



Stronger Together US Program Stakeholder Update, December 2019

Introduction

Stronger Together US aims to motivate the US fresh produce sector to recognize and reward responsible recruitment (RR), thereby boosting the supply of ethically sourced labor and reducing the risks for workers and businesses across the labor supply chain. This new program, launched in April 2019, aims to address these gaps and drive a market-wide responsible recruitment system. Stronger Together recognizes that, to enable collective action and reach scale, RR work must be business-friendly and solutions-oriented.

Our targets are to:

1. **Facilitate** stakeholder dialogue and cooperation and develop an industry framework to promote responsible recruitment.
2. **Equip** business with knowledge, materials, and tools specific to the US produce industry to either implement, demonstrate or oversee responsible recruitment and hidden labor exploitation (e.g., businesses may be unknowingly infiltrated with forced labor) in the supply chain and labor chain.
3. **Demonstrate** the business case for independent certification of farm labor contractors in the US by our partner Clearview.

While our priority is recruitment of migrant workers - particularly across the Mexico-US recruitment corridor as we perceive this as the highest risk - our management systems approach will indirectly benefit all workers in US produce.

This interim stakeholder update summarizes the milestones achieved year to date in 2019 and the insights we have gained along the way.

1. Facilitate

***Facilitate** stakeholder dialogue and cooperation and develop an industry framework to promote responsible recruitment.*

The focus of our stakeholder engagement so far this year has been to raise awareness and build demand for responsible recruitment practices, as well as to develop a platform and support network for sharing challenges and best practices across the industry. We also wanted to bring together stakeholders from across the industry to learn from their different perspectives building an accurate picture of the whole.

Key Milestones:

- Mapping and engagement strategy planned and delivered with over 100 stakeholders across the US fresh produce sector and in Florida (FL) and California (CA). Promoted the program at numerous events and meetings in the US and in the UK.
- Launched a Stakeholder Forum (Forum), with two caucuses (private sector and civil society), which acts as an engagement pathway in the program and which serves as a common resource and clearinghouse for issues, events and activities, supporting responsible recruitment interest, culture and needs. Three Forum conference calls took place with a total of 26 attendees. The Forum's TOR is available on our [website](#), new members welcome.
- Developed a "partnership" model whereby participating buyers can publicly commit to RR and lend public support to our program. Due to Stronger Together's South Africa program, the Norwegian and Swedish wine monopolies

who import wine from California have signed-up, therefore we have accepted wine grapes into the scope of our program.

- Held a Responsible Recruitment Roundtable event on September 27th, in West Palm Beach, Florida Over 40 stakeholders attended, including retailers, growers, government agencies, standards systems and civil society. After a key-note, and a plenary panel, participants explored key questions regarding overcoming challenges to recognizing and rewarding responsible recruitment in the US fresh produce sector and voted on the top ten ideas. Full report available on our [website](#).

Key Insights:

- ⇒ Important to maintain messaging that our program strives to achieve a “solutions-focused” approach aimed at building capacity, providing guidance and up-skilling supply chain actors at all levels whose efforts are necessary to affect change, rather than addressing a problem caused by “bad actors”.
- ⇒ Stronger Together have a unique role to play which was strongly welcomed - the ability to bring together the private sector and other stakeholders hosting and encouraging multi-stakeholder dialogue. However, we need to include more stakeholders, including migrant workers themselves.
- ⇒ Stakeholder’s views on RR and the risks in the US produce sector are varied and diverse. Stakeholders are interested in how we can demonstrate prevalence. US produce has typically been classified as low-risk, due to the assumption that food safety systems and legal compliance mechanisms are strong in the US and in the H2A program is highly regulated. More data on prevalence and scale will help us “make the case” and help buyers particularly determine how much attention/resource to put towards this issue.
- ⇒ We need a common and widely accepted definition of RR that changes the conversation from “minimal legal compliance” to “best practice” -this is an area of opportunity for education, setting a positive vision for how RR can achieve commercial goals and provide an exceptional work seeker experience.
- ⇒ When engaging growers and FLCs it is important that our program isn’t seen as “top down” - another obligation being imposed by customers without any incentives or effort. We see an industry framework as a way to address this issue and demonstrate the commitment and responsibility is held at the top as well as further down the supply chain. The aim would be to set out shared principles of action and acknowledge all levels of the supply chain have actions to take.
- ⇒ Our second roundtable will be an FLC-only event to hopefully allow FLCs to engage in a frank discussion about their needs and concerns in a way that is not possible at a multi-stakeholder event. We are also engaging entities whom FLCs and growers trust, such as state-based producer and employer industry associations, seeking to build relationships over time.
- ⇒ We need to tackle big problems but make them scalable and ensure they benefit small and medium growers/FLCs as well as larger ones.

2. Equip

Equip business with knowledge, materials, and tools specific to the US produce industry to either implement, demonstrate or oversee responsible recruitment and forced labor prevention in the supply and labor chain

Our focus so far this year has been two-fold. First, we sought to gather baseline data to understand the current picture of recruitment and hiring practices. We wanted to understand whether current research provides understanding on the recruitment chain, how recruitment serves the needs of business and migrant workers, risk and opportunity areas in the recruitment process, and how RR is enabled across the industry. Secondly, planning for the development of materials for the industry to use to inform guest workers of their rights related to responsible recruitment and hidden labor

exploitation in the labor chain, and how to report abuses and to apply principles of good practice in responding to reported cases.

