



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://www.cityofmadison.com)

## Meeting Minutes - Draft SWEATFREE PURCHASES, COMMITTEE ON

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Tuesday, April 20, 2010

4:00 PM

210 Martin Luther King, Jr. Blvd.  
Room 417 (City County Building)

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### CALL TO ORDER / ROLL CALL

Chair Bottari called the meeting to order at 4:15 pm.

**Present:** 4 -

Satya V. Rhodes-Conway; Jonathan D. Rosenblum; Mary E. Bottari and Norman Davis

**Absent:** 1 -

Eric S. Hoyt

Jonathan Rosenblum left at 4:47 pm.

**Guests:** Kelly Martin and an unidentified student, both from UW School of Business

### APPROVAL OF MINUTES

A motion was made by Rhodes-Conway, seconded by Mr. Rosenblum, to Approve the Minutes from March 23, 2010 CSP meeting. The motion passed by voice vote/other.

### PUBLIC COMMENT

There were no registrants

### ITEMS CONSIDERED

1. [18171](#) Standing update on Sweatfree Purchasing Consortium activities - Purchasing

State DOA Bureau of Procurement hosted a meeting with worker advocates, Kalpona Akter, a former child factory worker who directs the Bangladesh Center for Worker Solidarity and Zehra Bano, General Secretary of the Home-Based Women Workers Federation of Pakistan. Both were accompanied by Trina Tocco, Associate Director of the International Labor Rights Forum. The group was touring 10 states in 19 days to bring attention to conditions under which uniforms and apparel used in the government sector are manufactured.

**Summary:** 76% of export in Bangladesh comes from the garment industry, the workforce of which is comprised by 75% women. In Pakistan, practically all the stitching of soccer balls is done by home based women workers who are essentially invisible and rendered more vulnerable because they have no formal relationship with the factories.

While there are ILO (International Labor Organization) laws as well as local (country) laws and even factory codes of conduct that guard against the exploitation of workers, these laws are not enforced because of the inherent corruption in government where many of the parliament members directly own these garment factories. As a result, the worker advocates rely more on the codes of conduct written in the contracts that municipalities have with the vendors to improve working conditions in the factories. As a practical matter, advocates do not recommend a “pull-out and run” policy when code of conduct violations have been identified in a particular location because it results in factory closings and displaced workers. The preferred course of action would be to continue working with the manufacturer to improve conditions.

**Discussion:** State of Wisconsin DOA Bureau of Procurement (represented by Pam Viner) recently joined SPC. City Committee to invite her to City committee meetings. The State does not currently have a sweatfree policy while UW has a code of conduct. UW recently terminated its contract with Nike based on a code of conduct violation, despite ongoing dialogue and corrective action efforts by Nike.

No formal action was taken on this item.

2. 18172 Update on uniform bid process - Purchasing

**Discussion: Difficulties experienced by Purchasing in implementing sweatfree policy.**

- **Bidders do not fill out the sweatfree affidavit completely.**
- Whitehead provided an example of a recent Fire Department bid for footwear. Only one bidder submitted a bid and only partially completed the sweatfree affidavit. While the total purchase value ended up under the \$5,000 bid threshold, the issue is relevant to the extent that if the total contract value were \$10,000, it is more likely that the order will be broken up to avoid the difficulty of monitoring and evaluating compliance of vendors.
- Rhodes-Conway suggested that the splitting of contracts to get around the bid threshold is not specific to the sweatfree issue and is a Purchasing matter that needs to be dealt with accordingly and uniformly across the board.
- **Absence of a practical, clear or fair method for evaluating bidders' ability and willingness to submit information required in the sweatfree disclosure affidavit.**
- The difficulty with monitoring the process has become more pronounced because Purchasing has begun to monitor more closely, vendor's compliance in terms of submitting accurate and complete information.
- **Appropriateness or meaningfulness of information required in the City's Sweatfree Disclosure Form.**
- Vendors do not have and/or are not able to obtain the information required by the ordinance.
- Having a sample form that has been completely filled out for vendors to see could be helpful in overcoming vendors' perceived difficulties in obtaining or providing information and dispelling any assertions of proprietary information, etc., all barriers that university model companies and licensees got over.
- **Union shops not willing to disclose wage information**
- **Are we asking for too much information? How much of it is really useful?**

No formal action was taken on this item.

