the prices that they offer their supplier or in the bids that they accept from suppliers, and ensure that the workers concerned actually benefit.

2.2. Calling for a more active role for the ILO in code implementation and verification

- The industry shall undertake an investigation jointly with the ILO in which the present organization of the industry, in relation to purchasing practices, is considered with a view to publishing a set of recommendations for the industry with respect to lead times and schedules, unit prices, capacity planning and their impact on working conditions.

The investigation should be based upon terms of reference to be jointly agreed by the campaign partners, the industry and the ILO and based on the principle of worker centred research.

- The industry shall press the ILO to take a more proactive role in the whole area of code implementation and verification. This could include the development of standards for social auditing, participation in code implementation and monitoring projects, assisting in capacity building on the ground, the development of curriculum and delivery in training modules, for example for CSR staff of sportswear companies, at its center in Turin and the appointment/accreditation by the ILO of social auditors.

Beyond Geneva

- Publicly and practically support the programme as outlined above
- Seek to collaborate with MSI s already working in the sportswear sector, to increase synergy and to ensure effective use of resources.
- Promote attendance at a regional consultation and planning meeting in Asia in 2004, to be hosted by the ILO, bringing together trade unions, suppliers, sourcing companies and labour-related NGOs
- Support the demands of the campaign towards the IOC, including the insertion of a human rights clause in the Olympic charter and the establishment of a Commission to deal with ethical labour practices along IOC garment supply chains.

The companies and the WFSGI should provide an early indication of their intentions with respect to this programme of work. This could be facilitated by the ILO.