

Reflections on the Fair Food Agreement between the Coalition of Immokalee Workers and retail multinational Ahold

By Karin Astrid Siegmann'

Ahold signs on to a programme for farmworkers' labour rights

On the 29th of July 2015, the Dutch retailer Ahold announced a historic agreement with the Coalition of Immokalee Workers (CIW), a migrant farmworkers' organisation in Florida's tomato fields. Being signatory of the CIW's Fair Food Program (FFP) implies the following: Ahold-USA commits to a wage premium in its supply chain in the form of a 'penny per pound' of harvested tomatoes, compliance with the Fair Food Code of Conduct, the provision of worker-to-worker education sessions, a worker-triggered complaint resolution mechanism, as well as the establishment of health and safety committees on every participating farm.

The retailer's participation represents a quantum leap towards decent work for workers who are disadvantaged relative to most other US wage and salary workers on the basis of their poverty, occupational hazards, their vulnerability to unemployment and their irregular immigration status (Kandel 2008).

The agreement marks a U-turn for Ahold. Since 2010, the company had responded to the CIW's Campaign for Fair Food with a 'slow NO'. During shareholder meetings and in public statements, the retailer had denied responsibility for farmworker wages in their suppliers' fields, arguing that enforcement of labour standards is the duty of US public bodies. In addition, it maintained that its own Standards of Engagement for suppliers were sufficient to guarantee fair and dignified working conditions in its supply chain, and that it already sources from growers who participate in the FFP - without disclosing, though, who those tomato growers are.

How then did a bunch of 'nobodies' (Bowe 2008), paid sub-poverty wages, who are marginalized not just by the economic and social status of their work, but also on the basis of their race and immigration status, manage to challenge a large multinational like Ahold?

Precarious farmworkers' power potentials

Wright (2000) distinguishes two sources of workers' power: 'Associational power' resulting from the formation of workers' collective organisations, and 'structural power' which emanates from workers' location within the economic system. Clearly, the challenge that precarious farmworkers have posed to retail giants like Ahold is rooted in the strength of the CIW, which has organised around tomato pickers' rights at work since the early 1990s. What was central to their asso-

ciational power was the determination of the leaders of the coalition and the collective farmworker identity that was forged, which transcended ethnic divisions (Walsh 2005). According to the CIW, putting workers' agency at the centre is the key to the FFP's success: "The Fair Food Program is a workers' rights program that is designed, monitored, and enforced *by the workers whose rights it is intended to protect.*" (CIW 2014). It labels this approach Worker-driven Social Responsibility (WSR) - in contrast to corporate-led CSR approaches to non-governmental labour regulation that aim at solving companies' public relations crises.

Initially, the Coalition used strikes to demand wage increases, some form of collective bargaining and more humane conditions in the tomato fields where debt bondage, intimidation, beatings, pistol-whippings etc., had been common (Drainville 2008). The perishability of the product made work stoppage to have deleterious consequences on product quality and sales, making growers vulnerable and providing workers with structural power. Yet, their poverty exposes farmworkers to the risk of income and employment loss as a consequence of strikes. The US Department of Labor estimated that thirty per cent of all farmworkers had below poverty family incomes. The majority of them were not covered by unemployment benefits. It probably was due to this income and employment insecurity why, despite the CIW's efforts and the resulting greater visibility of Florida's farmworkers, the Coalition was unable to significantly raise wages or even force growers to the negotiating table through strikes.

In 2001, the organisation changed its strategy and started targeting fast food and supermarket chains as the most powerful actors in the food chain. It led to the CIW's boycott of the fast food chain Taco Bell in 2001. From 2005 onwards, subsequent campaigns had targeted McDonalds, Burger King and others. Through concerts, cross-country speaking tours to the headquarters of food corporations, a consumer boycott, hunger strikes etc. (Drainville 2008), they demanded improvements in wages and wider working conditions from branded buyers that would be passed down to Immokalee workers through tomato growers.

The participation of allies (such as student, environmental, sustainable food and agriculture organisations, community, human and labour rights activists, as well as people of faith from various traditions, who have mobilised jointly with Immokalee farmworkers) has played a key role to address the Achilles heel of precarious workers' poverty. Brookes (2013: 192) refers to this resource as 'coalitional power', the "[...] capacity of workers to expand the scope of conflict by involving other, nonlabor actors willing and able to influence an employer's behaviour". This strengthened precarious workers' power by shifting the pressure from brands' supply to their reputation and, hence, sales. As a result, farmworkers' ability to hit brands at the soft spot of their reputations, through their consumer-targeting campaigns, gave structural power to them.

Precarious farmworkers' pressure translated into a business case for signing on to the FFP for Ahold. This process was set in motion through the two-legged strategy of mobilising groups of critical consumers and targeting market leaders in their Campaign for Fair Food. Ahold's reputation as a retailer who takes seriously its responsibility towards all those who are impacted by its business was at stake due to the increase in solidarity actions of CIW allies in the Netherlands. More importantly, the CIW's struggles have made a dent into the norms governing labour in the US fast food and retail chains. Such cascading of labour rights-related norms has not been a natural process, but was rather influenced strategically. With Taco Bell, the CIW actively targeted a subsidiary of one of the most influential fast food corporations in the US. Taco Bell later took the lead in bringing on board other companies in the Yum Brands conglomerate to commit to the CIW demands. The CIW uses market leaders' participation for wider acceptance of the norms incorporated in its Fair Food Code of Conduct. Vis-à-vis non-participating companies, it argues that they should sign on to the FFP to avoid lagging behind their competitors. The fact that an industry leader such as Walmart voluntarily reached out to the CIW in 2014 can be seen as an indication of a 'tipping point' regarding what is considered an acceptable standard for labour governance in the retail supply chain. In principle, the CIW's agreements with buyers could be enforced by private litigation. The underpinning by contract law adds credibility to these new norms institutionalised in the FFP, unlike most private regulatory initiatives that lack legally enforceable mechanisms.

Conclusion

To-date 14 major fast food chains and food retailers have joined the FFP. Significant improvements in the conditions in Florida tomato fields, and now along the entire southeast coast of the US, are now visible. Among others, workers received nearly US\$15 million in wage premiums since 2011, and no cases of forced labour and sexual assault were re-

ported on participating farms (FFSC 2014). The programme has received praise as the best workplace-monitoring programme in the US.

The CIW's successes in empowering and protecting some of the most precarious workers in the US have emerged in the very specific context of a value chain in which the perishable product and the visible buyer give structural power to workers. Nonetheless their model of worker-driven social responsibility can inspire workers' movements elsewhere. Some general lessons concern the role of coalitional power as a tool to address precarious workers' vulnerability to the effects of strike, but first and foremost, that precarious workers can revert their subordination to a logic of profit maximisation if their agency is the starting point of alternative forms of labour rights guarantees.

¹ This column is based on the chapter 'Civic Innovation in Value Chains: Towards Workers as Agents in Non-governmental Labour Regulation' (co-authored by Jeroen Merk and Peter Knorringa), forthcoming in Kees Biekart, Wendy Harcourt and Peter Knorringa (eds) *Exploring Civic Innovation for Social and Economic Transformation*. Abingdon: Routledge.

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