Key Milestones:

- We conducted a literature review to collate current research on RR in the US fresh produce sector and identify gaps. The scoping desk research is well underway and due to be completed by the end of the year.
- We have engaged an independent third-party to conduct a survey in worker sending communities in Mexico to better understand the recruitment experience of workers from Mexico into the agricultural sector in the US. The survey is underway.
- We researched worker hotlines in the US and partnered with the existing service from the National Human Trafficking Hotline operated by Polaris, allowing us to rely on an existing and trusted infrastructure that will provide sustainability beyond year two.

Key Insights:

- ⇒ Following stakeholder consultation we adapted our strategy for the roll-out of a migrant worker survey in the US to instead conduct this in source communities in Mexico in order to ensure workers are not put at risk through this activity and to improve the quality of data received by participants. A key insight through conversations with worker advocates is that there is a stark lack of protection for workers within the first mile of recruitment.
- ⇒ Further consultation and dialogue are needed in the development of our guidance for businesses on principles of good practice when responding to and reporting suspected cases to ensure we apply a ‘victim-centered’ approach. Civil society stakeholders have indicated that most persons with grievances go underground due to plummeting trust in law enforcement combined with anti-immigrant political rhetoric. Government agencies also acknowledged that they, too, can lack the ability to protect a migrant worker from deportation as a result of a legal claim.
- ⇒ A collaborative approach is needed in the development of migrant worker education materials to ensure workers don’t receive confusing or contradictory information. Thus, we are exploring the feasibility of designing pieces in common with key organizations. We plan to provide these as tools to business as part of our tool kit.
- ⇒ We also learned a lot from our literature review and identified many gaps as well. Key findings include: identification of the key labor challenges facing fresh produce sector and limited literature on the role of FLC’s in addressing this; it is necessary to disseminate, strengthen and improve the legal and organizational requirements of farm labor contractors across borders to make their operations more transparent; recruitment risks to migrant workers have been documented across the H-2A program, but field research is needed because existing information on the scale of third-party exploitation and on the prevalence of recruitment fees during the recruitment phase into US produce is anecdotal and/or out of date. Identified gaps where more data is needed include: further detail of the recruitment journeys/stages; better understanding of the financial impact for legitimate agencies of operating transparent and responsible recruitment across the US – Mexico border; more information on emerging best practice regarding recruitment of migrant workers and the business risks as well as benefits and industrywide incentives for RR.

3. Demonstrate

Demonstrate the business case for independent certification of FLCs in the US by our partner Clearview.

Our focus so far this year has been engagement of audit bodies and FLCs into the Clearview program and the contextualization of Clearview and the Responsible Recruitment toolkit.

Key Milestones:

- Via an invitation and selection process we have approached and engaged with US audit bodies interested in becoming approved deliverers of the Clearview scheme in collaboration with Clearview scheme owners, Association of Labour Providers (ALP), and scheme managers, NSF International. Planning the training for individual auditors in February.
- We have engaged with FLCs regarding the opportunity for up to 6 FLCs to undergo a subsidized Clearview certification; so far, we have received expressions of interest from 4 FLCs who want to take part.

Key Insights:

- ⇒ Approaching “early adopters” is critical to gaining commitment to participate in the pilot as Clearview is a comprehensive scheme that requires intensive time investment from FLCs. Following the take-up of “early adopters” we seek a better understanding of how to reach and appeal to a wider audience
- ⇒ To realize the vision of a “responsible recruitment marketplace”, it is essential to provide a compelling rationale to FLCs and demonstrate how their current and future business profits could improve with ethical recruitment. It is critical that Stronger Together identifies common ground that everyone can agree to pursue -- namely, providing ethical jobs that retain good workers and attract new ones.
- ⇒ Growers and buyers support the concept of an “ethical” certification for FLC’s but highlighted the need for this to clearly demonstrate how it improved conditions for workers.
- ⇒ A question that Stronger Together itself may not be able to answer is, how does an “ethical grower” or “ethical FLC” find a reliable and ethical recruiter in Mexico? Due to several factors there are few signposts for how to identify a potential responsible business partner there. Stronger Together can however, share case studies of emerging or new alternative practices that aim to circumvent this challenge which may spur collaboration and creative thinking about solving this problem in future via partnerships and other approaches.
- ⇒ A future consideration is how to give voice to migrant worker experiences in accountability schemes. For example, CDM's (Centro de los Derechos del Migrante) online tool *Contratados.org* (discussed at Florida roundtable) provides workers with a mechanism to review and share recruitment experiences.

Looking Ahead

We will:

- a) Continue to focus on building and strengthening new and current stakeholder engagement through direct outreach, the Stakeholder Forum, and a California roundtable exclusive to FLCs.
- b) Solidify the “sponsorship” model for buyers and growers as part of the on-boarding steps for stakeholders.
- c) Finalize the contextualization and development of the tools and workshops launching in 2020 at either free or low-cost.
- d) Move ahead with the roll-out of the Clearview certification scheme through the approval of audit bodies, provide participating FLCs with necessary information, and train the auditors.

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