



The Milk with Dignity Program

The Milk with Dignity Program (“MD” or “Program”) is a worker-driven social responsibility program¹ (WSR) of the human rights organization Migrant Justice (“MJ”). Migrant Justice is a non-profit organization, founded in Vermont in 2009. The Milk with Dignity Standards Council (“MDSC”), also a Vermont-based non-profit organization, is the designated third-party monitor and auditor of the MD Program.

Program Elements

The Program is rooted in dairy farmworkers’ own definition of their fundamental human rights. It works because every single worker in the supply chains of Participating Buyers receives information from other farmworkers about their rights under the Milk with Dignity Program and how to access those rights. Violations of the Code of Conduct reported by workers will be investigated promptly and objectively and, if substantiated, must be addressed by Participating Farms in concrete ways within set timelines. Participating Farms’ work to meet the standards in the Code of Conduct is ultimately enforced through the market consequence of loss of premium payments from Participating Buyers. Participating Farms that keep in good standing with the Program are rewarded and supported with the premium from Participating Buyers.

The Milk with Dignity Program lifts up labor and housing standards through steps such as these:

- Participating Farms comply with the human rights-based MD Code of Conduct, which has zero tolerance for forced labor, systemic unlawful child labor, threats or use of sexual or physical assault, and retaliation for participation in the MD Program;
- MJ coordinates worker-to-worker education sessions on the farms on company time to ensure that workers understand their new rights and responsibilities;
- Participating Farms pass through to qualifying workers a wage supplement supported by the MD Premium that Participating Buyers pay for milk or dairy components;
- Participating Farms implement specific, concrete changes to improve workers’ wages and working conditions, including eight consecutive hours off during any 24-hour period so that workers can rest between shifts, and the use of timekeeping systems to accurately record and count all compensable hours;
- Workers can raise ideas without fear of retaliation in order to improve farm labor health and safety matters, scheduling, staffing, production, and housing;
- Workers and Participating Farms cooperate in a complaint resolution mechanism in which workers can access the right to an investigation by the MDSC, corrective action plans, and, if necessary, suspension of a farm’s Participating Farm status, and thereby its ability to receive the MD Premium from Participating Buyers; and
- The MDSC receives detailed input from workers and Participating Farms during regular ongoing auditing to ensure compliance with each element of the Program and the MD Code of Conduct.

¹ The Coalition of Immokalee Workers (CIW) created the WSR model, which has flourished in its Fair Food Program.

Milk with Dignity Code of Conduct

Overview

The Milk with Dignity Code of Conduct was designed by farmworkers and will continue to be shaped over time through detailed dialogue among farmworkers and farmers. As the MD Program matures and evolves, so too will the Code, as it continues to serve as the primary platform upon which to build a truly sustainable dairy industry. The summary below includes some examples of the broad principles in the Code's provisions for working and housing conditions.

Examples of Major Tenets of the Milk with Dignity Code of Conduct

- Participating Farms are required to abide by all applicable laws, codes and regulations, including this Code, regarding wages and benefits, working hours, equal opportunity, and employee safety and health. The Code expressly requires compliance with several laws that otherwise currently exclude farmworkers.
- There is zero tolerance for forced labor, systemic unlawful child labor, the threat or use of sexual or physical assault, or retaliation against workers for advocating for changes or participating in the MD Program;
- Participating Farms will not discharge or discipline workers except for just cause and in accordance with progressive disciplinary measures.

Dignified Wages: All Participating Farms define time-bound plans to pay all qualifying workers at least the prevailing minimum wage (regardless of whether agricultural workers are excluded from the applicable state minimum wage). A bonus will be passed-through to workers on each paycheck, drawing upon the premium paid to farmers by Buyers. Workers must be paid no less than twice monthly with standard paystub.

Dignified Schedules, including time for rest and leisure. Participating Farms will develop and implement plans and procedures to ensure that workers have sufficient breaks during the day, including adequate time for meals and sleep each day. Workers will have the right, to at least one 24-hour period of consecutive rest each week. Workers will be provided 5 paid vacation days. Workers will be provided reasonable accommodations in order to take care of their basic human needs, such as purchasing groceries, accessing health care, or worship.

Dignified Housing: if housing is provided by a Participating Farm, it must be voluntary and comply with all laws, and the cost for housing to the workers cannot reduce workers' net wages below the prevailing minimum wage. Workers are recognized as and afforded the rights of tenants.

Healthy, Safe and Secure Workplaces, including, for example, access to workers' compensation; five paid sick days per year; protective equipment, and trainings about health hazards, risks, and safety procedures in a language that workers can fully comprehend.

Cooperation and Transparency: Participating Farms will pass through to their qualifying employees the appropriate premium payments received under the Program.

Remedying Violations: Participating Farms work with the MDSC to develop a mutually agreeable corrective action plan that addresses any problems that are substantiated in the course of an audit or via the complaint mechanism. Participating Farms address every Code violation on a timeline that takes into account the farms' resources. A farm's repeated refusal to comply, or engagement in zero tolerance violations can result in suspension from the MD Program. The farm would cease to receive the MD Premium funds during the time of suspension.