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Understanding Worker-driven Social Responsibility

Members of the Home-Based Women Workers Federation demand brands sign the International Accord to protect workers in Pakistan. Source: HBWWF

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What Is Worker-driven Social Responsibility?

Worker-driven Social Responsibility (WSR) is a successful model for protecting the human rights of workers in the Supply Chains of large companies. It is worker-driven because workers design and oversee the program and because the model is designed to empower workers to act as frontline monitors of their own rights in the workplace. It uses the purchasing power of participating Buyers to: protect workers against retaliation when identifying possible violations; ensure access to the workplace for auditors and complaint investigators; and drive Suppliers' cooperation and compliance with the program's standards. The following sections define WSR terms, explain the overall concept, and set forth its essential features.

*LEFT: A union leader in Bangladesh holds a sign in support of the International Accord.
Source: Kristof Vadino*

*RIGHT: A fisher in northeast Scotland, the site of a pilot program for WSR, repairs nets on a day in the dock.
Source: CIW*



Key WSR Terms



Agreement

A WSR Agreement is an enforceable contract between worker organizations at the bottom of a Supply Chain and a Buyer or Buyers at the top. The Agreement contains written commitments that the signing parties have made to each other. If a party does not meet its commitments in the Agreement, the other party can go to court or an arbitration panel to enforce them.



Buyer

Buyer refers to the entity at the top of a Supply Chain that buys the finished product or service, which it then sells to consumers. Who the Buyer may be depends on the industry. In the garment industry, for example, the Buyer may be a company that owns a brand name, such as Nike or Levi's. In the agricultural industry, Buyers can include, for example, a restaurant chain, such as McDonald's or Starbucks; a consumer goods manufacturer, such as Mars or Unilever; or a grocery store chain, such as Walmart or Aldi. In construction, a Buyer might be the developer of a real estate project. In some cases, a government entity can be a Buyer, for example if a city school district buys food for its lunch program or if a local government funds a public housing project.



Code of Conduct

A worker-driven Code of Conduct is the set of workplace requirements that the WSR program exists to enforce. The binding Code represents workers' own definition of dignified labor conditions in their industry and thus is distinct from a corporate-defined supplier code of conduct with no enforcement mechanism. The contents of the Code are informed by workers' lived experiences of abusive working conditions and also draw from universal labor and human rights principles. When it comes to implementation, the Code must be sufficiently detailed so that the Suppliers who are subject to it understand what is required of them. Reaching this level of detail may require referencing relevant local laws and regulations and international labor standards, and having gaps and weak points filled in with input from relevant experts working in collaboration with workers and unions, whose input is essential in shaping standards that go beyond existing law.



Supplier

In the WSR model, Supplier refers to the entity that provides a product or service to a Buyer. Who the Supplier may be depends on the industry. In the garment industry, Suppliers can include factories where cloth is cut and sewn into clothes, mills where cloth is woven and dyed, and farms where cotton is grown or sheep raised for wool. In the fast-food, grocery retail, or consumer goods industries, Suppliers include farms where food is grown. For WSR programs in the construction industry, Supplier refers to the labor contractors who recruit the workers needed for a particular project.

