

Border/Line Health & Safety

NEWSLETTER OF THE MAQUILADORA HEALTH & SAFETY SUPPORT NETWORK

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Network Assists Start-Up of Real “No-Sweat” Garment Factory

In mid-February, Network members Garrett Brown and Mariano Kramer traveled to the Dominican Republic to conduct a pre-opening health and safety inspection of Latin America’s first genuine “no sweat” garment factory, AltaGracia, being established by South Carolina-based Knights Apparel.

The cut-and-sew operation for T-shirts and “hoodies” destined for the US university logo market is paying three times the prevailing wage of garment workers in the DR’s 27 “free trade zones,” will have an independent, member-controlled union, and is working toward establishing world-class health and safety working conditions.

MHSSN Coordinator Brown and Kramer, a recently retired safety engineer from Cal/OSHA who was the coordinator of the regulatory agency’s

enforcement efforts against garment sweatshops in Los Angeles, met with the management and the workforce, and conducted a walk-around of the new facility.

Current plans for the facility, located in the interior of the island nation, are to have four production modules with about 100 workers by the fall of this year, so that Knight Apparel can offer its university clients logo shirts and sweatshirts made under decent conditions by a highly-paid, union workforce.

The “sweat free” factory is the brainchild of the Workers Rights Consortium (WRC), a Washington-based research and investigation non-governmental organization that is funded by over 170 US universities and “no sweat” purchasing
(See “No-Sweat”, page 3)

Factory Fires Kill Again and Again and Again...

Just short of the 99th anniversary of the 1911 Triangle Shirtwaist factory fire in New York City that killed 146 women garment workers, yet another factory fire in Bangladesh has killed two dozen women garment workers in the year 2010.

The factory produced clothing for well-known European retailers who all have elaborate corporate codes of conduct “verified” by equally elaborate for-profit “independent, third party” code monitors routinely providing the “corporate social responsibility” seal of approval on operations that clearly operate as death-traps.

CSR is now a \$40 billion industry around the world involving dozens of consulting companies, code monitoring schemes, annual conferences, periodicals, books and websites. None of which – apparently – have succeeded in keeping “CSR-compliant” international brands from routinely

sourcing their products from factories that everyone knows are “immediately dangerous to life and health.”

Bjorn Claeson, of the US-based SweatFree Communities, wrote the following blog entry after the fire, which is worth reprinting here:

Close to 10 p.m. on Thursday, February 26, 2010, twenty-one workers died when the Garib & Garib Sweater Factory in Gazipur, Bangladesh, caught fire for the second time in six months. Local news media reported thick black smoke caused by burning acrylic yarn spreading throughout the building. Lasting nearly two hours, the fire consumed the oxygen in the air, suffocating the workers. The smoke could not get out because the building was poorly ventilated. Workers could not escape because exits were locked. Fire fighters had to cut the window

(See **Factory Fires**, page 4)

Letter from the Coordinator

As foreshadowed in our December 2009 newsletter, push has come to shove for the copper miners in Cananea, Mexico, where our Network did a plant safety walk-around and a health status evaluation of 70 miners in October 2007. On February 11th, a labor relations court in Mexico declared the strike of copper miners in Cananea, Sonora, “nonexistent” after 2.5 years, paving the way for the employer, Grupo Mexico, to fire all strikers and tear up their union’s contract.

The miners have declared they will not relinquish the plant – under Mexican law the striking union takes control of the workplace in officially recognized strikes – raising the possibility of violence and bloodshed if the government sends armed police or troops to re-open the

mine for Grupo Mexico. The miners union has filed additional legal motions for a stay, but it is unclear whether the usually final ruling of this court can be challenged.

Our Network’s health and safety survey, just four months after the miners went on strike in July 2007, found serious, life-threatening hazards throughout the mine and processing plants. Our report can be found at: <http://mhssn.igc.org/CananeaOHSReport.pdf>

A defeat for the health-and-safety-conscious miners union would be a major blow to efforts of Mexican workers to have a say about their job conditions, and especially efforts to improve health and safety. The stakes in Cananea have been widely recognized within Mexico, and also internationally by the

International Metalworkers Federation (IMF) in Europe, and the United Steel Workers union and the American Center for International Labor Solidarity in the United States.