3. [18173](#)

Policy for Implementation of Sweatfree Ordinance  
Guidelines, Procedures, Evidentiary Standards

- Sweatfree Purchasing Consortium is proposing the use of a standard Affidavit of Compliance form that will be recognized by all consortium members as valid once submitted by any vendor to the Consortium. McGuire distributed copies of the draft Affidavit of Compliance to committee members for review and consideration.
- Comments:
  - Information required in both forms (SPC and City of Madison) is similar.
  - How important is the information that is being required, e.g., wage and benefit, normal work day and hours, normal work week and hours, product code, HTS code, function, etc.?
  - Information will be required from subcontractors as well. SPC and/or committee will have to determine how far down the supply chain should the information be supplied (i.e. zipper manufacturer for pants, or stitching of soccer balls by in-home workers, etc.)
  - Is there an agency that has had some success with a form and collecting the right information? What level of detail are vendors willing and able to provide?
  - Is there a middleground that is more than just checking a box vs. providing all the information currently in these forms so that we can get compliance and still get vendors to bid? Any change in the required details in the form will require an ordinance change.
- Process for vendors to submit information:
  - Vendors might be more willing to complete the form if they have to submit it only once to SPC vs. having to submit it multiple times within a single year and/or for smaller contracts.
  - Vendors will be required to pay the Consortium a fee (\$50 -\$100 per factory) which will be used to verify information on the affidavits. Fee seems a reasonable amount given the benefits.
  - Would the City's policy allow conditions requiring vendors to pay fees to be qualified to bid on a project and before being awarded a contract?
  - Conditions can be set to qualify bidders for contract purposes. However, would vendors be willing to pay this fee for every subcontractor, for a chance at getting a \$7,000 contract?
  - Affidavits would have to be valid for at least one year.
  - Look into City's policy to determine whether policy allows for accepting one form per year
  - How likely would vendors be willing to pay this fee for a one time (e.g., \$7,000) contract for one year, for multiple contracts for multiple agencies, etc.
  - The benefit of multiple contracts for multiple agencies might be geared more towards bigger companies than smaller local companies. However, local companies might be willing to pay the fees for a chance to sell in the national market.
  - As the consortium gains more ground and gets more members, it's going to make more sense for businesses to be certified through them. The movement is still in its early stages, so that the value to comply is not yet widely recognized by vendors.
  - Would like to make the policy work even for local businesses who do not have aspirations on a national level.
  - Check experiences/successes of the few agencies that have put funds into monitoring the process early on.

A motion was made by Rhodes-Conway, seconded by Ms. Bottari, to Refer to the SWEATFREE PURCHASES, COMMITTEE ON, due back on 5/18/2010 due to lack of quorum. The motion passed by voice vote/other.

4. [18174](#) Status of Sweatfree Consortium membership and resolution

A motion was made by Rhodes-Conway, seconded by Ms. Bottari, to Refer to the SWEATFREE PURCHASES, COMMITTEE ON, due back on 5/18/2010 due to lack of quorum. The motion passed by voice vote/other.

5. [18175](#) Agenda Items for future meetings

**Referred agenda items 3 and 4**

Gather information on other agencies (State, UW, City of Milwaukee) experiences with sweatfree or invite them to share their experiences

6. [18176](#) Announcements

**Mary will not be at the May 18 meeting.**

**Present:** 3 -

Satya V. Rhodes-Conway; Mary E. Bottari and Norman Davis

**Absent:** 2 -

Eric S. Hoyt and Jonathan D. Rosenblum

#### **ADJOURNMENT**

A motion was made by Rhodes-Conway, seconded by Ms. Bottari, to Adjourn at 4:49 pm due to lack of quorum. The motion passed by voice vote/other.