Supply Chain

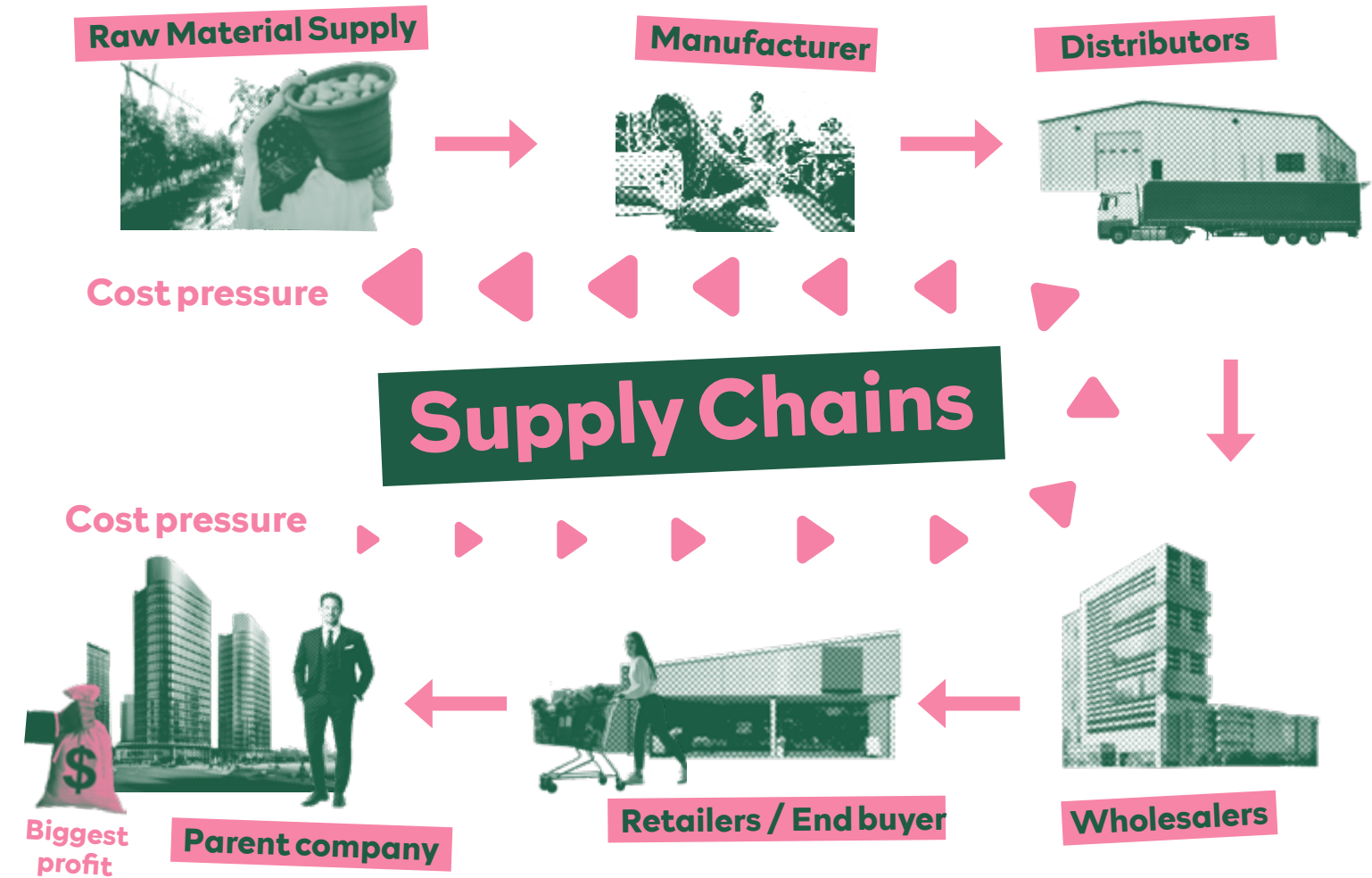
A Supply Chain is a series of companies and people that are linked together in the production and delivery of a product or service. It is basically all of the steps required to get a finished product or service to a customer. Links on the chain begin with the producers of the raw materials (cotton, for example) and end when the final product (a t-shirt, for example) is delivered to the consumer. In WSR in the construction industry, the Supply Chain refers to all of the subcontractors who recruit the workers needed for the different parts of a large construction project.



The Big Idea: Using Buyer Power for System-wide Change

Often in our global Supply Chains, low-wage workers labor in workplaces where their immediate bosses have limited control over the big issues that shape those workplaces. Where the WSR model has been adopted, it provides workers a way to hold Buyers accountable for the consequences of their purchasing practices. For example, when a Buyer maximizes its profit by paying the lowest possible price to a Supplier (a garment factory, for example), the Supplier might then try to protect its profits by keeping operating costs low. This cost-cutting can take many forms, such as paying workers exploitative wages, failing to maintain worker housing, or foregoing safety equipment or procedures, among others.

As a worker organization, the effects of these cost-cutting measures are probably familiar to you: workers who are not paid for all of the hours they work, factories with safety hazards, or workers who are injured due to lack of personal protective equipment, among other problems. These abuses are compounded when combined with the discrimination based on gender, immigration status, language, etc. that most low-wage workers already experience. Workers also face verbal and physical abuse and retaliation if they speak out.



“We had been trying to figure out a way to have protections for workers. And how we were doing it was going farm-by-farm, case-by-case. But there is a point when you realize that you can change the situation in a farm, and it ends with that case. If the workers leave and new workers come, then a new case is going to start because it doesn’t assure you that the farm is going to continue with the good changes that they gave to workers . . . And that’s why we had to create an alternative.”

