



Campaign for Labor Rights

A project of the Alliance for Global Justice

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Activists Mobilize in 99 Cities! To protest union-busting in Nicaragua



Leafleting at Target store in Rochester, NY

In the previous issue of the newsletter, we announced plans for a nationwide mobilization in support of the workers and the union at the Mil Colores clothing factory in Nicaragua's Las Mercedes free trade zone. This mobilization was in response to a request from the union federation representing free trade zone workers in Nicaragua.

So far, we have received news of 126 completed or still-planned actions in 99 cities! This is an astonishing and heartening response to our call to action, which we posted only two weeks before leafleting was to begin on May 8. Most of these actions involved leafleting at Target and Kohl's retail outlets. In a number of cities, activists plan to go to other Target and Kohl's outlets in their area or to return to the same ones.

BACKGROUND

Both Target and Kohl's have some of their clothing produced at Mil Colores. More than 200 Mil Colores union members have been fired and 68 face trumped-up criminal charges. We are asking that these companies use their influence with Mil Colores management so that the factory will:

- Rehire the fired workers.
- Stop pushing for criminal action against union activists.
- Recognize the union and bargain a fair contract.

The union busting at Mil Colores is not an isolated incident. At least three other factories in the free trade zone are trying to break unions, with the apparent approval of the Labor Ministry and the owner of the free trade zone. Management of the Chentex factory has received legal authorization to fire 9 union leaders. The Chentex union is the most militant union in the free trade zone and represents more than 1800 workers.

We urge local activists to organize more leafleting actions at Target and Kohl's outlets. (Target outlets include: Target, Mervyn's, Dayton's, Hudson's, Marshall Fields.) Your pressure is being felt both at Target and Kohl's corporate headquarters and in Nicaragua. If you do not have the leaflet master, we can send it as an email attachment or in hard copy. Contact Campaign for Labor Rights at <CLR@igc.org> or (541) 344-5410. Let us know about your leafleting plans.

As this newsletter goes to press, U.S. organizations also are planning to place a paid ad in a Nicaraguan newspaper. Solidarity groups are consulting with Nicaraguan union leadership about the text of the ad, which would demonstrate that busting unions can have consequences. Free trade tries to set countries off against one another so that they will compete for foreign investment by offering low-wage workforces unprotected by unions. However, the anti-sweatshop movement has made corporations fear becoming the focus of a consumer campaign. The solidarity movement wants Nicaragua's power structure to be aware that we are putting pressure on the U.S. companies which use union-busting factories in Nicaragua for their production.

MIL COLORES WORKER AT KOHL'S MEETING

On May 23, Mil Colores worker Rosa Esterlina Ocampo Gonzalez attended the Kohl's annual shareholder meeting in Milwaukee. The Sisters of St. Francis of Assisi in Milwaukee had introduced a shareholder resolution in support of worker rights. Because Kohl's management refused to allow the worker to speak for herself, Irene Senn of the Sisters of St. Francis Justice and Peace Office read the following statement for her:

"I began work at the Mil Colores factory in the Las Mercedes free trade zone on



Metro Justice leafleting Target store Rochester, NY



Photo: Larry Weiss

Leafleting at Minneapolis/St. Paul Target store

February 8, 1999. I made shorts and pants for the Sonoma brand.

"On January 10, 2000 some of the Mil Colores workers formed a union officially to address serious violations in the factory. Wages are very low - 120 cordobas/week - an amount equal to US \$10/week. Hygiene facilities are filthy. There is no toilet paper or soap. Work hours are supposed to be from 7 AM to 5 PM but many days we were forced to work many hours over that.

"On January 11, the day after the workers voted to join the union, the General Secretary of the union was illegally fired. So far, 208 workers have been fired for supporting the union. I was a member of the main steering committee to form the union. I was fired on January 21, 2000.

"Sixty-eight of us who were fired have been charged with 7 criminal counts. This includes the entire steering committee of the union and the workers who were most supportive of it. Our lawyer told us that, if we receive the maximum sentence for each charge, we will be in prison for 26 - 30 years.

"Of the people who have been fired, some received a \$10 severance payment. When they fired me, they didn't originally tell me that I was fired. They wanted me to sign a paper that would have given me the severance payment but I wouldn't sign it without reading it.

