



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Meeting Minutes SWEATFREE PURCHASES, COMMITTEE ON

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Tuesday, March 23, 2010

4:00 PM 210 Martin Luther King Jr Blvd Room 406 (City-County  
Building)

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### CALL TO ORDER / ROLL CALL

Staff called the meeting to order at 4:12 pm

### APPROVAL OF MINUTES

A motion was made by Rhodes-Conway, seconded by Mr. Davis, to Approve the Minutes. The motion passed by voice vote/other.

### PUBLIC COMMENT

There were no registrants.

### ITEMS CONSIDERED

1. Madison Fair Trade Coalition presentation - Campaign to declare Madison a Fair Trade City.
2. Madison Fair Trade Coalition presentation

Guest Speaker: Allie Gardner, WISPIRG Coordinator for Fair Trade Campaign  
The goal of the campaign is to declare Madison a Fair Trade city.

  - The final criteria for the designation is to have a fair trade resolution passed by Common Council. The vote is scheduled on April 13. If passed, Madison will be the 14th fair trade city in the US to be certified by Fair Trade Towns USA. (Other fair trade cities include Chicago, Milwaukee, SF, NY, etc.)
  - WISPIRG also plans to work towards creating a fair trade ordinance similar to sweatfree ordinance that is to be co-sponsored by Ald. Verveer.
  - Four other criteria for Madison to be a fair trade city have been met:
    - 1) Madison has exceeded the required 20-30 fair trade vendors (vendors that sell more than 2 fair trade products) that it needs to have to be qualified for the certification.
    - 2) Madison has the required (46) places of worship, schools, businesses, workplaces, etc. that use fair trade products
    - 3) Enough fair trade media and events attention in City through fairs, events, letters to editors, etc. have been generated.
    - 4) Madison has a steering committee comprised of several groups (7 to date and still expanding) that include:  
WISPIRG (WI Student Public Interest Group) Fair Trade, CALA (Community Action Latin America), SERRV (Sales Exchange for Refugee Rehabilitation and Vocation), Family Farm Defenders, Terra Experience, A Room of One's Own (vendor)

What are the benefits of the designation? - Davis

Certifying Madison as an official Fair Trade city will further promote Madison's high priority of consumer consciousness and awareness of fair trade alternatives and help small businesses that carry fair trade products

What fair trade alternative products are there and what are implications for City Purchasing? - Bottari

The resolution has no binding language unlike the ordinance that is being contemplated. The intent is to insure that the City would be buying fair trade products that were manufactured under the same ethical criteria as sweatfree, i.e., fair wages, safe labor standards, etc.

Fair trade products that the City could purchase include agricultural, food products, artisanal products, sweatfree clothing and uniforms.

Clarify different certifying organizations as well as TransFair certification criteria for fair trade products vs. products that are not certified by TransFair but are still considered fair trade products - Rhodes-Conway

Cities are certified through Fair Trade Towns USA whereas products are certified by TransFair in the US and Fair Trade Federation and Fair Trade Labeling in the UK.

Gardner to send more information re: these certification agencies to Purchasing.

Clarify differing certification and verification standards by these various certifying organizations - Rosenblum

Products that carry more strict criteria than TransFair are considered fair trade even without the certification by TransFair, e.g., Just Coffee

Additional information from Gardner: "For a product to display the Fair Trade label it must meet international Fair Trade standards which are set by the international certification body Fair Trade Labeling Organizations International(FLO). These standards are agreed through a process of research and consultation with key participants in the Fair Trade scheme, including producers themselves, traders, NGOs, academic institutions and labeling organizations such as TransFair. FLO utilizes 20 national initiatives and three producer networks to spread fair trade principles and Fair Trade Certified products. In North America, TransFair Canada and TransFair USA are the only third-party certifiers of fair trade products in their countries."

Question re: sweatfree ordinance and the ability and/or interest by the committee to add fair trade to an existing ordinance – Gardner

Committee provided Gardner with a copy of the ordinance, adding that the committee is in the early stages of understanding the ordinance and its relationship to other ordinances, like local purchasing, living wage, etc. The Common Council introduces and votes on a proposal and can add to an ordinance, but it is too early for the committee to make any recommendation or decision to modify the sweatfree ordinance at this time.

No formal action was taken on this item.

2.

Update on status of filling committee vacant seats.

One of two seats is now filled by Norm Davis. The alternate seat held previously by Joseph Conway is now vacant. Vacancies are posted on the City's website and sometimes sent out to specific list serves. Suggestions can be made by committee members for consideration by the Mayor, or interested parties can simply fill out application forms that are also found on the City's website.

Committee to seek out other possible recommendations from WISPIRG, business owners or officials from the Fair Trade community, etc.

No formal action was taken on this item.

