

Social Responsibility: Living Out Our Catholic Values

Report of the English Catholic Board Council
Of the
Ontario Student Trustees' Association – Association
des élèves conseillers et conseillères de l'Ontario

Published by OSTA–AÉCO
Copyright 2006

Patrick Duncan
E-mail : ecbc.president@osta-aeco.org
Phone: 519.619.8667
Website: www.osta-aeco.org

This report was carried out by the 2005–2006 English Catholic Board Council Cabinet:

Patrick Duncan	President
Ashley Periera	First Vice President
Meghan McCooey	Second Vice President
Amanda Boden	Secretary
Mallory White	Faith Ambassador

Special thanks to Student Trustees for providing resources, opinion and commentary.

ACKNOWLEDGEMENTS

This report has been the work of s subcommittee of the English Catholic Board Council of the Ontario Student Trustees Association– l'Association des élèves conseillers and conseillères de l'Ontario. Special thanks to the members of the Fair Labour and Uniform Committee: Erica Anderson, Amanda Boden, Patrick Duncan, Amy Kishek, Kristin McCartney and Amy O'Brien.

Special Thanks to the Student Trustees and Students of Ontario who provided input and opinions which were extremely beneficial in the content of the report. Thanks also to the Maquila Solidarity Network (www.maquilasolidarity.org) for their extensive resources.

LETTER FROM THE PRESIDENT

May 2006

Dear Catholic District School Boards of Ontario,

On behalf of the English Catholic Board Council I am pleased to present you with our report entitled 'Social Responsibility: Living Out Our Catholic Values.' This report offers a student perspective on the issues of social justice in relation to uniform and clothing suppliers.

As Catholic School Boards we hold very strong our values and ethics. Too many times situations where these notions have been violated are overlooked. The issue of having articles of clothing—both school uniform and athletic apparel—present in our schools is one of pressing concern to advocates of Catholic values. This report outlines current issues and opinions concerning policy and their prevalence in Catholic School Boards.

All human beings are created equal and thus deserve fair and equitable treatment. As Catholic communities we must desire to display our values not merely by our words, but most strongly by our actions. We as leaders must enable our schools to become more accountable and responsible in regards to human rights, and equality among all peoples.

Yours In Catholic Education,

Patrick Duncan
English Catholic Board Council President 2005–2006

PREFACE

Our Catholic values and teachings are the backbone of our schools. As Catholics we take pride in the fact that we can work together in solidarity in the love and teachings of Christ. This coming together is the reasoning behind our mandatory uniforms, which exemplify our Catholic values.

However, we live in a world where globalization has stripped workers of their rights, and where sweatshop labour is an undisputable reality. As Catholics we should not allow such atrocities against mankind to occur, but more importantly we should not be supporters of this mistreatment of our brothers and sisters in Christ.

The uniforms, which exemplify our solidarity and our values, are made in such places where workers, including children, labour for less than living wage in substandard conditions. We as Catholics cannot continue to support these injustices and as school boards we should implement policies to prevent the use of garments, including athletic and club apparel, which have been manufactured in such conditions.

Of the 29 Catholic district school boards, only a handful have implemented a fair labour sweat-shop-free uniform policy. The Student Trustees of the Ontario's CDSB feel that it's irresponsible for school boards to support what is undeniably unchristian and unjust mistreatment of our society's most vulnerable members. Due to the overwhelming desire for change, the English Catholic Board Council of OSTA-AECO formed the Fair Labour Uniform Committee (FLUC). FLUC's mission is to expose the injustices committed by some uniform manufacturers and to encourage all boards to implement fair labour uniform policies in compliance with our Catholic teachings.

EXECUTIVE SUMMARY

Catholic School Boards across the province strive to stand united on issues directly concerning our individuality and identity as communities. Those who share our views, and those who benefit from our community outlook applaud the efforts taken to stand firm on topics such as social justice.

This report is designed to guide and aid our Catholic District School Boards in ratifying policy, in order to rectify the world around us. In affective designation of a 'Fair Labour Policy' we have an opportunity to force change in companies with which numerous School Boards perform large amounts of interaction.

These investigations allow us an opportunity to evaluate our current efforts and expand on their abilities to serve as examples for the institutions abroad. The aforementioned concerns and recommendations are steps in a parallel direction, and that is protecting our identity and exemplifying our values in all levels of business, and behaviours.