For news, analysis, and information on solidarity efforts, please see the websites of the Mexican Labor News and Analysis newsletter (http://www.ueinternational.org/Mexico_info/mlna_articles.php?id=168), the IMF (www.imfmetal.org/index.cfm?n=663&l=2), and ACILS (www.solidaritycenter.org/content.asp?contentid=1041)

If the Mexican government and Grupo Mexico succeed in destroying the miners union in Cananea, it will be bad news for miners and other workers concerned about workplace health and safety everywhere. ■

**Check out our website
for archived newsletters,
updated resource lists,
and more.**

www.igc.org/mhssn

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The Support Network has an extensive Reading and Resource List posted on the web site: www.igc.org/mhssn

Taiwan Toxics Campaign Looking for US Researchers

A lawsuit by 529 former workers, or their survivors, against RCA Inc. in Taiwan for toxic exposures resulting in illness and deaths, including cancer, has reached a critical stage after 12 years. The case went to trial last November and technical support is needed to match the resources available to such a wealthy and politically-connected transnational corporation as RCA.

Professor Hsin-Hsing Chen at Shin-Hsin University in Taipei is appealing to US-based graduate students and academics for critical assistance. “A pressing task at hand is research in various related fields of science and law. Some academics in Taiwan’s STS [science and technology studies] community are working to organize a concerted multi-disciplinary research effort in support of the litigation.”

“We have researchers from medical schools, law schools, public health, science and technology and sociology departments, and even a philosopher of science in the team right now. This collective effort can be greatly enhanced if one or more researchers in the US can join us and devote significant amount of his/her time and energy on the case, possibly a graduate student working toward a degree thesis, or a law student working as part of her internship.”

Among the topics needing research are the “history of litigations and settlements of RCA/GE regarding pollution and occupational disease generated in their electronics manufacturing; profiles of the company’s possible expert witnesses; research regarding carcinogens in electronics manufacturing; toxicology; occupational medicine; epidemiology; environmental science, etc.; particularly recent research on the effects of ‘toxic cocktails,’ and academic and legal arguments against the Daubert decision” in the US.

Please contact Professor Chen directly at dkchen@seed.net.tw for more specifics and how to plug into the ongoing research team.

("No-Sweat", from page 1)

programs of cities like Los Angeles and San Francisco. The WRC spends a lot of its time investigating reports of labor rights violations (including occupational safety and health) at factories claiming to be in "full compliance" with corporate and university codes of conduct as "verified by rigorous independent code monitoring" organizations.

As a result, the WRC has proposed for years establishing a genuine "sweat free" garment plant that could produce quality clothing and eliminate the frequently reoccurring scandals for universities and public institutions when reportedly "no sweat" factories producing logo goods are found to have significantly sub-standard conditions.

The AltaGracia plant is located in the factory site where a long battle over working conditions and labor rights occurred over the past decade with a company called "BJ&B." Some of the workers in the new plant are veterans of the BJ&B factory, and the union organizing the new workforce is part of a national union federation with contracts in free trade zone plants in the garment, textile and electronics industries.

Paying a significantly higher wage than other garment plants will allow the

AltaGracia project to attract a skilled and stable workforce able to produce high quality garments. This advantage, plus the attractiveness of purchasing from a genuinely "no sweat" factory for the student and public agency market, should allow for a profitable and sustainable operation that produces benefits, in the WRC's game plan, for Knights Apparel, the plant management, and the workers.

Although operations were just beginning in February, Brown and Kramer were able to identify several electrical hazards and other safety issues on site. Plant management has taken the goal of safe conditions seriously from the start, installing all-new electrical for the facility and purchasing top-of-the-line chairs for sewing machine operators to reduce ergonomic stressors.

As per Dominican law, the plant will establish a joint management-labor health and safety committee to conduct periodic safety inspections, perform accident and hazard evaluations, and coordinate training for the workforce.

The second of two planned OSH-assistance visits to the AltaGracia plant will occur this summer when production is increased, and it is possible that



an initial training of members of the safety committee will occur during the visit, with a series of committee trainings planned for the future.

While in the country in February, Brown and Kramer also met with officials of the union federation which will represent AltaGracia workers, with staff members of a leading labor rights organization on the island, Fundación Laboral, and with workers at one of the country's two full-scale textile mills, who described a variety of serious health and safety problems at their facility.

