

## **SWEATSHOP-FREE PURCHASING**

### **MODEL POLICY**

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#### **PURPOSE**

The district is committed to using its purchasing power responsibly. The district shall not purchase or lease apparel, footwear, or sports and athletic gear and equipment produced under sweatshop conditions, and shall use the requirements of this policy to encourage fair wages and safe working conditions throughout its supply chain.

#### **SCOPE**

This policy applies to district purchases and leases of apparel, footwear, and sports and athletic gear and related equipment in excess of \$[INSERT AMOUNT].

#### **STANDARDS FOR MANUFACTURERS**

The district shall award contracts for products covered by this policy only to vendors that manufacture, or that contract with manufacturers who produce, those products in facilities that meet all of the following standards:

- A. Compliance with all applicable local and international laws and workplace regulations governing wages and benefits, and workplace health and safety;
- B. Wages that meet the higher of the legal minimum wage, the prevailing wage in the industry in the country of production, or a wage sufficient for a full-time worker to support themselves and their family above the poverty line in that country;
- C. Working hours that do not exceed the lesser of 48 hours per week or the limit on regular hours allowed under the law of the country of manufacture, with at least one day off in every seven-day period, and all overtime worked voluntarily;
- D. No discrimination in hiring, pay, benefits, advancement, discipline, or termination on the basis of any protected characteristic, and no harassment or abuse;
- E. No use of forced or child labor;
- F. No termination of workers without just cause, and a grievance or mediation process to resolve workplace disputes; and
- G. Respect for workers' rights to freedom of association and collective bargaining, including a neutrality commitment from management with respect to union organizing efforts.

#### **DISCLOSURE**

Before a contract covered by this policy is awarded, the vendor shall disclose the name, address, and contact information for each facility involved in producing the goods, along with a signed

statement from each such manufacturer, including any subcontractor, affirming that it meets the standards in this policy. If this information changes during the term of the contract, the vendor shall promptly submit updated information to the district.

#### **PUBLIC TRANSPARENCY**

The district shall make vendor and manufacturer disclosures submitted under this policy available to the public, so that interested parties can independently verify compliance.

#### **VIOLATIONS**

If the district determines that a manufacturer has violated the standards of this policy, the district shall work with the vendor to correct the violation, using its purchasing relationship to press for improved practices, rather than immediately ending the business relationship. The district may end a contract under this policy if a vendor is unwilling to work toward compliance.

#### **EXCEPTION**

The district may award a contract to a vendor that does not meet the standards of this policy if, after reasonable investigation, the district determines that the required item is available from no other vendor.

## CONSIDERATIONS FOR DISCUSSION

*The items below are not part of the model policy language itself. They are issues a board may want to work through, with administration and with legal counsel, before adopting a policy along these lines.*

### **Setting the dollar threshold.**

The threshold at which this policy applies should be set relative to the size and frequency of the district's apparel and equipment purchases. A threshold that is too high may exempt most of the district's actual spending; a threshold that is too low may create a disclosure burden for routine, low-dollar purchases. Boards should also make sure the threshold in the adopted policy matches whatever figure is communicated to vendors, since the two can drift apart over time.

### **Verification capacity.**

This policy depends on someone actually reviewing vendor disclosures rather than simply collecting them. Few districts have the staff capacity to independently investigate factory conditions abroad. Boards should discuss whether to rely on vendor self-certification alone, or whether to join a purchasing consortium or contract with a third-party labor monitoring organization, several of which already work with school districts, cities, and states on exactly this kind of compliance.



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### ***A Note on Using This Model Policy***

*This model policy is a starting point, not a finished product. It is intended to prompt discussion among board members and with district administration, not to be adopted verbatim. Every board should revise this language to reflect its own district's circumstances, governance culture, and priorities before bringing it forward for adoption.*

*This model policy is published freely and openly. Boards, board members, administrators, and consultants are welcome to use, share, and amend it in any way that is useful to them, without needing to ask permission.*

*Boards considering this policy should consult with their district's legal counsel to confirm that any policy they adopt complies with applicable state procurement law, which varies by state and is not addressed in this document.*