



AHOLD DELHAIZE'S HUMAN RIGHTS COMMITMENT IN HANNAFORD'S DAIRY SUPPLY CHAIN:

Failure to Respect, Failure to Remedy

The UN Guiding Principles on Business & Human Rights (UNGPs) establish companies' responsibility to respect human rights and to remedy the impacts of their business practices. The UNGPs lay out how companies should meet these responsibilities through a policy statement, conducting human rights due diligence, and remediation of any negative impacts.

This document evaluates how Ahold Delhaize's Standards of Engagement and Speak-Up Line – as applied in the dairy supply chain of Hannaford Supermarkets' private label milk – has provided access to remedy for workers in its supply chain through an in-depth analysis of whether this mechanism meets the UNGP's Effectiveness Criteria for Non-Judicial Grievance Mechanisms (Principle 31).¹

“In order to ensure their effectiveness, non-judicial grievance mechanisms, both State-based and non-State-based, should be legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning, and based on engagement and dialogue.”

The analysis further compares this performance with that of Milk with Dignity, a Worker-driven Social Responsibility program. Milk with Dignity was created by Migrant Justice, a US-based non-profit organization founded and led by dairy workers. In 2018, Milk with Dignity launched through an initial agreement with Ben & Jerry's Ice Cream and currently covers 100% of the company's northeast dairy supply.² In 2019, farmworkers from Migrant Justice invited Hannaford Supermarkets to learn more about Milk with Dignity and requested meetings with company executives. Not receiving a response, farmworkers have begun to publicly call on Hannaford to join the Program by committing to source its private label milk from farms enrolled in Milk with Dignity.

The analysis concludes that the Speak-Up Line has failed to respect and remedy the human rights of workers in Hannaford's dairy supply chain and that the Milk with Dignity Program more adequately meets the criteria of UNGP's Principle 31.

¹ All quotations, including commentaries, on UNGPs come from the UN publication *Guiding Principles on Business and Human Rights*, 2011. Accessed:

https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinessshr_en.pdf.

² See Ben & Jerry's website, <https://www.benjerry.com/whats-new/2020/10/milk-with-dignity>. Also, 10/3/17, “Ben & Jerry's Strikes Deal to Improve Migrant Dairy Workers Conditions,” *New York Times*, Accessed:

<https://www.nytimes.com/2017/10/03/business/ben-jerrys-migrant-workers.html>, and 8/13/18, “Ben & Jerry's 'Milk With Dignity' Pact With Farmworkers Seems To Be Paying Off,” *National Public Radio*, Accessed:

<https://www.npr.org/sections/thesalt/2018/08/13/634962251/ben-jerrys-milk-with-dignity-pact-with-farmworkers-seems-to-be-paying-off>

UNGP Principle 31 Criteria	Ahold Speak-Up Line ³	Milk with Dignity Program ⁴
<p>Legitimate (a): enabling trust from the stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes</p> <p><i>Commentary:</i> Stakeholders for whose use a mechanism is intended must trust it if they are to choose to use it. Accountability for ensuring that the parties to a grievance process cannot interfere with its fair conduct is typically one important factor in building stakeholder trust</p>	<p>✗ Workers who have raised concerns have received neither remedy nor adequate resolution of complaints</p> <p>✗ Workers for whom the mechanism was created do not trust it; no efforts have been made to build trust with the intended users</p> <p>✗ Workers who have raised concerns have received generic responses to their complaints; depersonalized answers foment distrust</p> <p>✗ Lack of protection from retaliation for workers using the grievance mechanism, undermining stakeholder trust</p>	<p>✓ Worker trust has been generated through a well-understood track record of resolutions to grievances</p> <p>✓ Developed by the farmworker community; ownership instills trust</p> <p>✓ Workers receive personalized responses from locally-based investigators and maintain individual contact with investigators throughout grievance process</p> <p>✓ Strict protection from retaliation for workers using the grievance mechanism ensures stakeholder trust</p>
<p>Accessible (b): being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access</p> <p><i>Commentary:</i> Barriers to access may include a lack of awareness of the mechanism, language, literacy, costs, physical location and fears of reprisal</p>	<p>✗ Workers who are intended to use the mechanism do not know whether or not they are part of the Ahold supply chain</p> <p>✗ No outreach, communication, or training exists for workers to know of the existence of the Speak up Line; workers have only submitted complaints through the assistance of Migrant Justice</p> <p>✗ Complainants can only access information about the Speak Up Line through EthicsPoints website; no assistance is available for workers seeking to file a complaint</p> <p>✗ Complainants must navigate to web browser and/or have cell phone service; not accessible through workers' most commonly used or culturally appropriate methods of communication</p>	<p>✓ Paid annual education sessions inform workers that they work on a participating farm; workers are taught in their native language how to use the different grievance mechanisms</p> <p>✓ Workers hired between education sessions receive a Program booklet detailing standards and access to grievance processes; a video link is provided for workers with low literacy</p> <p>✓ Mandatory worksite and housing posters provide visible indication of Program participation</p> <p>✓ Workers may submit complaints via WhatsApp, a commonly used application that is accessible without cellphone service, a common condition</p>

