



THE MILK WITH DIGNITY PROGRAM

The Milk with Dignity Program brings together farmworkers, consumers, farmers and corporate buyers in support of dignified wages and humane labor and housing conditions in the dairy industry in the Northeastern United States. The principal goal of the Milk with Dignity (MD) Program is to foster a sustainable Northeast dairy industry that advances the human rights of farmworkers, the long-term interests of farmers, and the ethical supply chain concerns of retail food companies and consumers.

The MD Program is a Worker-driven Social Responsibility (WSR)¹ initiative inspired by the groundbreaking work of the Coalition of Immokalee Workers (CIW) and modeled after the CIW's highly acclaimed Fair Food Program. Above all, the WSR model rests on a strong commitment to empower workers, through labor rights education and access to a protected complaint mechanism, so that they may form the first line of defense against labor abuse, and to supplement these efforts with independent audits of Participating Farmers' operations.

BACKGROUND

It is widely recognized that farmworkers across the U.S. face poverty-level wages, grueling work hours, and inhumane labor and housing conditions. The U.S. Department of Labor has described farmworkers as “a labor force in significant economic distress,” adding that while “production has increased... agricultural worker earnings and working conditions are either stagnant or in decline.” From the seminal CBS documentary “Harvest of Shame” in 1960 to last year's PBS Frontline special report “Rape in the Fields,” the history of abuse of this country's farmworkers is as well documented, as it is extensive.

Vermont is no exception. In 2014, a survey of nearly 200 Vermont dairy workers revealed the average worker labors 60-80 hours per week, and:

- 40% of farmworkers are paid less than the VT minimum wage;
- 40% have no days off;
- 28% routinely work seven hours or more without a break to eat;
- 20% have their pay illegally withheld;
- 15% do not have eight consecutive hours off, per day, to sleep; and
- 15% live in overcrowded housing and 15% have inadequate heat.

Food retailers can no longer turn a blind eye to the sub-standard labor conditions in their supply chains. The high degree of consolidation in the food industry today means multi-billion dollar brands on the retail end of the industry are able to leverage their volume purchasing power as never before, driving down prices on the farm. This has resulted in downward pressure on farmworkers' wages and working conditions as farmers seek to preserve ever-shrinking margins. The MD Program reverses that trend, enlisting the resources of participating food industry leaders to improve farm labor conditions and help offset farmer's costs of compliance by providing farmers premium prices for milk. Toward that end, the Program includes several crucial components for effective, sustainable farm labor reform, including: price premium payments by retail buyers to address sub-standard wages, market incentives for dairy farmers willing to respect workers' human rights, and supply chain transparency and accountability.



¹ The Coalition of Immokalee Workers is the creator of the Fair Food Program and the concept of, and phrase, Worker-driven Social Responsibility (WSR).

PROGRAM OVERVIEW

Operationally, the Milk with Dignity Program is rooted in the MD Code of Conduct. The Code is a working document, drafted by the very workers whose rights it is intended to protect and improved on an ongoing basis through an intensive feedback loop from participating farmworkers and farmers. The impact of the Program, however, stems from both the standards outlined in the Code and the multi-layered approach to monitoring and enforcement.

The MD Program is designed to *encourage* and *support* farmer compliance. Indeed, the Program strives to find practical solutions to problems that are mutually agreed upon with the farmer, whenever possible, and uses suspension from the Program only as a last resort. If necessary, however, suspension of a farm's "Participating" status results in that farm's loss of eligibility to receive the Program Premium until the required corrective actions are taken.

In the Milk with Dignity Program, compliance on the ground is achieved through a unique partnership among farmers, farmworkers, and the Milk with Dignity Standards Council (MDSC). The MDSC is an independent non-profit organization whose sole function is oversight of the program. The MDSC was created in collaboration with, and modeled after, the highly acclaimed Fair Food Standards Council (FFSC), which administers the CIW's Fair Food Program (FFP), called "the best work-place monitoring program" by the NY Times.

In the MD Program, Participating Buyers sign a binding agreement with Migrant Justice committing to:

- Require dairy supplier farms to join the MD Program;
- Pay the MD Premium to support dignified wages and working conditions;
- Enforce market consequences —e.g., suspend purchases and/or premiums for designated period of time.

In the MD Program, Participating Farmers agree to:

- Compliance with the requirements of the human rights-based Code of Conduct, including adequate breaks, time off, paid sick days, humane and safe staffing and working conditions, and fair housing;
- A wage increase supported by premiums paid to Participating Farms by Participating Buyers;
- Worker-to-worker education conducted on the farms by the Vermont-based human rights organization, Migrant Justice, to ensure workers understand rights and responsibilities under the MD Program;
- Workers' unfettered access to a complaint mechanism—with strict protections against retaliation—including a toll-free complaint line staffed by an independent monitor, the MD Standards Council (MDSC);
- MDSC's access to their workforce to investigate complaints, conduct Code compliance audits, and monitor implementation of corrective action plans (CAPs).

The MDSC is responsible for:

- Supporting farmers and buyers to understand, participate and comply with program requirements;
- Auditing farmers' compliance with the Code and working in partnership with farmers to develop and implement appropriate CAPs as issues are identified;
- Staffing the worker complaint line and thoroughly investigating complaints that arise;
- Reviewing relevant supply chain records to ensure Participating Buyers pay Program Premiums only to farmers in good standing in the Program, thereby upholding market incentives that drive farmer compliance.

And, finally, the Milk with Dignity Program was founded and created by Migrant Justice (MJ), a nonprofit, farmworker-driven human rights organization based in Burlington, Vermont. MJ educates workers as to their rights and mechanisms for redress under the Program. These educational efforts, together with the Program's complaint process, empower workers to serve as round-the-clock, frontline defenders of their own human rights. MJ also coordinates a Working Group of Participating Farmers and farmworkers to provide constant feedback on the implementation of the program, negotiates with prospective Participating Buyers, and manages relations with existing Participating Buyers.