"We are not asking for Kohl's to stop doing business with the Mil Colores factory because that would mean the loss of even more jobs. We ask for your support so that we who were fired will be

rehired and so that the criminal charges against us be dropped."

Following her appearance at the Kohl's shareholder meeting, Mil Colores worker Rosa Esterlina Ocampo Gonzalez began a one-week speaking tour in the Midwest. Her itinerary was organized by Campaign for Labor Rights, which provided two staff to accompany her. Witness for Peace staff in both Washington, DC and Nicaragua rushed into action to get the visa and other necessary paperwork completed on short notice so that this U.S. visit could take place. The tour was made possible through generous financial support from members of the Interfaith Center for Corporate Responsibility (ICCR).

The Kohl's shareholder resolution was introduced by an ICCR member organization. Before Rosa Esterlina's appearance at the Kohl's shareholder meeting, she took part in a press conference well attended by the media. Also, 50 people representing diverse constituencies demonstrated their support for the Mil Colores workers outside the shareholder meeting.

Pedro Ortega, leader of the union federation representing workers in Nicaragua's free trade zone will be in the United States June 16-25. The Resource Center of the Americas (in Minneapolis, where Target is headquartered) is seeking a meeting between Mr. Ortega and Robert Ulrich, CEO of Target. The Sisters of St. Francis Peace and Justice Office in Milwaukee (home of Kohl's) is seeking a meeting between Ortega and Larry Montgomery, CEO of Kohl's.

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Health and Safety Monitoring in Sweatshops

On May 22, in Orlando the national conference of the American Industrial Hygiene Association hosted a panel on health and safety monitoring in third world production facilities. Garrett Brown, coordinator of the of Maquiladora Health and Safety Network, moderated the panel and set the context for the subject.

Presentation by Trim Bissell, national coordinator, Campaign for Labor Rights

I can imagine that my fellow panelists representing Nike and Mattel find it frustrating to deal with the anti-sweatshop movement. No matter what their companies do, protesters are never satisfied. Corporations which have been caught producing their consumer goods in sweatshops are now crawling over one another to declare themselves born-again labor rights advocates and still we turn consumers against them, still we leaflet their retail outlets, still we say terrible, terrible things about them on the Internet.

From that perspective, Nike and Mattel are pitiful, helpless Gullivers unfairly set upon by Lilliputian activists such as myself.

In response to our charges, companies will point out that: "The applicants are lined up at the gates for these jobs." And it's true: They are lined up at the gates. What the corporate spokespeople do not like you to know is that, once those workers get inside the gates, they quickly discover that they are outrageously underpaid and outrageously mistreated - and then they begin to protest. In China, where the government represses independent labor organizing, there are thousands upon thousands of spontaneous strikes every year by the very workers who previously had been lined up outside the gates.

If you are doing a Cliff's Notes version of my presentation, please get your yellow highlighters ready for this point: It is not the anti-sweatshop movement which Nike and Mattel need to satisfy. Our campaigns do not begin in the brains of North American human rights activists. Our campaigns begin with workers standing up for their rights against the most phenomenal odds, and then asking for international pressure on their behalf. We will be hearing this morning from the Nike and Mattel representatives. Doubtless, they will report on their companies' health and safety programs, codes of conduct, monitoring systems and other initiatives. Yet, in spite of all these company initiatives, workers continue to agitate.



Heartland Peace Center in Springfield, IL

By now, perhaps you are wondering: What is it that these workers want, anyway? Why must they keep clamoring for a livable wage when Nike and Mattel have put together a program splendidly named the Global Alliance? Why do workers keep carping about access to potable water and clean bathrooms when the companies have gone to the trouble of handing out their handsomely printed corporate codes of conduct to students on hundreds of U.S. campuses? Why do these workers complain about having to work excessive overtime even though Nike has donated millions of dollars worth of uniforms and equipment to U.S. communities which it has targeted for marketing? Why do we keep going after these companies?

Get out your yellow highlighters again. Here comes Cliff's Notes point number two: The fundamental goal of the anti-sweatshop movement is worker empowerment through real unions independent of government control and company control, and collectively bargained contracts. The best advocates for worker rights are workers themselves. And the best mechanism for their advocacy is a union of their own choosing. Workers and free trade unions are the best advocates for a living wage, reasonable hours, realistic production quotas and - no offense intended to my present audience - compliance with health and safety measures.

