



U.S. Labor Education in
the Americas Project
Proyecto de Solidaridad
Laboral en Las Américas

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October 26, 2009

Dear Members of the FLA Board of Directors:

As labor rights organizations that have closely followed the case of the Russell Corporation in Honduras, we write to share with you our perspective on the status of this case and our recommendations for moving forward.

As you know, several of our organizations wrote to you on June 24, 2009 to express grave concerns regarding a report by the WRC that Russell had introduced into its remaining Honduran plants the form of employer-dominated worker representation system known as "asociaciones solidaristas" ("solidarist associations"). In doing so, Russell not only violated principles of freedom of association long established by the ILO, but compounded the serious violations of worker rights the company had committed at the Jerzees Choloma and Jerzees de Honduras factories. To our knowledge, this further violation has not been remedied, as, in particular, the "collective pacts" which were rightly criticized in the FLA Board's last resolution remain in place.

We believe the FLA Board's decision at its June meeting to place Russell on special review was a highly constructive step to encourage a just resolution to the case. It is our understanding that the 90-day period for special review has now elapsed and the FLA Board must decide whether to remove Russell from this probationary status, terminate its membership in the FLA, or extend the special review for a longer period.

It is our strongly held view that a decision by the FLA to remove Russell from special review would be entirely inappropriate given the facts on the ground as we know them.

First, we are aware of the ongoing negotiations between Russell and the Sitrajerzeesh union. While a confidentiality agreement between the parties bars them from revealing the substance of the negotiations, it is clear that, well after three months since the FLA put Russell on special review, there is no agreement between the company and the union. Dialogue is no substitute for concrete commitments and implementation. We find it very concerning that at this late date no agreement with worker representatives yet exists, much less has there been progress toward implementation of its terms.

Second, there are a number of areas where corrective action is clearly needed which are not contingent on an agreement with the workers' representatives. The following are areas where we understand Russell has not corrected prior violations, as required by the FLA's remediation plans:

- As noted, the illegitimate “collective pacts” imposed by Russell on workers at its Honduran facilities remain in place. Again, we are not aware of any action or even proposals by Russell to eliminate them.
- The company has not “ [p]ublicly acknowledge[d]...that management mistakes led to a failure to adhere to the FLA standards on freedom of association at the JDH factory,” as the FLA required. Russell has not issued any public statement in Honduras acknowledging the violations of labor rights it has committed.
- The company has not “[i]ssue[d] a public statement affirming the company’s commitment to ensuring that the rights of all employees to join or form a union of their choice and to bargain collectively without employer interference are respected in all Russell and Fruit of the Loom factories, both wholly owned and subcontracted facilities.” While Russell has reissued the Freedom of Association statement it originally issued in 2007 (prior to committing a new series of violations of workers’ associational rights), Russell has not issued any public statement concerning freedom of association in Honduras, as the FLA has required.
- The senior Russell manager who directed the illegal anti-union activities at Jerzees Choloma and Jerzees de Honduras, Ricardo Trujillo – a man who is widely-recognized as having introduced employer-dominated “solidarist organizations” to Honduras – remains employed by Fruit of the Loom at a senior level.

Given these facts, it clearly would be inappropriate to reward Russell by removing the company from the special review status. Moreover, doing so would likely undermine the fragile negotiation process now underway between Russell and Sitrajerzeesh, sending the message that the company can obtain FLA approval without concrete commitments and follow through.

We hope the FLA Board will build on its constructive effort to put Russell on special review and encourage a negotiated resolution by extending the special review status.

We appreciate your consideration of our views.

Sincerely,

Bama Athreya, Executive Director, International Labor Rights Forum
Bjorn Claeson, Executive Director, SweatFree Communities
Stephen Coats, Executive Director, US LEAP
Eric Dirnbach, Apparel Industry Coordinator, Workers United
Charles Kernaghan, Director, National Labor Committee
Erin Kliewer, Executive Director, STITCH
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