



# Coalition of Immokalee Workers

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October 5, 2017

Mr. Todd A. Penegor  
President and Chief Executive Officer  
The Wendy's Company  
One Dave Thomas Boulevard  
Dublin, OH 43017

Dear Mr. Penegor:

We write to you as farmworker women, who are also leaders of the Coalition of Immokalee Workers (CIW), to request a meeting at your earliest convenience. As you know, our organization has spent the past four years leading a national consumer campaign and, most recently, a boycott of Wendy's products in order to urge Wendy's decision-makers to bring the company into the Fair Food Program. The Fair Food Program is a Presidential Medal-winning social responsibility initiative proven to protect human rights in agriculture, and was recently counted among the "most important social-impact success stories of the past century" in the Harvard Business Review. We ourselves have lived through the dramatic transformation of the agriculture industry under the Fair Food Program, including the virtual elimination of sexual violence from farms along the East Coast. Because it is easy to lose sight of the often dramatic personal impacts of a social accountability campaign, we would like to share our individual experiences with you during an in-person meeting. We truly believe you may see the FFP in a different light if you hear how fundamentally it has changed our lives, and those of countless other women.

As a leader in the food industry, you are surely aware of the abhorrent conditions faced by women in agriculture. In our industry, the problem of sexual violence has been our daily bread for decades, with a staggering 80 percent of women farmworkers estimated to experience sexual harassment and assault on the job. Day in and day out, four out of five farmworker women are at least subjected to vulgar comments and jokes by crew leaders and fellow workers, and all too frequently find themselves pulled to the edge of the field by a crew leader demanding sex in exchange for necessary work.

The Fair Food Program we have pioneered has been widely recognized as the single most effective program combating sexual abuse in agriculture today. Last year, the federal Equal Employment Opportunity Commission (EEOC) identified the Fair Food Program as a "radically different accountability mechanism" in its landmark study of workplace sexual harassment. In its documentary concerning the epidemic of sexual violence in agriculture, "Rape in the Fields," PBS Frontline identified the Program as "unique in the country" in its ability to address this issue.

On farms participating in the Fair Food Program, there is a palpable culture of respect. We have the right to work without fear of retaliation. We receive "know-your-rights" training from fellow workers. We trust in the 24/7 complaint hotline available to us because we know that if we report an abuse, it will be promptly and thoroughly investigated. The commitment of fourteen of your retail food industry peers – from McDonald's to Walmart – to purchase exclusively from farms where our rights are protected generates powerful market consequences for noncompliance on the part of

growers, crew leaders, and fellow workers. By taking seriously their responsibility to end sexual violence in the fields these fourteen corporations are helping to transform the agricultural industry. As the writers of this letter, we have all experienced the industry at its worst plagued with abuse – and we have now all experienced the new day that has dawned for farmworker women as a result of the Fair Food Program.

We need Wendy's to join its peers in order to expand these crucial, life-changing gains to the tens of thousands of farmworker women who continue to labor under the oppressive conditions that persist beyond the Fair Food Program's protections.

We know that Wendy's has a Supplier Code of Conduct in place in the company's supply chain. However, believe us when we tell you that your code is no match for the Fair Food Program's guarantee that our rights will be upheld in the workplace. The Fair Food Program's code of conduct is mandatory and gets enforced through comprehensive monitoring and market consequences, whereas your supplier code is voluntary and provides no real consequences for noncompliance. Unlike in Wendy's code, which is silent on worker participation, farmworker women and men are central actors in designing and monitoring our rights in the Fair Food Program. This means that we are no longer forced into silence when we witness or experience sexual harassment or assault – we speak out because we know our voice will be heard, and there will be negative consequences for the abuser, not for us. Wendy's attitude toward farmworker women stands in stark contrast to the way your company approaches sexual harassment that takes place in your offices: Wendy's own corporate code of conduct explicitly prohibits sexual harassment and enforces this right through disciplinary action, including the potential firing of abusers.

You and we both know that even fewer protections exist for women farmworkers in the Mexican industry to which Wendy's has shifted its tomato purchases. Considering the structural, deeply-embedded nature of that reality, you and we also both know that Wendy's supplier code of conduct will do nothing to change the daily barrage of unchecked sexual violence that farmworker women face in Mexican agriculture.

This fall, we are educating consumers about the daily assault on one's dignity faced by women farmworkers in Mexico and elsewhere off of Fair Food Program farms – in contrast to the rights they experience on participating farms – through our “Harvest without Violence” campaign and museum, which will visit Columbus and Dublin on October 14-23.

It is that visit that has prompted us to seek to discuss these matters with you in person. Farmworker women in your supply chain deserve to work in an environment that is verifiably safe and free of the threat of sexual violence. Wendy's has an opportunity to, once and for all, uproot one of the worst human rights crises in agriculture and positively impact the lives of millions of farmworker women, simply by choosing to join the Fair Food Program.

We look forward to hearing from you.

Sincerely,

Coalition of Immokalee Workers, Women's Group