This is not to say that there is no place for technocratic expertise nor do I suppose that workers will gain the technical expertise of health and safety professionals. My point is that the heart of this problem is not technocratic and, at its heart, the solution is not a technocratic one.

One of our campaigns involved the Han Young factory in Tijuana, Mexico. The workers at Han Young weld together tractor trailers for the Hyundai corporation. During the winter months, when rain came through the leaky factory roof, workers were using high voltage equipment with frayed cables running through puddles of water while the workers stood in puddles of water. This was not a technocratic problem. It was a labor rights problem, a cynical violation of human rights for the sake of maximizing profit.

In November, 400 workers at the Chentex clothing factory in Nicaragua became ill and a number were hospitalized when a maintenance person mistakenly mixed together two chemicals used for rodent fumigation. When the factory manager refused at first to let Red Cross ambulances into the factory grounds for fear the incident would become public, this was not at its heart a technocratic problem. When the Nicaraguan Labor Ministry, which like its counterparts in many other countries is the handmaiden to business interests, accused the workers



The two-hour Rally for Worker Dignity was organized by the Heartland Peace Center in Springfield, Illinois. Hundreds received postcards to deliver to store managers.

of setting off tear gas and willfully poisoning themselves, this was not at its heart a technocratic problem. It was a problem of a fundamental imbalance of power between workers and corporations.

When union organizers at the Caribbean Apparel factory in El Salvador, which produces clothing for Kathie Lee Gifford (Kathie Lee Gifford, like Nike, is on the badly misnamed Fair Labor Association, created for and controlled by the apparel industry) received death threats, the danger of being abducted, tortured and murdered was not at its heart a technocratic issue. The heart of the problem is that corporations like Nike and Mattel and countless others are leading a global race to the bottom in pursuit of higher profits. And, no matter how sincere my fellow panelists from Nike and Mattel may be, as long as their employers resist worker empowerment through real unions, then these much-touted labor practices departments and health and safety monitoring programs end up serving as a gloss for sweatshop business as usual.

The sincerity of my fellow panelists representing Nike and Mattel is not the issue. Let's give these individuals the benefit of the doubt. But it would be irresponsible to trust their employers or other corporations to clean up their own sweatshop abuses.

Nike boasts that it is the leader in cleaning up sweatshop practices in the sport shoe industry. Consider this: Last fall, I spent three and a half weeks on a U.S. speaking tour with a Nike shoe worker from Indonesia. This worker was fired for his union organizing activities. Specifically, he was fired for handing out Nike's own code of conduct to other workers - the very code we probably will be hearing about this morning. In December, following an international pressure campaign, Nike rehired him. This is the first time that Nike has ever agreed to reinstate a worker fired for organizing.

In 1997, I organized a speaking tour for Cich Sukaesih. She and 23 of her co-workers had been fired in 1993 for organizing a brief strike at the Nike shoe factory where they worked in Indonesia. The reason for the strike? The Nike contractor was cheating the workers out of the minimum wage, which at that time in Indonesia amounted to less than a dollar a day. Less than a dollar a day - and still the Nike contractor couldn't pony up the money! The case of the 24 workers is remarkable in that it went through Indonesia's corrupt legal system and the workers' demand for back pay was upheld at every level. Finally, last year, the workers settled with company for pennies on the dollar. Nike never once lifted a

finger on behalf of those workers.

In recent months, Nike took a hand-picked group of U.S. students on a tour of some of its factories and then published their findings. This was supposed to be a rebuke to student anti-sweatshop activists who have criticized Nike's labor practices and Nike's corporate-friendly monitoring systems. One of the places visited on the student tour was the BJ&B factory in Honduras, which makes clothing for Nike. Unbeknownst to Nike, student anti-sweatshop activists in the U.S. then sent their own delegation to Honduras to check out the BJ&B factory. And this delegation interviewed workers in private, away from the factory. In a safe setting, the workers confided that they were afraid to tell the truth to Nike's hand-picked delegation, for fear they would be fired.