– Marita Canedo, Migrant Justice

Rather than address these abuses one by one at individual worksites, the WSR model focuses on the Buyers at the top that ultimately buy the goods that workers produce. With WSR, workers define a workplace Code of Conduct that they want all employers in their sector to follow. Workers then enlist Buyers (typically through public campaigns) to sign an enforceable Agreement to only purchase from Suppliers that abide by the worker-defined Code of Conduct. In short, WSR uses the market power of Buyers to change workplace conditions across a sector and region.

This guide will take you through thinking about, organizing, and campaigning for WSR – as well as planning for what is needed to actually implement a WSR program.

Essential Features of WSR

A WSR program requires commitment to six principles. If a program does not embody these principles, it cannot truly be said to be WSR. The WSR Network, in consultation with its member organizations, has developed the following statement of these principles:

1 Labor Rights Initiatives Must Be Worker Driven.

Workers are the only actors in the Supply Chain with a vital and abiding interest in ensuring their rights are protected. If, therefore, a program intended to improve their situation is to work, workers and their representative organizations – global, national, or local labor unions; worker-based human rights organizations; and other organizations that genuinely represent workers' interests – must be at the head of the table in creating and implementing the program, including its priorities, design, monitoring, and enforcement. An initiative's labor standards must be based on universal labor and human rights principles, which are embodied in the Universal Declaration of Human Rights and defined by the Conventions of the International Labour Organization (ILO).

2 Obligations for Global Corporations Must Be Binding and Enforceable.

Respect for human rights in corporate Supply Chains cannot be optional or voluntary. Effective enforcement is key to the success of any social responsibility program. Worker organizations must be able to enforce the commitments of Buyers (brands and retailers) as a matter of contractual obligation.

3 Buyers Must Afford Suppliers the Financial Incentive and Capacity to Comply.

Corporations at the top of Supply Chains place constant price pressure on their Suppliers, which inexorably translates into downward pressure on wages and labor conditions: the market incentivizes abuse. Corporations must instead incentivize respect for human rights through a price premium, negotiated higher prices, and/or other financial inducements that enable Suppliers to afford the additional cost of compliance with the agreed labor standards.

4 Consequences for Non-Compliant Suppliers Must Be Mandatory.

The obligations of global brands and retailers [referred to as Buyers in this guide] must include the imposition of meaningful, swift, and certain economic consequences for Suppliers that violate their workers' human rights, whether or not ending the Supplier relationship suits the economic and logistical convenience of the brand or retailer. Only programs that include such economic consequences can ensure protection for workers.

5 Gains for Workers Must Be Measurable and Timely.

Without an obligation to achieve concrete, measurable outcomes at the workplace level within specific time frames, Buyers (brands and retailers) can more easily obscure the failure of voluntary labor rights initiatives. To ensure accountability, any program designed to correct specific labor rights problems must include objectively measurable outcomes and clear deadlines.

6 Verification of Workplace Compliance Must Be Rigorous and Independent.

Workplace audits – often infrequent and perfunctory and never free of Buyer influence – are the exclusive monitoring mechanism in traditional CSR programs and have proven inadequate time and again. Effective verification of Supplier compliance is essential and must include the following components: inspectors who have deep knowledge of the relevant industry and labor issues and who operate independently of financial control and influence by Buyers; in-depth worker interviews, carried out under conditions in which workers can speak freely; effective worker education that enables workers to function as partners with outside inspectors; and a complaint resolution mechanism that operates independently of Buyers and Suppliers and in which worker organizations play a central role.

More than one hundred organizations and individuals have endorsed these principles and committed to ensuring that they will not promote less effective approaches at the expense of the WSR model.

How Is WSR Different from Other Programs with a Workplace Code of Conduct?

“Companies are spending a lot of money to make sure that they’re protecting their image by creating fake human rights programs, but no enforcement mechanism whatsoever, or no worker input. And that’s dangerous because a lot of companies are just looking for a way out and don’t want to take responsibility for human rights abuses in their Supply Chain.”

– Abel Luna, Migrant Justice

As a worker organization, you may already have encountered some version of a corporate social responsibility (CSR) program that fails to protect workers. It could be in the form of a corporate-defined Supplier code of conduct with no enforcement, or an “employee hotline” that no one knows about or calls. Or it could be a program in which Suppliers submit to a “social audit” to get a certification, such as Fairtrade or SA8000 for “social accountability.”

“The garment industry has traditionally been very good at simulating corporate social responsibility. Ever since the early sweatshop scandals, they have built this entire giant industry of social auditing, which utterly fails. So the difference is the goal of social auditing is to provide a clean slate to brands . . . not to improve the life of workers . . . whereas with Worker-driven Social Responsibility, we want to solve the actual issues that workers face.”

