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SOCIAL CHANGE

The Fair Food Program: Worker-Driven Social Responsibility for the 21st Century

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by Greg Asbed and Sean Sellers

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Farm workers pick tomatoes at Taylor & Fulton Tomatoes on Thursday, March 30, 2006, in Immokalee, Florida. (AP Photo/Luis M Alvarez)

This post originally appeared at [TalkPoverty](#).

When the [Coalition of Immokalee Workers](#) (CIW) announced its [historic agreement with Wal-Mart](#) on January 16, 2014, Alexandra Guaqueta, the chairwoman of the United Nations Working Group on Business and Human Rights, traveled from Bogota, Colombia, to Immokalee, Florida, and read a statement on behalf of the UN. She said, "We are here to support the Immokalee workers and the [Fair Food Program](#), which offers such promise for us all." She went on to praise the Program as a "ground-breaking accountability arrangement" comprised of a "smart mix of tools" and "closely aligned with the UN Guiding Principles on Business and Human Rights." Finally, she expressed the UN's eagerness to see the Fair Food Program "serve as a model elsewhere in the world."

Since its inception in 2011, the Fair Food Program has been in operation in more than 90 percent of Florida's \$650 million tomato industry and the changes it has achieved in just three years – identifying and eliminating the bad actors and bad practices that plagued Florida's fields for decades and establishing new

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practices and policies that promote a safer, more humane workplace – have been astonishing.

In a recent [front-page feature](#) in *The New York Times*, Rutgers labor studies professor Janice Fine called the Fair Food Program “the best workplace monitoring program” in the US, while Susan Marquis, dean of the Pardee RAND Graduate School, noted, “Now the tomato fields in Immokalee are probably the best working environment in American agriculture. In the past three years, they’ve gone from being the worst to the best.” The contrast between the Florida tomato industry and other sectors of US agriculture is now stark, a fact that workers themselves are quick to note as they move from crop to crop throughout the year.

Prior to the launch of the Fair Food Program, labor conditions in the Florida tomato industry – including stolen wages, forced labor and slavery, sexual harassment and rape and endemic violence – were among the most abusive found anywhere. In 2008, Senator Bernie Sanders stated, “I think those workers are more ruthlessly exploited and treated with more contempt than any group of workers that I’ve ever seen and I suspect exist in the US.” He added, “the norm is a disaster, the extreme is slavery.” Senator Sanders was right. In the fifteen years before the inception of the Fair Food Program, the US Department of Justice prosecuted [nine cases of modern slavery](#) in Florida, involving more than 1,200 workers and resulting in prison terms of up to 30 years. Seven of those prosecutions were done with the help of the CIW. Conditions were so bad that, in 2003, one federal prosecutor described Florida’s fields as “ground zero for modern-slavery.”

But there have been no cases of modern-day slavery on Fair Food Program farms since the inception of the program, thanks to the severe market consequences for violators of its zero tolerance policy for forced labor. And today, the Fair Food Program is poised to expand. Demands on the Program to share its many lessons for the effective protection of human rights in corporate supply chains – as well as to scale up and expand its reach – are growing daily, as news of the model makes its way out of the fields of Florida to communities of workers and human rights organizations from California to Bangladesh.

What is the Fair Food Program?

How did a program born in the small, hardscrabble farmworker community of Immokalee, Florida, become a leading model for the protection of human rights on the global level?

Perhaps the best way to answer that question is to ask another question: “What if workers designed a social responsibility program to protect their *own* human rights?” What would such a worker-designed social responsibility program look like?

The Fair Food Program is the answer to that question. Take a moment to think about workers in any labor-intensive industry – garment, assembly, agriculture – given the time and space to study past social responsibility efforts and to build their own from scratch; sitting together, arguing, agreeing and ultimately

and establishing new practices and policies that promote a safer, more humane workplace – have been astonishing.

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constructing a program to protect their own rights from the bottom up. Some of the elements that might emerge from such a process would likely include:

A Code of conduct with real rights: With actual workers creating their own code of conduct, it would extend beyond requiring compliance with generic standards like those of the International Labor Organization or local laws and regulations. Workers would include concrete wage increases and identify industry-specific reforms that simply wouldn't occur to outside architects of social accountability programs. For example, requiring unpaid work – in agriculture, workers were forced to overfill buckets when paid by the piece – would be prohibited. Only workers know the more subtle forms their exploitation has taken over the years – the schemes designed by their employers – which comprise the net that has trapped them in poverty for decades.

Enforcement as important as the standards themselves: Most corporate social responsibility programs pay lip service – at best – to the need to enforce their standards, but a worker-designed program would put the emphasis on enforcement, because the very reason for building the program is to end longstanding abuses, not just to elaborate an attractive set of new rights. The enforcement system would feature an important, driving role for workers themselves, including: a grievance procedure with easy access for workers and an efficient and effective response to worker complaints; wall-to-wall worker education, so that workers themselves can be the 24-hour monitors needed to ensure compliance – if all workers are informed of their rights, abusers have nowhere to safely ply their trade; an audit process that gets behind closed doors and into the records and policies that workers themselves can't access, because there is always a percentage of abuses that are outside the sight of the workers, like systematic minimum wage theft through the doctoring of hours.

Enforcement with real teeth: Workers know that the most direct route to getting their employers' attention is through their bottom line. So workers would make sure there are real, measurable financial consequences for any human rights violations – market consequences – the ultimate hammer behind the enforcement of their rights.

These are some of the elements that a worker-developed social responsibility program would include and those are the principal elements that comprise the Fair Food Program's uniquely successful model.

Theory Meets Reality

Fortunately, we know that this theory of a worker-designed social responsibility program is not simply an idea – it's now tested and proven to work. In the fields of Florida, a place once called “[ground zero for modern-day slavery](#)”, the Fair Food Program is now in its third season of operation and the results are an unprecedented success. To date:

- The CIW has educated approximately 20,000 workers, face-to-face, on their rights within the program;
- Workers have brought forth over 500 complaints under the Code of Conduct, resulting in the resolution of abuses ranging from sexual harassment and verbal abuse to wage violations;

- The Fair Food Standards Council (FFSC) – the third-party created to monitor and enforce the Fair Food Program – has conducted over 100 comprehensive audits, visited 50 farm locations and interviewed approximately 7,000 workers to assess Participating Growers’ implementation of the Fair Food Code of Conduct; and
- Participating Buyers have paid over \$14 million in Fair Food Premiums to boost workers’ sub-poverty wages.

Lastly, there have been no cases of slavery uncovered at Participating Growers’ operations. This absence of slavery cases has held despite the fact that the Fair Food Program has dramatically increased transparency at the farm level. FFSC investigators have significantly more access to workers than ever before and workers now know their rights and have access to an effective complaint mechanism. In fact, it is precisely because of this significantly increased transparency – and because growers know they will lose the right to sell their tomatoes to twelve of the largest tomato buyers in the world if forced labor is found on their farm – that slavery is, finally, a thing of the past on Fair Food Program farms.

Wal-Mart’s entry into the Fair Food Program has set the stage for the Program’s expansion – both beyond the Florida border and into other crops – in the coming months and years.



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