Nike led the way in the sport shoe industry in moving its production to countries with governments which could be counted on to keep wages low with the heavy hand of repression. Mattel is the toy company most often associated with sweatshop abuses. Look what someone sent me in the mail. It's called "Sweatshop Barbie" and talks about wages and conditions in Chinese factories producing for Mattel. [The handout shows two Barbie dolls sitting at sewing machines in a sweatshop.] How can we possibly imagine that the very companies which have done so much to create the global sweatshop could be trusted to clean up their own sweatshop practices through internal company programs or through monitoring process over which they hold the final control? This is why we insist upon worker empowerment as the only solution to the problem of sweatshops.

I alluded earlier to the Global Alliance, a program in which Nike and Mattel are the two chief corporate players. It is telling that one of the other players in the Global Alliance is the World Bank. More than any other institutions, the World Bank and the International Monetary Fund (IMF) have driven an agenda which has proliferated poverty and sweatshops throughout the global south. Far from being a path to development, sweatshops depend on the prior destruction of what is viable in economies to create a desperate army of the unemployed willing to take those miserable sweatshop jobs. When Nike and others boast about the lines of job applicants at the gates, it is the World Bank and the IMF whom they chiefly can thank for the lengths of those lines.

It is especially fitting, then, that Nike and Mattel would select the World Bank as a partner in their Global Alliance project. The Global Alliance is a paternalistic program designed to prevent unions by taking the edge off worker unrest. In traditional language, it would be

fair to call the Global Alliance a company union, a scheme to prevent worker empowerment. The teams formed by management under this program will meet in the factories, under the eye of management. The information we have so far about the Global Alliance suggests strongly that it will rely on workers anointed as leaders by management, so-called leaders who can be counted on to discuss only such issues as are agreeable to management.

If Nike and Mattel wish to demonstrate good faith in ending sweatshop abuses, they do not need to engage in dubious ventures with the World Bank, ventures to create company unions. They need to let their contractors know that busting real unions is no longer acceptable. I'm not talking about paper promises but about real changes in policy. Before the Nike and Mattel representatives describe their companies' elaborate programs, it would be telling if they would say in how many of their offshore production facilities the workers are represented by real unions of their own choosing - unions controlled neither by factory management nor by the hosting government.

To close, what is the proper role for health and safety professionals such as yourselves if you are moved to do something about sweatshop abuses? Is there a legitimate form of monitoring which you could participate in? Emphatically, the answer is "Yes!" What we need are forms of monitoring which support worker empowerment through worker organizing. What we need are not in-house systems answerable to the companies, but truly independent third parties. What we need are not elaborate, ongoing monitoring structures which do for the workers, replacing the role of unions, but structures to do worker training - at the workers' request - and structures which can come in to verify particular abuses - at the workers' request - and then issue their report and withdraw from the factory, so as not to disempower the union.

In your capacity as industrial hygienists, I can think of no better way for you to make a difference than to become involved with the Maquiladora Health and Safety Network, of which my co-panelist Garrett Brown is a founder. He will be happy to sign you up. In your capacity as concerned consumers and citizen activists, I recommend that you sign up for the Campaign for Labor Rights email alerts. We post 10-15 alerts per month covering all the major anti-sweatshop campaigns. A number of our alerts include action suggestions.

The next panelists were Gregg Clark, manager of worldwide health and safety programs for Mattel, and Colleen Crawford, director of global safety and health for Nike's labor practices department. Their presentations were highly technical and filled with acronyms unfamiliar to the lay listener. We have no notes from that portion of the program.

Although all panelists presumably were informed ahead of time about the composition of the panel, the corporate representatives were unprepared to address labor rights issues. The speaker from Mattel seemed blithely oblivious to

the substance of what had preceded him - to the extent of actually stating that one of the greatest challenges in monitoring offshore production facilities is when you have to get six pieces of technical equipment through customs and your company doesn't provide you with a set of wheelies.

The Nike representative clearly realized what had preceded her and was visibly shaken when she stood up to speak. It would be instructive to know whether she took in the contrast between the images on her slides and the sweatshop abuses she had heard about only minutes earlier. Her first slide had a picture of Nike's palatial headquarters in Beaverton, Oregon: a view across a tranquil reflecting pool to a magnificent arched building. The left third or each of her following slides was devoted to images of well-fed athletes performing in sports. She ended her presentation by offering to refer interested listeners to the web sites where Nike states its position on labor practices. [She had left the room abruptly for a short time during the Campaign for Labor Rights presentation - perhaps to get this information from headquarters via cell phone.]