– Paul Roeland, Clean Clothes Campaign

These social audits are a temporary, commercial transaction. A Buyer commonly requires that its Suppliers maintain a specific certification. The Supplier then chooses from a list of approved audit firms to conduct an audit. Suppliers frequently pay for these audits, which sets up a financial conflict of interest where the audit firm may be more concerned with pleasing their customer than uncovering issues. Cost constraints also mean that the audits may be short, and because they are often prescheduled, on-site management has time to prep, sometimes coaching workers or hiding what they know will be issues. The auditor typically interviews a small percentage of the workers, often with management present, and runs through a checklist with standards that workers don’t know about and had no input on. Once it’s done, the Supplier gets a certification and the Buyer says there are no human rights abuses in its Supply Chain.

More troubling still is the fact that the certification given by these social audit-based programs is prospective in nature, meaning it is a declaration suggesting that not only were there no abuses when the auditors visited but that there will not be abuses for the time period between the audit and the auditors’ next visit, usually a year or more into the future. In the absence of any meaningful monitoring mechanisms or enforcement power to investigate and remedy violations that occur between audits, this forward-looking nature of social responsibility certifications is fundamentally misleading.

Most importantly, social auditing is increasingly discredited because the evidence shows it fails to protect the rights of workers in Supply Chains. In spite of this, it remains a common practice among multinational companies, especially in the food production and fashion industries.



“That’s the biggest challenge: that there are other labels and certifications that allow companies to easily and publicly look like they’re doing something. That’s most of the time what corporations care about and value, their public image.”

– Rafaela Rodriguez, [WSR Network](#)

This issue comes up repeatedly when workers try to convince companies to join a Worker-driven Social Responsibility (WSR) program – or even when trying to recruit allies or talk to journalists who may not understand the difference. Many multinational companies are accustomed to CSR and social auditing, and they want to stick to approaches that make few demands on them. And the general public doesn’t know that a label claiming something is “fair” or “sustainable” does not necessarily mean there are no human rights abuses.

For these reasons, you will need to be able to explain the differences between CSR and WSR and show how WSR is more effective. Luckily, there are many resources you can use to make your case.



Resources

The following resources are helpful in explaining the differences between CSR and WSR, including why those differences should matter to companies:

- **WSR Network, CSR and MSIs** (multi-stakeholder initiatives)
- **Antonella Angelini and Shauna Curphey, [The Overlooked Advantages of the Independent Monitoring and Complaint Investigation System in the Worker-driven Social Responsibility Model in US Agriculture](#)**, Business and Human Rights Journal, October 2022
- **Human Rights Watch, [“Obsessed With Audit Tools, Missing the Goal”: Why Social Audits Can’t Fix Labor Rights Abuses in Global Supply Chains](#)**, 2022
- **European Center for Constitutional and Human Rights, Brot für die Welt, and MISEREOR, [Human Rights Fitness of the Auditing and Certification Industry?](#)**, 2021
- **Institute for Multi-Stakeholder Initiative Integrity, [Not Fit-for-Purpose: The Grand Experiment of Multi-Stakeholder Initiatives in Corporate Accountability](#)**, Human Rights and Global Governance, 2020
- If a Buyer has a specific CSR program or certification, you can analyze that program to demonstrate its weaknesses, using the [MSI Evaluation Tool](#) for in-depth analysis, or [The Essential Elements of MSI Design](#) for a shorter review.

How Does WSR Work with Trade Unions?

“It’s a complementary form of power building . . . There’s a worrying trend that we see . . . tiny factories with 10 to 15 employees, and then hundreds of those in one district. And that’s a model that is very hard to organize using traditional trade union methods. So Worker-driven Social Responsibility is more needed than ever because you try to basically get an Agreement on a higher level with a brand or with a couple of brands covering an entire industry.”

– Paul Roeland, [Clean Clothes Campaign](#)

Worker-driven social responsibility (WSR) offers a tool for worker organizations – including trade unions, worker centers, and other formations – to achieve concrete change in Supply Chains. WSR can serve as a crucial tool both for workers who are legally prohibited from forming independent unions or who are excluded from labor law protections and for unionized workers tackling the power imbalances and legal limitations on collective bargaining in a Supply Chain context.