Leaders of both the union federation, which represents employees at nine factories on the island, and the Fundación Laboral, which assists workers in defending their rights in many workplaces, are interested in increasing their organizational capacity and knowledge in workplace health and safety issues. In March, our Network sent a shipment of key Spanish-language OHS materials to both the union federation and Fundación Laboral, and discussions are underway about a series of trainings to boost their staff members' understanding and skills in the OHS arena.

Any Network member interested in future activities in the Dominican Republic should contact coordinator Garrett Brown at garrettdbrown@comcast.net. ■



(Factory Fires, from page 1)

grills to get in, hampering rescue efforts. The factory's own fire-fighting equipment, they report, was "virtually useless."

Swedish news media quoted a surviving worker, Abdul Momin, who lost an aunt in the fire: *Everyone who worked on the top floor died, because the exits were locked. All of them were women. They were trapped and they suffocated.*

Garib & Garib makes sweaters for major apparel brands and retailers, including Swedish H&M, Canadian Mark's Work Wearhouse, and Italian Terranova. These retailers assure consumers their brands are safe-to-buy, pointing to codes of conduct for factory suppliers, factory auditing, and ethical sourcing programs.

Mark's Work Wearhouse explains that they conduct "social compliance audits, mainly with our partner Bureau Veritas (BV), based on BV's audit standards, which follow the International Labour Organizations (ILO) base standards."

H&M boasts: "Since 2005 H&M has been an accredited company in the Fair Labor Association (FLA). ... Our participation in the FLA is a way of demon-

strating to our stakeholders how well our follow-up work in the factories is working. ... We also use the results from the FLA's audits as a benchmark in order to ensure the quality of our internal monitoring program."

Yet, one may wonder if fires have now become part of apparel companies' business equation for Bangladesh. In the aftermath of Thursday's fire, The Daily Star published this (incomplete) list of recent garment factory fires in Bangladesh:

- 62 killed at KTS Garments, Chittagong 2006
- 32 killed at Saraka Garments, Dhaka 1990
- 24 killed at Shanghai Apparels, Dhaka 1997
- 23 killed at Macro Sweater, Dhaka 2000
- 23 killed at Chowdhury Knitwear, Narsingdi 2004
- 23 killed at Shan Knitting, Narayanganj 2005
- 22 killed at Lusaka Garments, Dhaka 1996
- 20 killed at Jahanara Fashion, Narayanganj 1997
- 12 killed at Globe Knitting, Dhaka 2000

The Daily Star reminds its readers that just six months ago a fire broke out

at the very same factory, Garib & Garib, killing a fire fighter. "Locals and firefighters said the owners do not seem to have learned much from the fire in the same building six months back," the paper reports. Nor have the apparel brands. All their factory audits seemingly could not prevent another tragedy.

Factory fires in Bangladesh are the predictable outcome of the lethal "low-price-at-any-cost" business model that ignites a race to the bottom in which Bangladesh is one of the victors, claiming "ground zero" in working conditions. More than 4,000 factories and two millions workers in Bangladesh now toil at ground zero at a terrible cost to human lives.

In the aftermath of the fire, the apparel brands and others will investigate and discussion will focus on faulty equipment, lack of training and fire-drills, and perhaps there will be concerns raised about locked exits and poor ventilation. But there are bigger questions that must not be missed:

- Why do factory audits fail to prevent fires?
- Why are the fires so common?
- Why do we allow workers in Bangladesh to subsidize the cost of clothing we buy?
- How much do they pay—in poor working and living conditions—for every item of cheap clothing we buy?
- Why does the garment sector in Bangladesh continue to grow despite the fires and despite the abusive working conditions that nobody—not even the brands themselves—deny?
- Why were workers still in the factory at 10 p.m.? Why were they locked in?

Until we ask such questions—and get honest answers—garment factories will continue to burn and workers will die. Garib & Garib reportedly will be open for business again as soon as this Tuesday, just five days after the fire, the list of dead workers now just a hazy blur, a temporary interruption and an acceptable cost of business. According to a company director, the factory is "fully compliant." ■