Notes from presentation by Yannick Etienne, representing the Batay Ouvriye worker organization in Haiti:

I didn't understand anything that was going on in the presentations by the people from Mattel and Nike. It was all mumbo jumbo for me. I just can't believe that those things [health and safety programs] are happening in those factories.

The young women are coming from the countryside to take these factory jobs because there is no work for them in the countryside. The agricultural work is done mainly by men. They get a job making garments for U.S. garment companies.

They don't know what companies they are producing for. They can't understand the words in English on the labels. Even if they see a Disney label, the swoosh, Barbie - none of this means anything to us. What we know is the suffering from long hours, red eyes, malnutrition.

Hearing all these things from Mattel and Nike, if we had a meeting and asked these people from Nike or Mattel, the workers would not understand a word [about technical matters of health and safety monitoring]. So I will be their spokesperson. What they know about are factories for assembling garments.

We have more than 100 assembly plants in Haiti which produce garments, electronics, sportswear, crafts. Haiti used to be the principal country in the world in the 1970s for making baseballs even though we don't play baseball. As for the people making the baseballs, the chairs have no backs. The workers have to sit straight for 8 hours. They have to repeat the same stressful movement to sew the pieces of leather. They apply glue to the leather to fasten the leather pieces to the nut [the baseball core]. And they do the stitching. Doing the same movement for 8 hours. They have back pains. They have problems from applying the glue with no gloves. They have to breathe the glue. They are injured by the needles. The hands of the women are burned by glue

and they get stuck in the fingers by needles. They have back pains. And they make \$1.80 per day working in the baseball factories.

How can workers imagine that big U.S. companies make evaluations of health and safety? Nothing has changed with regard to health and safety standards.

Working in the garment factories, workers are stuck by needles. They have to work fast because of high production quotas. Many of the women have ulcers from pressure to work fast. The managers yell at them and insult them.

There is lint all over in the air, with poor ventilation. After work, they come home covered with lint and dust. Inside the factories, there are piles of clothes all over. The worksites are crowded. It is hot, with very poor ventilation. The people designing the factories for 500 workers aren't even thinking about the workers.

It is hot. There is no potable water. The company puts water in a basin outside where leaves fall into it and animals can get in it. Lighting is either too strong or too low. When the lights are close, they make you hotter. There is so much noise from 500 sewing machines. They don't provide any earplugs.

Many women have to work standing up because they have to clean the garments before wrapping them. These women stand for more than 8 hours. Those who sit are in uncomfortable chairs. Many of the women have problems with swelling in their feet.

In the electronics factories, there are women soldering without any protective eyewear or any other protection. They get lots of burns on their arms. When I heard the presentations by the people from Nike

and Mattel, I wondered what the workers would think if they heard the Nike person talking about standards. We used to make Nike garments in Haiti. The factory is still there, producing for other companies. There has been no change in the standards.

The corporations use the codes of conduct to say that they are doing a good job. The workers are not informed about the codes. The Disney code was even translated into Creole, which is the language in Haiti, but no one would dare go to the door of the factory where it is posted because they would be fired if they were caught looking at it. Most workers trying to get the factories to have standards like the ones in the codes were fired. Although the promises in the codes are better than the actual standards in the factories, the codes are no use to the workers. The workers are suffering from unsafe, unhealthy conditions.

The workers need to have the right to organize and bargain collectively. If companies don't respect that, the things I heard from Nike and Mattel are just for American consumers - not for the workers in Haiti, Indonesia or anywhere.



Leaflet at Target store in Rochester, NY

Honduras: Kimi Closes Union Factory, Runs to Guatemala; Yoo Yang struggle continues

[Information provided by the U.S./Labor Education in the Americas Project (US/LEAP): (773) 262-6502, <usleapja@mindspring.com>, <www.usleap.org>]

On May 5, citing "financial difficulties," the Kimi company announced that it would be terminating its clothing factory in Honduras and, within the week, the factory closed its doors. In fact, the closure is a union-busting tactic. Since signing a collective bargaining agreement with the union, SITRAKIMIH, Kimi has been implementing a plan to shift its production to a non-union factory in Guatemala. The shift appears to have been planned since the signing of the SITRAKIMIH contract in March 1999, revealing that Kimi was never negotiating in good faith and never had any intention of maintaining a union factory.

