UN Forum on Business & Human Rights
Session *"Multi-stakeholder engagement across all three pillars (case studies)"*
Wednesday, 18 November 2015, 15:00–16:20, Room XX
Note prepared by the Coalition of Immokalee Workers

THE FAIR FOOD PROGRAM (FFP) CASE – UNITED STATES

1. BACKGROUND

In the early 1990's, farmworkers united to build a foundation of community organization that sought to address human rights issues such as forced labor, sexual harassment, workplace violence, human trafficking, retaliation, and wage theft in South Florida's tomato fields. This movement gave birth to the Coalition of Immokalee Workers (CIW). After years of fighting for better working conditions through activism and protests, the CIW recognized that in order to truly address the inequities and abuses making up their daily lives, they had to get the attention of those at the top of the industry. They realized their poor working conditions and squeeze on wages were directly shaped by the multi-billion dollar brands on the retail end of the industry, who are able to leverage their volume purchasing power to demand ever-lower prices, which resulted in the downward pressure that ultimately created the deplorable conditions under which they labored.

In 2001, the CIW established their Campaign for Fair Food, a campaign to affirm the human rights of tomato workers and improve their working conditions. The Fair Food Program (FFP), established across more than 90% of the Florida tomato industry in 2011, emerged from this successful campaign. Overseen by the Fair Food Standards Council (FFSC), the FFP enlists the resources of participating food industry leaders to improve farmworker wages and harnesses their demand to reward growers who respect their workers' rights.

The FFP brings together workers, consumers, growers, and retail food companies in support of fair wages, and humane labor standards in the agricultural industry. The program is premised on risk prevention, supply chain transparency, and the verifiable, market-enforced protection of workers' rights. The program also established a human rights-based Fair Food Code of Conduct, including zero tolerance for forced labor, child labor, violence, and sexual assault; worker-to-worker education sessions conducted by CIW on farms; a worker-triggered complaint resolution mechanism leading to investigation, corrective action plans, and if necessary, suspension of a farm's Participating Grower status, and thereby its ability to sell to Participating Buyers; health and safety committees on every farm to give workers a structured voice in shaping a safer, more humane work environment; concrete changes in harvesting operations to improve overall wages and working conditions; and ongoing comprehensive audits of Participating Growers' operations by the FFSC to ensure compliance with each element of the program.

Today, the CIW and the FFSC are domestically and internationally recognized for their achievements in the fields of social responsibility, combatting human trafficking and gender-based violence at work, and creating what's been called "the best working environment in American agriculture.

2. KEY HUMAN RIGHTS ISSUES AND IMPACTS

Throughout American history, immigrants from all corners of the world have cultivated and harvested the food we eat. In many sectors of U.S. agriculture, cultural differences create separate, but coexisting worlds where acceptable minimums sink ever lower, benefiting only those at the top of the food chain, who continually want more for less. Ultimately, this leaves the worker permanently perched at the bottom rung of the ladder, where poverty and humiliation are the norm, modern-day slavery and sexual violence the extreme.

Corporate social responsibility has, and will continue to, make in impact on worker and human rights in the US. However, while measuring – or more accurately, verifying – the claimed impact of current social responsibility initiatives is certainly necessary, it is by no means sufficient if we are to get at the root of the growing human rights crisis from the factories of Bangladesh to the seas of Thailand and the fields of Mexico and the United States. The lack of effective mechanisms for worker participation and enforcement render the vast majority of traditional CSR programs ineffective, leaving millions of workers vulnerable to continued human rights violations without hope of remedy.

The success of the CIW's Worker-driven Social Responsibility model has made one thing very clear: **The single most important measure of a human rights program is an assessment of its enforcement mechanisms and the role of informed workers in the function of those mechanisms.** It is only through true and verifiable impact measures that the necessary changes in business operations and supply chain compliance will be achieved.

3. LINK TO "PROTECT, RESPECT AND REMEDY"

This is a highly sophisticated example of the UN's "Protect, Respect and Remedy" Framework in practice. . The CIW coalesced and grew from a grass-root belief encompassing these three pillars, meaningfully applying them to address specific impacts and create sustainable solutions. Bringing respect to those who put food on our tables by protecting their rights is the basic tenet by which many of us operate. But it's the remedies, made possible through the market consequences for human rights violations, rooted in binding legal contracts between the worker organization and the retail purchasers, that ultimately squash the disrespect and vulnerability suffered by so many.

There are those of us – the CIW and the FFSC, the US Department of Labor, and responsible, private corporations such as Compass-USA – that will never stop working to address and deliberately eliminate these issues with unwavering focus and resolve. The impact that the CIW and the FFSC have made in Florida's tomato industry – and beyond – is tried and true. Collaboratively, we seek to amplify and expand their efforts until we institutionalize a change in how we all measure *humane* human and workers' rights.

Speakers:

- Greg Asbed, Coalition of Immokalee Workers
- Cheryl Queen, Compass Group
- Miguel Rios, US Labor Department