RECOMMENDATIONS

1. That every Catholic District School Board of Ontario Investigate the current status of their Uniform Suppliers, and athletic and club clothing suppliers in relation to fair and equitable treatment of workers.
2. That every Catholic District School Board adopt and implement a Fair Labour Policy encompassing Catholic Values.
3. That every Catholic District School Board take strides to rid their school board of all situations of social injustice

PREMISE

The premise for our report was to create a foundation for necessary adaptations to current policy and procedure. The report will focus on formation, including; terminology, necessary components and reasoning. The goal of the report is to develop a unanimously consistent standing and proactive measures towards uniforms and their suppliers. The report is combined with a skeleton policy (Appendix 1), which elaborates and breaks down policy structure and contents.

BACKGROUND

The social teachings of the Church explain that it is our responsibility to value and promote responsible participation in our local and global communities.

“Participation of the Holy See in international activity is primarily for the purpose of serving the human being and promoting the dignity of the person, thereby contributing to the common good of the whole family.”ⁱ

Partnerships between our Catholic School Boards and companies providing apparel should be a reflection of our values. We should advocate and promote socially responsible policies, and engage in business only with those companies who share our ideals.

In doing so, we ensure that the products we use in our schools are produced by workers who are treated and paid fairly. As Catholics, we must acknowledge our responsibility in the partnership and define terms that explain the responsibilities of the companies providing uniforms and apparel. Furthermore, we should set guidelines to uphold this equitable partnership, and if the terms are not met, then other options should be explored.

The Fair Labour Policy produced by the Fair Labour and Uniform Committee (Appendix 1) of the English Catholic Board Council of OSTA–AÉCO includes terms and conditions encompassing several areas we feel must be considered.

Fair Labour Purchasing Policy

In keeping with Christ's teachings and the Social Teachings of the Church, this outlines the standards, which should be met by the company providing the clothing for the school board. The school board should be committed to promote, advance, and protect the just cause of the 'poor and the marginalized' by ensuring that these standards are recognized and met by companies.

"For by one Spirit are we all baptized into one body, whether we be Jews or Gentiles, whether we be bond or free; and have been all made to drink into one Spirit."ⁱⁱ

It is important that we, as Catholics, respect and value our neighbours. By promoting fair labour practice, Catholic Boards can put their faith into action. By treating all humans with the dignity and respect they deserve, we are following the word of God. It is when we take advantage of the poor and marginalized that we distance ourselves from God.

Compliance

Companies must provide assurance that these articles of clothing are produced in an environment that is safe, healthy and fair for employees. There are certain measures that should be taken in order to provide such assurances, which are explained in the Fair Labour Policy.

Violations and Remedial Action

A process of steps that should be taken in the event that the uniform provider does not comply with the conditions outlined in the Fair Labour Purchasing Policy must be established.

Termination

This outlines the circumstances under which a board may terminate their contract with a uniform provider who fails to meet the fair labour guidelines as determined by the board.

Ethical Guidelines for International Trade
Cf. World Trade Organization, WT/L/221, 2 July 1997
1 Corinthians 12: 13.

Appendix 1

POLICY STATEMENT

Fair Labour Practices

The Board is committed to witnessing Gospel values and promoting the social teachings of the Church in all of its policies and practices.

The purpose of this policy is to ensure that apparel manufactured for and/or supplied to the _____ Catholic District School Board and the schools within its jurisdiction are made under humane working conditions in compliance with accepted international standards and local laws, and to promote greater respect for workers' rights and improved working conditions in the apparel industry worldwide.

This policy applies to all apparel purchases made by the _____ Catholic District School Board and the schools within its jurisdiction, including, but not limited to, student uniforms, athletics and gym wear, school spirit, and club and team wear.

POLICY MANAGEMENT PRACTICES

Fair Labour Practices

A. Policy Definitions

For the purposes of this Policy, the following definitions shall be taken to mean:

“Board” means the School Board.

“Child” means any person less than 15, unless local minimum age law stipulates a higher age for work or mandatory schooling, or less than 14 if the minimum age law is set at that age in accordance with developing country exceptions under ILO Convention 138.

“Employer” means an entity that employs or contracts a worker in the production of a product.

“Home worker” means any person who carries out work in his or her home or in other premises of his or her own choice, other than the workplace of the employer, for remuneration, which results in a product or service as specified by the employer, irrespective of who provides the equipment, materials and or other inputs used.

“Minimum labour standards” means the minimum labour standards set out in the following section entitled “Labour Standards Provisions.”

“Policy” means this document in its entirety.

“Product” means any article of clothing, head-wear or footwear, or any item made of fabric or by knitting, weaving or felting manufactured for the Board or any of its schools.

“Supplier” means an entity, which sells a product to the Board or any of its schools. It also includes any licensee that enters into an agreement with the Board or any of its schools to use a trademark on a product, or any school uniform supplier that enters into an agreement with the Board or any of its schools to provide school uniforms to students.

