



Independent College Bookstore Association

## Vendors Workplace Codes of Conduct and Vendor Fair Labor Practices

### *“The Sweatshop Issue”*

The issue of fair labor practices by the vendors who are selling logo apparel to college and university bookstores is complex. Each campus has determined a position. It appears that all of the apparel vendors have adopted a corporate code of conduct and/or are affiliated with an organization involved with this issue. For schools, this is a major administrative decision with serious consequences. Often it is the President or Chancellor and other executives at the highest levels of the administration making these decisions.

Each bookstore takes direction regarding business practices from the administrative policies and rules of its own campus. The fair labor issue is one such administrative policy. The role of the Independent College Bookstore Association is to support our member stores as they fulfill *their* individual campus goals and missions. The ICBA Apparel Program and ICBA membership qualifications recognize the flexibility needed for stores to use our programs effectively in pursuit of their goals. We ask vendors to provide us with their corporate code of conduct. If they are a member of the Fair Labor Association (FLA) their code is available at the FLA site and this is noted in the Terms and Conditions section of their program pages in the ICBA catalog. We hope this helps you in the pursuit of your school and store goals.

As always, the ICBA Board of Directors welcomes any questions, comments, or suggestions regarding this issue from all members. Please feel free to contact us.

**UPDATED 06.01.10**



## FAIR LABOR ASSOCIATION

### **Fair Labor Association**

The Fair Labor Association (FLA) is a non-profit organization combining the efforts of industry, non-governmental organizations (NGOs), colleges and universities to promote adherence to international labor standards and improve working conditions worldwide. The FLA conducts independent monitoring and verification to ensure that the FLA's Workplace Standards are upheld where FLA company products are produced. Through public reporting, the FLA provides consumers and shareholders with credible information to make responsible buying decisions.

### **Workplace Code of Conduct**

The FLA developed its Workplace Code of Conduct based on International Labour Organization (ILO) standards. The Code, presented below, delineates the specific code elements that FLA-affiliated companies are required to enforce in factories that supply their products. The FLA Code is supplemented by FLA Compliance Benchmarks, which identify specific benchmarks for each code element.

### **Forced Labor**

There shall not be any use of forced labor, whether in the form of prison labor, indentured labor, bonded labor or otherwise.

### **Child Labor**

No person shall be employed at an age younger than 15 (or 14 where the law of the country of manufacture allows\*) or younger than the age for completing compulsory education in the country of manufacture where such age is higher than 15.

### **Harassment or Abuse**

Every employee shall be treated with respect and dignity. No employee shall be subject to any physical, sexual, psychological or verbal harassment or abuse.

### **Nondiscrimination**

No person shall be subject to any discrimination in employment, including hiring, salary, benefits, advancement, discipline, termination or retirement, on the basis of gender, race, religion, age, disability, sexual orientation, nationality, political opinion, or social or ethnic origin.

### **Health and Safety**

Employers shall provide a safe and healthy working environment to prevent accidents

and injury to health arising out of, linked with, or occurring in the course of work or as a result of the operation of employer facilities.

### **Freedom of Association and Collective Bargaining**

Employers shall recognize and respect the right of employees to freedom of association and collective bargaining.

### **Wages and Benefits**

Employers recognize that wages are essential to meeting employees' basic needs. Employers shall pay employees, as a floor, at least the minimum wage required by local law or the prevailing industry wage, whichever is higher, and shall provide legally mandated benefits.

### **Hours of Work**

Except in extraordinary business circumstances, employees shall (i) not be required to work more than the lesser of (a) 48 hours per week and 12 hours overtime or (b) the limits on regular and overtime hours allowed by the law of the country of manufacture or, where the laws of such country do not limit the hours of work, the regular work week in such country plus 12 hours overtime and (ii) be entitled to at least one day off in every seven day period.

### **Overtime Compensation**

In addition to their compensation for regular hours of work, employees shall be compensated for overtime hours at such premium rate as is legally required in the country of manufacture or, in those countries where such laws do not exist, at a rate at least equal to their regular hourly compensation rate.

Any Company that determines to adopt the Workplace Code of Conduct shall, in addition to complying with all applicable laws of the country of manufacture, comply with and support the Workplace Code of Conduct in accordance with the attached Principles of Monitoring and shall apply the higher standard in cases of differences or conflicts. Any Company that determines to adopt the Workplace Code of Conduct also shall require its licensees and contractors and, in the case of a retailer, its suppliers to comply with applicable local laws and with this Code in accordance with the Principles of Monitoring and to apply the higher standard in cases of differences or conflicts.