NETWORKING NOTES

- Our Network sent shipments of key occupational health and safety materials to grassroots organizations of "free trade zones" in Cambodia and the Dominican Republic. The shipping costs were generously donated by the Berkeley-based Hesperian Foundation. Recipients of the materials in Cambodia included the labor program of the Community Legal Education Center, while DR recipients included the Fundación Laboral and the Free Trade Zone Workers Federation.
- As the Olympic torch passed from the 2010 Vancouver Winter Games to London for the 2012 Summer Games, the "Playfair 2012" coalition launched an international campaign. The global coalition involves unions, human rights and anti-sweatshop groups, and is asking the London Olympics organizers to ensure that sportswear for the event is made in decent and ethical working conditions. Information is available at: www.playfair2012.org
- Network Coordinator Garrett Brown spoke at the University of Washington in Seattle in February on the topic of "Why global supply chains are full of sweatshops...and how we can end them" as part of a seminar series in the School of Public Health.
- The first quarter 2010 lists of new resources have been posted on the Network website, including a references for articles and reports on China, Chinese factory reports, corporate social responsibility, global development and poverty, global electronics industry, global factory reports, global OHS resources, and Mexico.

CJM and Allies File Complaint with ILO Over Rights Violations

On February 22nd, the Coalition for Justice in the Maquiladoras (CJM), the Telephone Workers Union, the Democratic Lawyers Association (ANAD) and other labor and human rights organizations presented a complaint to the Freedom of Association Committee of the International Labor Organization (ILO) meeting in Mexico City.

The complaint describes a persistent and systematic pattern of violations of workers' right to form unions (freedom of association) and to bargain collectively, which are established by the Mexican Constitution, the Mexican Federal Labor Law, and ILO Conventions 87 and 98. Among the cases profiled in the complaint are violations that occurred in plants run by US-based and Asian multinational corporations, including Sony, Han Young (Hyundai), Custom Trim (GM, Ford and Chrysler), DURO (The Gap), LAJAT (Levi's), and KSS (GM, Ford and Chrysler).

Our Network was directly involved in assisting workers to file complaints under the "labor side agreement" of the North American Free Trade Agreement (NAFTA), and in testifying in public hearings, with the Han Young and Custom Trim cases. Details of these cases are posted on our website at www.igc.org/mhssn.

The ILO complaint will throw a spotlight on the standard practices of multinational corporations and the Mexican government to prevent maquila workers from forming their own unions and bargaining collectively to improve working conditions. Presently, many foreign maquiladora operators sign "protection contracts" with "ghost unions" even before the plant is built.

The ghost union – usually an affiliate of one of Mexico's corrupt "official" unions – agree to whatever terms are acceptable to the transnational establishing the maquila, thus "protecting" the interests of the employer. The plant's workers, a large majority of whom are women and often migrants from other

regions in Mexico, have no idea that there is a union and contract on site. If the workers independently attempt to organize a member-controlled union, they are blocked from doing so because Mexican law allows for only one union to exist at a given facility.

Leaders of worker efforts to improve their wages and working conditions are frequently subjected to on-site harassment, firings and blacklisting by multinational corporations. Such reprisals are illegal under Mexican law and ILO conventions, but are commonplace in the 3,000-plus maquiladoras on the US-Mexico border operated by well-known US and Asian corporations.

The next steps in the ILO complaint process is an evaluation by the ILO staff and a public hearing on the charges.

To keep up with developments in the ILO complaint, and the ongoing CJM campaigns to support maquila workers on the border and throughout Mexico, see the group's website at www.coalitionforjustice.net ■



New Resources on the Web

There is a growing list of websites, both academic and activist, with top quality reports and analysis of trade agreements (such as NAFTA and CAFTA), the trade and investment aspects of anti-poverty development programs, and global cottage industry known as "corporate social responsibility" (CSR).

Among the most useful of these websites, some longstanding and some new, are:

- Global Development and Environment Institute at Tufts University (GDAE). This research center has particularly good reports on NAFTA and its impact. They also just launched a "Triple Crisis" blog focusing on simultaneous crises in finance, development and the environment. Find GDAE at: <http://ase.tufts.edu/gdae/>
- The Labor and Worklife Program at Harvard Law School, which includes the Harvard Trade Union Program and features numerous studies on global working conditions and rights. Find LWP at: <http://www.law.harvard.edu/programs/lwp/>
- The Institute for Policy Studies and the Democracy Center have launched a new website on "just investment" in the global economy. The clearinghouse of information in English and Spanish is designed for activists, policy makers and academics on international trade and investment agreements, and the major but often invisible impact they have globally. Find Just Investment at: <http://justinvestment.org/>
- US journalists downsized from print publications have increasingly established on-line publications that exist only in cyberspace. One new entry that is focused on health and safety issues facing consumers and workers is "FairWarning," which was launched in March. The site will cover both national and international workplace safety stories and related topics of CSR and government accountability. Find FairWarning at: <http://www.fairwarning.org/>

International Campaign Launched Over Samsung Cancer Deaths

On March 2nd, families and friends of more than 20 young workers who have died of cancer at semiconductor plants run by the Korean electronics giant Samsung corporation launched an international campaign to get Samsung to take responsibility for the deaths and improve working conditions.