“Subcontractor” means any person who directly or indirectly provides the supplier with goods and/or services integral to the manufacture of apparel products for the Board or any of its schools.

“Trademark” means a trademark, logo or other symbol associated with the Board or a school under its jurisdiction.

“Worker” means a person involved in the manufacture of a product.

Wages that meet “basic needs” by local standards are most effectively determined through free collective bargaining. In the absence of free collective bargaining, wages that meet “basic needs” should be defined as wages paid for a normal 44 hour work week that are sufficient by local standards to provide for the food, clothing, housing, health care, consumable water, child care and transportation needs of the worker and his/ her dependents. In defining wages that meet basic needs, factors that should be taken into account include the average number of dependents and the average number of wage earners per family in the sector in each country, local “market basket” surveys of the cost of goods and services needed by an average family, as well as data from local governments, labour and human rights organizations, and UN agencies.

B. Fair Labour Purchasing Practices

The Board commits itself to management practices that will favour the protection and enhancements of the rights of all workers that produce apparel for use by the Board and in any of its schools or sites in ways that are consistent with the message and example of Jesus Christ and the social teachings of the Church. Where this Policy and the applicable laws of the country of the manufacturer differ, the standard that provides the greater right, benefit or protection to the worker shall apply. Every supplier of apparel shall ensure that its manufacturing facilities, and those of its subcontractors, producing for the Board or a school under its jurisdiction comply with national and other laws applicable in each workplace and shall respect this Policy and the internationally recognized workers' rights and labour standards expressed in the conventions of the UN International Labour Organization. To this end, the Board will undertake the following actions as standard practices within this Board, applicable to those manufacturers and suppliers of apparel including, but not limited to, student uniforms, athletics and gym wear, school spirit, club and team wear and employee uniforms.

1. Forced Labour

No employer shall subject a worker to forced labour practices, whether in the form of involuntary prison labour, indentured labour, bonded labour or otherwise. Workers shall not be required to lodge financial deposits or their original identity papers with their employer.

2. Child Labour

No employer shall use child labour. Adequate transitional economic assistance and appropriate educational opportunities shall be provided to any displaced child worker.

3. Harassment and Abuse

No worker shall be subject to physical, sexual, psychological abuse or harassment, verbal abuse, or any other form of abuse, including corporal punishment.

4. Discrimination

No employer shall discriminate against a worker in hiring, compensation, access to training, promotion, termination on the basis of age, race, caste, national origin, religion, disability, gender, marital status, sexual orientation, union membership or political affiliation.

5. Women's Rights

No worker shall be subject to the forced use of contraceptives or pregnancy testing. Workers will be permitted to take maternity leave without facing the threat of dismissal, loss of seniority or deduction in wages, and shall be able to return to their former employment at the same rate of pay and benefits.

6. Hours of Work

No employer shall require a worker to work in excess of 48 hours per week, and shall provide each of its workers with one day off for every seven-day period. If a worker is requested to work overtime (more than 48 hours per week), such overtime shall not exceed 12 hours per week, only be requested in exceptional and short-term circumstances and be remunerated at a premium rate. All such Policy provisions with regards to hours of work shall be consistent with the Ontario Employment Act of 2000.

7. Freedom of Association and the Right to Bargain Collectively

Workers shall have the right to join or form trade unions of their own choosing and to bargain collectively. Workers' representatives shall not be discriminated against and shall have access to carry out their representation functions in the workplace. Where the right to freedom of association and collective bargaining is restricted under law, the employer shall facilitate and will not hinder the development of parallel means for independent and free association and bargaining.

8. Wages and Compensation

Wages and benefits paid for a standard working week meet- at a minimum- national legal standards or industry benchmark standards, whichever is higher. In any event wages paid for a standard working week should always be enough to meet basic needs of workers and their

families and to provide some discretionary income. All workers shall be provided with written and understandable information about their employment conditions with respect to their wages. Deductions from wages as a disciplinary measure shall not be permitted.

9. Health and Safety

Every employer shall provide its workers with a safe and healthy workplace, including access to clean toilet facilities, potable water and, if appropriate, sanitary facilities for the storage of food. If accommodations are provided, such accommodations shall be clean, safe, and meet the basic needs of the workers. Adequate steps shall be taken to prevent accidents and injury to health by minimizing the causes of hazards inherent in the working environment. Workers shall receive regular and recorded health and safety training, and such training shall be repeated for new or reassigned workers.