Because SITRAKIMIH leaders have been coordinating with workers in other factories to develop a long-term plan to unionize the area, the loss of this union would indeed be a great setback. Despite a potentially long struggle ahead, 160 of the 175 SITRAKIMIH members recently voted to fight Kimi's closing. The effort to persuade Phillips-Van Heusen to reopen its unionized factory in Guatemala after it was closed in December 1998 failed. We may have a better chance with Kimi because it is a much smaller and its U.S. customers are more susceptible to pressure.

Once Kimi has left Honduras, the Honduran government will have little power over the company. The Korean government, however, has leverage wherever Kimi produces. Korea has many investors in Honduras, especially in the maquila (assembly for export) sector. If the many other Korean investors in Honduras come to view Kimi as damaging their collective reputation, the Korean Embassy could hold Kimi accountable.

Yoo Yang, a textile factory in Continental Park, Honduras, and the union, SITRAIMASH, signed an agreement in March to negotiate a contract before the union gained legal recognition. Once legal recognition was granted, the contract would become the collective bargaining agreement. Latest reports indicate that Yoo Yang is violating the agreement and refusing to negotiate a contract until the legal recognition is gained. Potentially more important, there have been rumors that Yoo Yang will be closing the factory in Honduras and possibly moving to another location. The union is working on strategies to combat this possibility.

Campaign for Labor Rights

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Printed in a union shop.

Email Alerts: Campaign for Labor Rights posts 10-15 email alerts per month on sweatshop issues. To receive these alerts, send a message to <CLR@igc.org>.

Oregon Farmworker Breakthrough: Growers' secret decoded

[Information provided by PCUN (Pineros y Campesinos Unidos del Noroeste - Northwest Treeplanters and Farmworkers United): <eriknicholson@pcun.org>, (503) 982-0243]

Research by the Oregon farmworker union PCUN has produced an important victory: the breaking of the NORPAC growers' packaging code. With this information, PCUN can now move forward vigorously on its boycott strategy.

Increasingly, the food we purchase is processed and requires little effort on our part to prepare. This is especially true of food destined for institutional use, such as campus food services. Multimillion dollar companies mix together a variety of vegetables, requiring only quick heating before serving. These same companies also process food for other companies in the food service industry, which in turn sell the products to universities, hospitals, retirement centers and other institutions.

Often, the brand name on a package or can of processed food is that of the middle-man company, not the company which originally processes the food. For a variety of needs, including product recalls when there are questions about the safety of a particular batch of food, the processing industry has developed a coding system to keep track of where products originate. Regardless of which company's name ends up on a given can of corn or bag of frozen broccoli, the code reveals the true origin of that batch of food.

THE CODE

Research by PCUN reveals that all bags of frozen fruits and vegetables with the number "5" at the beginning of their code are NORPAC products, regardless of the brand name on the package. All canned produce from NORPAC has a code beginning with the letter "E." These codes appear on the sides of frozen produce bags and the tops of produce cans. Sourcing codes are not the same as bar codes. See the PCUN web site <www.pcun.org> for photographs of actual packages and cans with the codes.



With this information about the code, activists across the United States and Canada can verify whether NORPAC products are being sold on their campus or in other institutions they are connected with - even when the products don't carry NORPAC's own brand names: FLAVRPAC, WESTPAC, Santiam, Pasta Perfect and Soup Supreme. Before the breaking of the code, farmworker rights advocates had no way of knowing whether their food service was respecting Oregon farmworkers' boycott of NORPAC products. Now you do! We hope that you will put this information to good use.

BACKGROUND ON THE NORPAC BOYCOTT

The largest growers in Oregon joined together to form a company called NORPAC. The NORPAC growers are notorious for: skimping and cheating on wages, charging outrageous rents for overcrowded and unhealthy housing, exposing workers to toxic agribusiness chemicals and - most of all - union busting. Not one NORPAC grower has signed a contract with PCUN, the Oregon farmworker union.

PCUN has called for a boycott of NORPAC products until the growers bargain fair contracts with the union. NORPAC's financial well-being depends on its institutional contracts. The success of the boycott depends on NORPAC losing a lot of those contracts. PCUN is focusing most of its boycott campaign energy on getting NORPAC products off campuses and out of other institutional food services.

Campaign for Labor Rights

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