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**\*All references to local law throughout this Code shall include regulations implemented in accordance with applicable local law.**

# ICBA Program Vendors' FLA Affiliation

## Participating Companies

Participating Companies (PCs) make a sustained corporate commitment to the FLA by bringing their entire supply chain into the FLA program. When they join the FLA, PCs commit to fulfilling the 10 FLA company obligations, including submitting to unannounced independent external monitoring (IEM) audits, and enforcing the FLA Workplace Code of Conduct in their supplier facilities.

GFSI Inc. (formerly GEAR For Sports)  
Russell Corporation  
Top of the World LLC

## FLA Collegiate Licensee Program

FLA-affiliated collegiate licensees are companies that manufacture products for FLA-affiliated colleges and universities. One of the obligations of FLA-affiliated universities is to require their licensees – companies manufacturing or sourcing products bearing university marks in the U.S. or overseas – to register with the FLA in the appropriate category. Based on their total annual revenues, collegiate licensees register in the B, C, or D categories. Some FLA Participating Companies also hold university licenses and are required to meet university obligations pertaining to the collegiate product they manufacture or source.

## Category B Licensees

Category B licensees are companies that bring only their collegiate supply chain into the FLA program.

### As of May 28, 2010

American Pad and Paper LLC/ Ampad  
Ash City Worldwide  
Mead Westvaco  
M. J. Soffe  
Under Armour  
VF Corporation-JanSport

## Category C Licensees

### As of May 28, 2010

Artisans, Inc.  
Boxercraft  
Campus One Sportswear  
Charles River Apparel  
Church Hill Classics, Ltd.  
Club Colors  
Cotton Exchange Apparel, The  
CSI International Inc.

### **Category C Licensees (cont.)**

Davis Group of Companies Corporation  
Four Point Products  
Frames4Diplomas.com  
Framing Success, Inc.  
J. America  
Jardine Associates  
Jones and Mitchell Sportswear Inc.  
Know-Wear by DP Design  
Legacy Athletics  
Levelwear  
MV Sport  
Neil Enterprises  
Ouray Sportswear  
Richardson Sports  
Roaring Spring Paper Products  
Samsill Corporation  
Spirit Products Ltd.  
Storm Duds Raingear  
Tchotchke's  
Team Beans/Forever Collectibles  
Toegoz Inc.  
Top Flight Inc.  
Uphill  
Vantage Apparel

### **Category D Licensees**

**As of May 28, 2010**

Anko Marketing Corp.  
Comet School Supplies, Inc.  
Jac San Collegiate Apparel / College House  
Potter Mfg. Co.  
Regal Poly-Pak  
Sports Tissues  
Third Street Sportswear Mfg. Inc.  
TLC Sportswear, Inc.  
Trademarx Wallcoverings Inc.

# **Collegiate Licensee Program Requirements**

## **FLA Licensee Categories**

The nature of FLA participation by a company that is a college or university licensee depends on the size of the company. Please review the following information to evaluate which category is appropriate for your company.

Please note that licensee categories are based on a company's total annual revenues and not its revenues from the sale of collegiate goods.

## **Participating Company and Category B**

Any company may participate as a Participating Company or Category B licensee, but if your company's total annual revenues are \$50 million or greater, then you must choose either Participating Company or Category B. Whereas Participating Companies subject all of their facilities to the FLA's monitoring process, Category B licensees submit to the FLA's monitoring process only those facilities that produce goods bearing the logos of FLA-affiliated colleges and universities.

## **Category C**

Category C applies to companies with total annual revenues below \$50 million that do not qualify for Category D and choose not to participate as a Participating Company or Category B licensee. Generally, Category C licensees have total annual revenues between \$5 million and \$50 million or under \$5 million but sourcing from overseas. Click [here](#) [link to FLA Licensee Requirements subpage] to view all requirements for Category C licensees. All Category C licensees must also participate in the Enhanced Licensee Program effective September 2008. The Enhanced Licensee Program is currently being piloted with a group of approximately 100 licensees and 10 pilot schools.

## **Category D**

Category D applies to companies with total annual revenues below \$5 million manufacturing or sourcing in the United States. If your company's total annual revenues are under \$5 million but you are manufacturing or sourcing from overseas, you will need to register as a Category C licensee.