10. Employment Relationship

To every extent possible work performed must be on the basis of a recognized employment relationship established through national law and practice. Obligations to employees under labour or social security laws and regulations arising from the regular employment relationship shall not be avoided through the use of labour-only contracting, subcontracting, or homeworking arrangements, or through apprenticeship schemes where there is no real intent to impart skills or provide regular employment, nor shall any such obligations be avoided through the excessive use of fixed-term contracts of employment.

11. Homeworkers

The employer shall take special steps to ensure that homeworkers are afforded a similar level of protection as would be afforded to directly employed personnel under the requirements of this Policy. Such special steps shall include but not be limited to:

- (a) establishing legally binding, written purchasing contracts requiring compliance with minimum criteria (in accordance with the requirements of the Policy);

-
- (b) ensuring that the requirements of the written purchasing contract are understood and implemented by homeworkers and all other parties involved in the purchasing contract; and
 - (c) maintaining, on the employer's premises, comprehensive records detailing the identities of homeworkers; the quantities of goods produced and/ or hours worked by each homemaker.

Employers shall keep adequate records of their employees' names, addresses, rate of pay and number of hours worked each week in order to make this information available for an inspection/audit as prescribed in section C of this Policy.

12. Awareness of Policy

Workers whose work is covered by the Policy shall be made aware of the Policy orally and through the posting of standards in a prominent place in the local language(s) spoken by employees and managers

C. Compliance

1. The flowing terms of compliance will be applied to those purchases of apparel in excess of \$500 on any single occasion or multiple purchases of the same item(s) over the course of a fiscal year anticipated to be in excess of \$500.
2. Before the Board of any of its schools enters into an agreement with a supplier, the supplier must confirm in writing that:
 - (a) it will comply with ethical labour practices that meet or exceed the minimum labour standards in the Policy; and
 - (b) it acquires goods and services from other entities who agree to comply with labour practices that meet or exceed the minimum labour standards; and
3. In addition to the confirmation mentioned above, a supplier shall provide the Board the names and addresses of each subcontractor and manufacturing facility to be used in the manufacture of the product. This information shall be considered public information.

-
4. Every supplier is responsible for monitoring their supply factories. Preference will be given to suppliers who use the services of third-party verifiers acceptable to the Board.
 5. Every supplier shall be required to submit an annual compliance report to the Board containing information on the monitoring and verification program, the name(s) of the third-party verifier(s), the findings of the monitoring and external audit(s), and corrective action taken to achieve compliance with the Policy. This report shall be considered public information.

D. VIOLATIONS AND REMEDIAL ACTION

1. If the Board receives a credible report that a supplier or an entity with whom the supplier entered into an agreement to manufacture a product has violated the minimum labour standards of the Policy, the Board shall send a notice of the violation(s) to the supplier.
2. A notice of violation shall:
 - (a) describe the alleged violation, including which minimum labour standard(s) in the Policy has/have allegedly been violated;
 - (b) specify the entity which the Board believes may have violated the minimum labour standard(s) in the Policy; and
 - (c) set out the supplier's requirement to respond to a notice of violation within 30 days (in accordance with subsection 5.3).
3. Within 30 days from the date of the notice of violation, the supplier shall provide the Board with:
 - (a) supporting information to demonstrate that the violation described in the notice did not occur; or
 - (b) a detailed remedial program to demonstrate how the violation described in the notice shall be rectified within one year of the date of the notice.
4. If the supplier responds to the notice of violation with documentation that the violation did not occur, the Board may require the supplier to cooperate with a third-party audit or a Ministry of Labour audit.

5. If a third-party or Ministry of Labour audit determines that the violation of the minimum labour standard(s) set out in the notice of violation did occur the supplier shall submit a detailed program to demonstrate how the violation(s) described in the notice shall be rectified within one year of the date of the notice.

6. If a remedial program has been submitted in response to a notice of violation, the Board may require the supplier to co-operate with a third-party audit to verify that the violation(s) has/have been rectified in accordance with the remedial program.

E. TERMINATION

1. The Board has the authority to terminate any contract with a supplier without notice or penalty if:

- (a) A supplier who has been sent a notice of violation has failed to make an adequate response within 30 days;
- (b) The supplier refuses to submit or fails to cooperate with a third-party audit as required by the Board; or
- (c) A third-party audit of a factory where violations have been reportedly corrected (as per section 5.6) determines that the violation was not rectified in accordance with the agreed-upon remedial program.

2. If the Board terminates an agreement under this section with a supplier, it ceases to be liable to the supplier or to any other person for any unpaid amounts that would otherwise have been payable under the agreement and shall not be under any obligation to return to the supplier any product supplied by the supplier under the agreement.

3. The Board, at its discretion, may terminate a contract or prohibit a vendor from holding contracts with the Board for filing false information or for failing to file information required under this policy.