



## HOW WORKER-DRIVEN SOCIAL RESPONSIBILITY IS *Ending Gender-Based Violence*

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**S**exual assault, harassment and other forms of gender-based violence threaten millions of women workers around the world and violate their human rights. Lacking power and resources, none suffer more than low-wage women workers. And in the isolated, under-regulated environment of U.S. agriculture, gender-based violence is severe and ubiquitous. In California's Central Valley, 80% of farmworker women surveyed reported being sexually harassed or assaulted.<sup>1</sup> Fearing retaliation and facing barriers to filing legal complaints, many women elect to suffer abuse rather than report it and risk the consequences. For those few complaints successfully filed, judgments take years and are often uncollectable from defunct employers. Women are left with little choice but to accept humiliating treatment in order to earn a meager living.

Until now.

Through the Coalition of Immokalee Workers' (CIW) Fair Food Program, sexual assault has been eliminated from farms in seven states where 35,000 U.S. farmworkers labor. Yes, you read that right. Eliminated. And there is more. Sexual assault and other forms of

gender-based violence are being actively prevented.<sup>2</sup> This stunning achievement, in an industry notorious for sexual violence, comes from a powerful new paradigm of human rights protection: Worker-driven Social Responsibility (WSR).

Worker-driven Social Responsibility was born in the crucible of crushing demand by global retail brands for cheap produce and products, that exerts a downward pressure on prices that renders workers at the bottom of supply chains ever more vulnerable. Change was possible, however, when workers in Immokalee realized that this market force could be channeled to enforce their human rights.

Worker-driven Social Responsibility has achieved unprecedented results because it originated from workers whose lives and livelihoods depend on ending these abuses, and because consumers of conscience are standing shoulder-to-shoulder with them, demanding that corporations guarantee humane working conditions. Its hallmarks are:

- Legally-binding agreements between global brands and worker organizations;
- Worker participation in program design, monitoring and enforcement;

- Deep-dive auditing by an independent monitor; and
- Market consequences for suppliers who fail to comply.

Importantly, WSR did not begin as a theory; it grew from the Coalition of Immokalee Workers' Campaign for Fair Food and the operation of its Fair Food Program. Through the campaign, thousands of consumers united with farmworkers in vibrant, massive, direct actions and public argument convincing brands to sign legally-binding agreements with the CIW. These first-of-their-kind agreements form the bedrock of the Fair Food Program.<sup>3</sup> Worker-driven Social Responsibility was further strengthened through the design and implementation of the Accord on Fire and Building Safety in Bangladesh, underscoring the new paradigm's replicability and exponential potential for realizing human rights for millions of workers.

Worker-driven Social Responsibility stands in stark contrast to Corporate Social Responsibility (CSR). Developed without worker participation, CSR's generic, voluntary standards lack mechanisms for serious monitoring or rigorous enforcement. Constructed to

protect brands, not workers, CSR has taken its toll on workers' lives with grueling exploitative conditions.<sup>4</sup> But consumers are seeing through these schemes. Even now, hundreds of thousands of consumers are boycotting Wendy's, demanding that the company join the Fair Food Program.<sup>5</sup>

The Worker-driven Social Responsibility model's achievement in ending gender-based violence in the Fair Food Program offers some key lessons for ending it elsewhere:

- **Redress the imbalance of power through legally-binding agreements with consequences.** The root cause of sexual violence in the workplace is the imbalance of power between workers and employers. The Fair Food Program corrects that imbalance by backing up workers' rights with the purchasing power of some of the world's biggest-name brands like Wal-Mart and McDonald's. The risk of losing the ability to sell to fourteen of these massive retailers creates true accountability for growers by making the costs of not policing and correcting abuses skyrocket.
- **Provide worker-to-worker training on rights and the ability to report without fear of retaliation. Sexual assault and harassment are crimes of power and opportunity.** Workers are present in the field where abuses occur, whenever they occur. Trained in their rights, equipped with the ability to report problems through multiple channels, including a 24x7 confidential hotline, and protected from retaliation, thousands of farmworkers have become front-line monitors of their own rights, leaving bad actors nowhere to commit their crimes.
- **Set serious consequences for perpetrators and bystanders.** Since the program's inception in 2011, thirty-six supervisors have been disciplined for sexual harassment, and twelve of those supervisors have been terminated and are therefore no longer able to work on Fair Food Program farms. The removal of notorious supervisors who preyed on women increased worker confidence in the confidential complaint system. The program also requires field supervisors who witness sexual abuse to intervene and report it, or else face disciplinary action.<sup>6</sup>
- **Monitor conditions; swiftly investigate; require and assist with compliance.** The Fair Food Standards Council oversees the Fair Food Program, undertaking deep-dive audits (interviewing 50-100% of workers on farms), conducting investigations of complaints immediately and swiftly (usually within three weeks), rendering judgments, and offering compliance assistance.

Worker-driven Social Responsibility is spreading. The Equal Opportunity Commission's Select Taskforce singled out the Fair Food Program, calling it a "radically different accountability mechanism," and adopted many of those mechanisms as core recommendations in its landmark 2016 report.<sup>7</sup> Worker-driven Social Responsibility's power to protect rights inspired the launch of Migrant Justice's Milk with Dignity program.<sup>8</sup> And the Model Alliance is exploring how to deploy Worker-driven Social Responsibility in the fashion industry.<sup>9</sup>

We now know that sexual assault and harassment are not inevitable, even in the harshest of working environments. At a time when our nation – and indeed the world – is searching for solutions, a proven one is already at hand in Worker-driven Social Responsibility.

For more information, see the recent report *Now the Fear is Gone*, which goes into greater detail on how the WSR model is advancing gender justice: [wsr-network.org/resource/now-the-fear-is-gone](http://wsr-network.org/resource/now-the-fear-is-gone).

<sup>1</sup> Cited by Human Rights Watch in "Cultivating Fear: The Vulnerability of Immigrant Farmworkers in the U.S. to Sexual Violence and Sexual Harassment," 2012.

<sup>2</sup> See the Fair Food Program 2017 Report, p. 20, at [fairfoodstandards.org/reports/](http://fairfoodstandards.org/reports/) (accessed May 7, 2018).

<sup>3</sup> See [ciw-online.org](http://ciw-online.org) and [fairfoodprogram.org](http://fairfoodprogram.org). Fourteen retail food corporations currently participate in the Fair Food Program.

<sup>4</sup> The Rana Plaza building collapse, which killed 1,138 workers in 2013, was the deadliest (but not the first) disaster in the garment industry to demonstrate the perilous cost of the CSR approach. See [wsr-network.org](http://wsr-network.org).

<sup>5</sup> See [boycott-wendys.org](http://boycott-wendys.org).

<sup>6</sup> See the Fair Food Program 2017 Report at [fairfoodstandards.org/reports/](http://fairfoodstandards.org/reports/) (accessed May 9, 2018).

<sup>7</sup> See [ciw-online.org/blog/2016/07/eeoc-singles-out-fair-food-program/](http://ciw-online.org/blog/2016/07/eeoc-singles-out-fair-food-program/) and [eeoc.gov/eeoc/task\\_force/harassment/report.cfm](http://eeoc.gov/eeoc/task_force/harassment/report.cfm) (accessed May 7, 2018).

<sup>8</sup> See [wsr-network.org/success-stories/milk-with-dignity/](http://wsr-network.org/success-stories/milk-with-dignity/) (accessed May 7, 2018).

<sup>9</sup> See [modelalliance.org](http://modelalliance.org).

