



## BREAKIN' A SWEAT

### Garment-worker advocates worry about the enforcement of Los Angeles' unique anti-sweatshop ordinance

By [Bobbi Murray](#)

The Los Angeles mayoral election might not have inspired intense national interest, but behind the scenes, city government has been gearing up to set a national precedent on a decidedly political issue: putting teeth into L.A.'s anti-sweatshop ordinance, the strongest in the nation.

The "no sweat" measure passed in 2004 by a City Council vote of 13-0 is aimed at the suppliers of millions of dollars worth of uniforms, furniture, sports equipment, and other merchandise purchased annually by the city. The ordinance requires the companies to sign a code of conduct and pledge to follow workplace wage, hour, and safety laws - that is, to eschew so-called "sweatshop" conditions like poverty wages and seven-day-a-week shifts in their factories and those of their suppliers.

It's an especially significant ordinance for L.A., says Erica Zeitlin of the advocacy group No More Sweatshops: "L.A. has overtaken New York, years ago, for the exploitation of workers in the manufacturing sector."

Sixty-nine cities, school districts, and archdioceses have policies that bar purchasing from sweatshops, as do five states, including California. The L.A. city measure, however, is the most muscular in the U.S.,

according to Josh Kamensky, a spokesman and economic development staffer for Councilman Eric Garcetti. It's the only ordinance that not only signs companies up to do the right thing, but provides for an independent monitor to inspect worksite conditions and make sure that the companies follow through on their promises.

And therein lies a potential short-term snag for L.A.'s farsighted ordinance. Only two aspiring monitors submitted bids to the city for the \$50,000 contract to oversee vendors' compliance with the ordinance. One of them, Cal Systems Compliance Corporation, is considered very problematic by the group of labor-rights advocates, like Zeitlin, who helped design the no-sweat measure, along with the Progressive Jewish Alliance, the Garment Workers Center, and former state legislator Tom Hayden, who championed anti-sweatshop measures while in office. Hiring the company, advocates say, could undermine, if not virtually derail, the no-sweat measure.

Cal Systems is headquartered on Washington Boulevard in Los Angeles and monitors factories and farms for more than 450 clients on five continents. CSCC's client list is confidential. But attorney Julie Su, of the Asian Pacific American Legal Center, has first-hand knowledge of one job CSCC did - monitoring workplace conditions for the company that ran the infamous El Monte sweatshop, the most notorious worker-abuse case in recent memory. In 1995, 73 Thai workers were found imprisoned behind barbed wire, working as many as 22 hours a day, seven days a week, for less than a dollar an hour.

Su was deeply involved in the litigation APALC filed on behalf of the workers, and has testified before Congress on worker rights and compliance monitoring. She says that CSCC overlooked obvious warning signs of exploitation in the El Monte case. The company was supposed to be overseeing working conditions for the El Monte "front shop," a company called D&R, which delivered thousands of finished garments daily to manufacturers. Yet D&R had fewer than a dozen sewing machines and had at most 60 workers, often far fewer, Su says. (She is representing 22 of them who, she says, also worked under sweatshop conditions.)

D&R seemingly produced an enormous amount of clothing goods, Su says - much more than could be manufactured by so few workers. The reason, she says, was that the goods were being churned out by the virtual slaves in El Monte. The discrepancy never raised a suspicion for Cal Systems, says Su, but would have for any competent monitor - or even an amateur.

And CSCC has been in the news before, when it gave Trinity, a supplier for Tommy Hilfiger and Disney, a clean bill of health even as the company was bouncing checks and committing other wage violations. A state labor official told the *Los Angeles Times*, "you'd have to be pretty blind not to see what was happening at Trinity." A company official said that inspectors were denied access to records; CSCC did not respond to interview requests for this story.

No More Sweatshops' Zeitlin fears the city's selection of CSCC as a monitor would be a serious mistake. "If you had a poster child for a bad actor, they would be it," Zeitlin says.

In a further plot twist, the competing entity for the monitoring contract is a kind of CSCC antithesis: WRC, or Workers Rights Consortium, a nonprofit that arose from the anti-sweatshop movement that grew up on college campuses in the mid-1990s.

That organizations of such vastly different backgrounds are facing off over the same contract reflects the complexity of the world of corporate accountability. The very notion of whether and how to monitor

corporate behavior on the factory floor is in its infancy, pushed by a growing anti-sweatshop movement, along with some high-profile corporate embarrassments. It wasn't until the 1990s that hundreds of companies began springing up to offer services to manufacturers to help them avoid labor-scandal damage to their reputations.

The mid-years of that decade produced such corporate cautionary examples as Kathie Lee Gifford, whose name-brand clothing was discovered to have been produced by child labor in Honduras, or Nike, which became only briefly notorious for sweatshop conditions in its sport shoe factories. Initially, accounting firms like PricewaterhouseCoopers did the oversight. It has since become its own profitable industry.

"Monitoring has become a big business," says Su. "It rose in response to legitimate demands for more accountability. But for the most part, it hasn't risen to the challenge." For one thing, activists say, it's tough for monitors to stay independent and critical of the manufacturers who pay their bills.

While a \$50,000 contract may seem like chicken feed for a company like Cal Systems, Zeitlin, whose preference for monitoring is the Workers Rights Consortium, points out that other municipalities are likely to replicate the ordinance and also hire monitors. This opens a whole new area for potential contracts, making it worthwhile for CSCC to compete at this juncture.

The city's General Services Department, which reviews the applications in a complex, multistep process, is well aware of the sensitivity of the issue. There's a lot at stake, says the department's acting general manager, Debbie Ramos. "This is something that there's been a lot of interest in with advocates," she says. After a three-year process, they want someone who can do the job. "Unless we have enforcement, there's no teeth."

The department review will be underway for the next two weeks, Ramos estimates, and staff's recommendations go to the mayor for review, and could go before the City Council's Economic Development Committee, of which Garcetti is chair.

The councilman's office will not comment on the bidding process, except to express confidence in the rigor and fairness of the General Services Department's process. Garcetti staffer Kamensky emphasizes the greater possibilities of the ordinance. The measure includes provisions for the city to link up with other big-dollar public purchasers to compare records and develop a database of good-business-practice companies, as well as what Kamensky calls scofflaws. Plus, it's good for business, he says, because lawful companies will not have to compete with others who hold their costs down by cutting standard regulatory corners.

"It's enforceable, it's funded, and it links up with others," he says of the ordinance. "It's a signal achievement."

Organizers fully expect the ordinance to be replicated in other cities, with San Francisco anticipated to be the next city to pass such a measure. Attorney and advocate Su is resigned to the complexities of developing the most effective monitoring process. "It's always harder to say what should be done than what shouldn't be done," she says.

Published: [03/17/2005](#)

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