3. Standing update on Sweatfree PUrchasing Consortium activities - Purchasing

Last Sweatfree Procurement Call was on 1/28/2010. Guest Speaker was Brandie Sasser from the Office of Child Labor, Forced Labor, and Human Trafficking at the Department of Labor. She discussed ILAB's research on forced child labor in overseas supply chains, including apparel, and Executive Order 13126, the federal prohibition against procuring products made with forced child labor or indentured child labor. Current list of products in the Federal Register include: From Burma – bamboo, beans, bricks, chilies, corn, pineapples, rice, rubber, shrimp, sugarcane and teak.

The consortium introduced a new form, Affidavit of Compliance, for consideration by consortium members as the standard form to be recognized by all members. The form will be filled out by contractors and submitted to the consortium with a fee, which will be used by the consortium to verify the information on the affidavits.

The consortium is also recommending for consideration, member agencies to require contractors to pay 1% of the contract value to the Consortium for the monitoring of contractor performance.

Discussion whether the 1% fee would be required by legislation or simply negotiated as a term of the contract.

No formal action was taken on this item.

4. Update on City Uniform Rental Contract Process - Purchasing

Purchasing discussed the Request for Proposal process for the City's Uniform Rental Contract in front of the Board of Estimates on March 22. The uniform rental contract provides for uniforms, laundering, pickup and delivery for several City agencies. After completing the evaluation of the 2 proposals received and the selection of a contractor, Purchasing determined that the awarded vendor could not comply fully with the living wage requirement. The living wage requirement requires all employees who will be engaged in performing services under the City contract to be paid a living wage, which is at \$11.66 for 2010. While some of the contractor's workers are already getting paid the living wage, there is a certain percentage of the contractor's workforce who are not. The current version of the ordinance disallows proportional calculation, a method which allows calculation of wages in a proportional way, if the Contractor is able to reasonable segregate the City work from the non-City work or identify those persons whose time in full or in part is spent performing services under the City contract. Further, the ordinance states that no proportional calculation is allowed unless no bids are received on a City service contract and staff determines that compliance with this subdivision contributed to the lack of bids. The contract may then be rebid

with a waiver of the no proportional calculation requirement. The only other bidder did not comply with the sweatfree requirement by refusing to disclose information required in the Bidder Disclosure Statement. Purchasing requested both vendors to confirm whether they are able to comply with both living wage and sweatfree requirements or withdraw their bids. Both vendors withdrew their bids. Purchasing will go back out for bid. Discussion followed about the rationale behind vendors'/ manufacturers' refusal to provide information, their ability to meet labor standards and the inherent difficulties in the apparel industry to meet the wage and labor conditions. Whitehead provided an example of the application of the proportional calculation formula and added that while the living wage ordinance has a provision for an "out," the sweatfree ordinance does not. Rhodes-Conway expressed concern regarding the conflict of requiring vendors to ensure fair wages overseas while allowing adjustments to living wages for local workers in the City of Madison. How do we accommodate similar conflicts in future situations?

No formal action was taken on this item.

Create a resolution to authorize membership by City of Madison in the Sweatfree Purchasing Consortium and appropriate \$500.00 for initial dues and an estimated \$1000.00 for future annual dues.

McGuire distributed a draft resolution for review by committee. Rhodes-Conway to sponsor. Change language to remove appropriation for future dues.

A motion was made by Mr. Davis, seconded by Mr. Rosenblum, to submit the resolution to Council sponsored by Rhodes-Conway. The motion passed by voice vote/other.

Resolution 17892 was adopted by the Common Council on 4/20/2010.

6. Designate a liaison for the Sweatfree Purchasing Consortium to represent the Citycommittee.

Committee designates McGuire as the primary liaison and Rosenblum as the alternate

No formal action was taken on this item.

7. Discussion of recommendations by Bjorn Claeson for committee's next steps.

Further define the reference in the ordinance to fair wage requirement as it relates to fair wages in other countries. Reference City of Milwaukee's Fair Wage Table. Committee to experience and learn more about the practical applications of the ordinance before expanding policy on this issue. Further define evidentiary standards for verifying information submitted by vendors and clarify language used for awarding contracts in the face of conflicting information. Reference City of Milwaukee's experience as it relates to how City staff implements the ordinance.

Staff to contact Madison Police Dept. and City of Milwaukee for discussion of uniform contract procedures and specific experiences related to sweatfree procurement.

No formal action was taken on this item.

8. Agenda Items for future meetings

Add policy/operating rules and procedures for implementation of ordinance as a standing agenda item.

No formal action was taken on this item.

9. Announcements

Scheduling of calendar for future meetings:

DAY	2010 DATE	TIME	LOCATION
Tuesday	April 20	4:00 pm	Room 417 CCB
Tuesday	May 18	4:00 pm	Room 417 CCB
Tuesday	June 15	4:00 pm	Room 417 CCB
Tuesday	July 20	4:00 pm	Room 108 CCB

#### ADJOURNMENT

A motion was made by Rhodes-Conway, seconded by Ms. Bottari, to Adjourn at 5:25 pm. The motion passed by voice vote/other.