Trade unions are formal organizations in which employee members, acting through an elected representative, collectively bargain with employers over wages and working conditions. National labor laws define the role of unions and dictate certain elements of labor relations, for example, rules regarding union elections and strikes. Unions use their members’ ability to strike

as leverage in negotiating legally binding contracts with employers.

To make real change in the current economic context, worker organizations often must take a Supply Chain approach. Public human rights campaigns push Buyers at the top of Supply Chains to sign on to WSR programs, entering into legally binding contracts with worker organizations to leverage their purchasing power to protect workers in their Supply Chains. The WSR program commits Buyers to enforce a Code of Conduct that applies to Suppliers across a particular sector and region, regardless of whether or not those workers are organized into unions. See above, [The Big Idea: Using Buyer Power for System-wide Change](#), for more on this.



Garment worker urging brands to sign the International Accord. Source: Bangladesh Center for Workers' Solidarity

What we've learned so far is that the relationship between a WSR program and unions often depends on the labor laws of the jurisdiction where workers are organizing and the extent to which workers are protected by unions. In some cases, a union is not involved in a WSR program. In other cases, a union or unions may serve as the worker organization that negotiates and helps oversee a WSR Agreement.

In any situation in which unions are involved in a WSR program, it must be an independent and democratic union. A company union or “yellow” union is under the influence of management and therefore cannot truly speak for workers or reliably represent their interests.

In the United States, the National Labor Relations Act (NLRA) protects the right of most private sector employees to organize and bargain collectively with their employers free from retaliation. It defines the rights and obligations of employees, labor unions, and employers in that process. The NLRA, for example, limits unions' ability to legally engage with their employers' business partners. Similarly, worker organizations that are not unions but have workers that fall under the NLRA may face legal challenges to their status as worker centers, rather than unions.

But the NLRA specifically excludes some private sector workers from its protections, including farmworkers, domestic workers,

independent contractors, and supervisors.* For this reason, unionization was not part of the strategy of the Coalition of Immokalee Workers (CIW) when it created the Fair Food Program to protect the rights of farmworkers in the Florida tomato industry. The same was true for Migrant Justice when it created Milk with Dignity to protect the rights of farmworkers in the Vermont dairy industry.

WSR can bring significant benefits to workers covered by the NLRA, but organizations seeking to design WSR programs in these sectors should carefully review the implications of these laws for their work. In Minnesota, for example, Centro de Trabajadores Unidos en la Lucha (CTUL) has a complementary relationship with traditional unions. Through its Building Dignity and Respect (BDR) campaign, CTUL pushes developers at the top of their Supply Chain to join a WSR program to protect worker rights in the construction industry. The BDR Program ensures workplace protections for workers whom unions have been unable to reach due to the small size of their workplaces, their status as day laborers, or their marginalization as a result of immigration status. In doing so, like all WSR programs, it does not directly represent workers in bargaining with their employers. Rather, it operates as a human rights organization, pushing *developers* to require that their contractors abide by a workplace Code of Conduct in relation to the contractors' employees.

* These workers, however, may have the right to unionize under state labor laws. For example, 14 states guarantee collective bargaining rights for farmworkers, though enforcement of these rights is uneven.

Outside of the United States, unions have a direct role in the governance of some WSR programs including the International Accord, which promotes workplace health and safety through independent safety inspections, training programs, and a complaints mechanism for workers in the garment and textile industry. Initially the Accord on Fire and Building Safety in Bangladesh and now the International Accord for Health and Safety in the Textile and Garment Industry, the program is overseen by a Steering Committee that has equal representation of trade unions, represented by IndustriALL Global Union and UNI Global Union, and signatory brands, as well as nonvoting representation from the Clean Clothes Campaign and the Worker Rights Consortium (WRC), and a neutral Chair from the International Labour Organization (ILO).

Similarly, three unions and two women's NGOs in Lesotho came together to negotiate the Agreements to Combat Gender-based Violence in Lesotho's

Garment Industry, which created a binding framework to address gender-based violence and harassment (GBVH) at five factories in Lesotho that supplied Levi Strauss, Children's Place, and the jeans brand Kontoor. These brands came to the table in response to an investigation by the Worker Rights Consortium (WRC) that documented extensive GBVH.

The WRC, Solidarity Center, and Workers United worked closely with the five Lesotho organizations to secure and implement this WSR Agreement, while the CIW provided consultation on important elements of program design and implementation. The Agreement explicitly safeguards union rights and protects workers from anti-union retaliation, ensuring that worker representatives can freely support complaint intake, participate in monitoring, and act as partners in implementation. Participating unions also take referrals for labor rights complaints that come into the program that are unrelated to GBVH and therefore outside the scope of the program.