The sponsors of the Samsung campaign include SHARPS – Supporters for the Health and Rights of People in the Semiconductor Industry, the Korean Metal Workers Union (KMWU), the Asian Network for the Rights of Occupational Accident Victims (ANROAV), and the International Campaign for Responsible Technology (ICRT).

A public petition is being circulated by the groups calling on Samsung to “accept responsibility for the hazards of semiconductor manufacturing, compensate those harmed, and prevent future

suffering and mistreatment of workers by making Samsung a toxics-free model workplace.” More than 900 individuals and organizations world-wide have signed the petition, as of March 31st.

Campaigners have pointed out that the pattern of cancer deaths at Samsung bears a striking resemblance to the pattern of cancer-related illness and deaths at semiconductor plants in the United States, Scotland and other parts of the global electronics supply chain. A scientific journal analysis of the famous IBM “Corporate Mortality File” of semiconductor cancer deaths at IBM can be accessed at www.ehjournal.net/5/1/30

March 6th was the third anniversary of the death of Yu-mi Hwang, a Samsung factory worker who died from leukemia at age 22. Two of her co-workers also developed cancer and died before the age of 25 in the same Samsung department where various solvents and production chemicals are used. A video about the Samsung workers’ deaths and their families is posted at <http://dotsub.com/view/6147f3b8-99fc-48c2-acbe-d95be38eddd1>

On March 31st, another young worker at Samsung lost her life. Park Ji-Yeon started working at the Onyang semicon-

ductor factory and was diagnosed with leukemia at the age of 21. After a painful two year battle against cancer, she died at the age of 23 on the last day of March.

Additional information on the international petition is available at www.amrc.org.hk/node/1377/

Samsung has also been targeted recently by environmental campaigners who say that the company has broken promises to remove carcinogenic polyvinyl chlorinated compounds (PVCs) and brominated fire retardants (BFRs) from its products and production processes.

On March 3rd, Greenpeace climbers scaled Samsung’s European headquarters building in Brussels, Belgium, and hung a giant banner reading “Samsung = Broken Promises” on the structure. In 2004, 2006 and 2007, Samsung promised to remove PVCs and BFRs from its products by 2010, but last year admitted the chemicals are still in its products and production plants, and will be throughout 2010.

Information on the Greenpeace challenge to Samsung is posted at www.greenpeace.org/international/campaigns/toxics/electronics/ ■

ANROAV 2010 — Save the Date

The 2010 conference of the Asian Network for the Rights of Occupational Accident Victims (ANROAV) will be held in Bandung, Indonesia on October 18–20, 2010. A US delegation is now forming to participate — including our Network, the International Campaign for Responsible Technology, the UC Berkeley Labor Occupational Health Program, and members of the national network of Committees/Coalitions for Occupational Safety and Health (COSH). A report on the 2009 ANROAV conference in Phnom Penh is available at: http://www.anroav.org/images/stories/ohsrights/newsletter_q3.pdf

For more information on the conference, and how to join the US delegation, please contact Network coordinator Garrett Brown at garrettdbrown@comcast.net.

Quotes of the Month

“We know that in developed countries, workers can voice their demand on work conditions, wage levels and benefits, etc., through the trade union, and they can go on strike if the dispute is not resolved. However, trade unions in China’s foreign-funded enterprises are basically in a state of paralysis. What’s more, some enterprise unions have become a tool with which the foreign boss can abuse the workers, a machine to squeeze out their blood and sweat. This is certainly something to think about.”

— Tan Haojun, commentator on the China State Council’s official news network, China.com, February 4, 2010.

“These [corporate] codes of conduct are new tools that every [electronics] brand will have, and they feel so proud of themselves. But the codes have limits. To see fundamental change, you have to get labor groups involved and gain the trust of the workers. Otherwise it’s just a cat-and-mouse game between auditors and suppliers.”

— Jenny Chan of SACOM – Students and Scholars Against Corporate Misbehavior, in Global Post’s five-part special report on “Silicon Sweatshops,” November 17, 2009.