*A delegation of workers from Lesotho visit the CIW and FFSC in Immokalee, FL to learn about the WSR model.
Source: CIW*

Example: The International Accord

Following a series of horrific industrial disasters in Bangladesh, national and global unions and labor rights groups developed and advanced a sweeping demand of global brands buying from Bangladesh: sign a legally binding Agreement with unions to fix the grossly dangerous factories employing millions of workers in the country's sprawling garment sector. The Bangladesh Center for Workers' Solidarity (BCWS), the WRC, the Clean Clothes Campaign, and other groups led a years-long global effort to advance this demand, culminating in 2013 with the creation of the Bangladesh Accord.

Brands predictably dragged their feet on signing, even as fires and building collapses continued to kill workers. Prior to April 24, 2013, when the Rana Plaza building collapse killed over 1,100 workers, only two brands had signed the binding Agreement. After this massive loss of life, brands finally agreed to come to the table en masse, including many of the biggest players in the fashion industry.

“These Western corporations have very nice codes of ethical conduct on paper. But those are just words if people are dying as those same clothes are being manufactured. If the workplaces that manufacture their clothes are death traps, they should be held accountable for fixing that. They need to compensate all the victims who have died but they also need to sign legally binding agreements that can ensure safe workplaces in the future. They have to take responsibility all the way down the Supply Chain.”

– Kalpona Akter, BCWS, speaking in 2013 one week after the Rana Plaza collapse.

In May 2013, the Accord on Fire and Building Safety in Bangladesh launched with over 40 corporate signatories from 13 different countries. Since then, the agreement has been renewed multiple times and, after the founding of the International Accord, the safety agreement has expanded to Pakistan. Now with over 230 company signatories to the Bangladesh country agreement and over 140 to the Pakistan country agreement, the International Accord covers more than 1,700 factories in Bangladesh employing 2.88 million

workers and 660 factories in Pakistan employing over 700,000 workers. Since its original launch, over 56,000 inspections have been conducted across more than 2,000 Accord-covered factories, with over 150,000 identified hazards remedied. The Accord has trained over two million workers on factory safety and resolved more than 1,000 worker complaints through its complaint mechanism. This demonstrates the scale of improvement that can be accomplished under the WSR model and the power that workers and unions together can bring to bear to address abuses.

“As a result of the Accord work, Bangladesh has gone from being the most dangerous place in the world to make apparel to being among the safest. The Agreement expansion to Pakistan, and eventually beyond, increases the Accord's already massive scale.”

– Scott Nova, WRC



Workers at Accord-covered factory.
Source: International Accord

Example: Central Java Gender Justice Agreement

In the case of the Central Java Gender Justice Agreement, Fanatics and Nike’s longstanding obligations under university licensing agreements were the instrument that compelled those brands to use their market power. This enforcement mechanism is similarly robust as WSR Agreements but legally distinct.

After receiving complaints from women workers, the WRC began investigating violations in 2021 at two factories owned by the Korean firm Ontide in the Central Java region of Indonesia. These factories, which employ more than six thousand workers, supply Fanatics with collegiate goods under both the Fanatics brand and, under license, the Nike brand. In 2022 and 2023 when the WRC reported a pattern of GBVH at these factories and made clear to Fanatics and Ontide the need for specific extensive remedies, the companies responded by taking prompt remedial action and then negotiating an agreement with worker leaders from four Indonesian unions. The unions were supported by the WRC, along with Asia Floor Wage Alliance and Global Labor Justice, which joined the process in early 2024. Together, the parties developed and signed the Central Java Gender Justice Agreement later that year.



Participants engaged in a visioning exercise.
Source: Worker Rights Consortium

Under this union-led program, management at the two factories must implement strong protections against GBVH or risk losing their contracts with Fanatics and Nike. The agreement incorporates global best practices from the Dindigul and Lesotho Agreements, including definitions grounded in ILO Convention 190 and Recommendation 206, union-appointed GBVH shopfloor monitors, a worker-developed list of prohibited practices and remedies, accessible grievance channels, recourse to independent investigations, and comprehensive worker-led training for all workers. It complements the factories’ existing collective bargaining agreements and is enforced through Fanatics’ binding commitments to WRC-affiliated universities. It is a compelling example of the power of university codes of conduct to drive accountability and systemic change for workers.

Union garment workers celebrate the signing of the Central Java Gender Justice Agreement.
Source: Worker Rights Consortium