³ Note on methodology: From 5/24/22 to 2/22/23, dairy workers submitted ten complaints to the Speak-Up Line. The complainants accessed the mechanism with the help of Migrant Justice, relied on publicly available information, and responded promptly to any requests for follow up information received. The analysis of Ahold Speak-Up Line and Standards of Engagement included here is based on a review of the individual experience and consistent trends of the cases submitted by workers and review of publicly available documentation, including <https://secure.ethicspoint.com/domain/media/en/gui/7392/index.html>

⁴ Analysis of the Milk with Dignity Program is based on the Milk with Dignity Code of Conduct, accessed: <https://milkwithdignity.org/milk-dignity-code-conduct>; as well as publicly available Program reports, accessed: <https://milkwithdignity.org/impact>

<p>Predictable (c): providing a clear and known procedure with an indicative time frame for each stage, and clarity on the types of process and outcome available and means of monitoring implementation</p> <p><i>Commentary:</i> In order for a mechanism to be trusted and used, it should provide public information about the procedure it offers. Time frames for each stage should be respected wherever possible, while allowing that flexibility may sometimes be needed</p>	<ul style="list-style-type: none"> ✗ No information available regarding investigation process, anticipated timeline for reply, or potential outcomes ✗ Workers have no access to investigator responding to complaint; only available contact is through portal or to speak with Navex representative not involved in investigation ✗ Response time to 10 complaints has varied from 9 to 121 days, with no clarity regarding procedures; inconsistency contributes to unpredictability ✗ The "Live chat" feature in Navex portal does not work; complainants have yet to receive a response to any chat attempt ✗ In the one instance where a request was made of a supplier following a complaint, the complainant was not provided with any means of monitoring implementation of the resolution 	<ul style="list-style-type: none"> ✓ Workers receive information regarding investigation process, response timeline, and potential outcomes during education sessions and in program materials ✓ Workers lodge complaints directly with investigator and receive immediate, detailed information on investigation procedure ✓ Workers may contact complaint investigator at any time during investigation; likewise, investigators regularly provide written and verbal information regarding the status of the investigation process and each stage of resolution ✓ Implementation of resolutions are monitored through MD Program's ongoing enforcement mechanisms, including annual audits and corrective action plans
<p>Equitable (d): seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms</p> <p><i>Commentary:</i> In grievances or disputes between business enterprises and affected stakeholders, the latter frequently have much less access to information and expert resources, and often lack the financial resources to pay for them. Where this imbalance is not redressed, it can reduce both the achievement and perception of a fair process and make it harder to arrive at durable solutions</p>	<ul style="list-style-type: none"> ✗ Grievances require fluency with web navigation, requiring digital literacy that many workers lack; follow-up communication requires that complainants maintain a case ID and password ✗ EthicsPoint page does not include a link to the Ahold-Delhaize Standards of Engagement; supply chain workers accessing grievance mechanism are not provided with relevant standards for their employers ✗ Workers receive no additional support in filing grievances or providing evidence during investigations ✗ Once marked resolved, complaints are unilaterally closed for comment, limiting fair and equitable participation and denying complainants an opportunity to provide additional information or contest resolutions; this undermines the mechanism's ability to arrive at fair and durable resolutions 	<ul style="list-style-type: none"> ✓ Workers are provided with reasonable access to all sources of information necessary to engage in grievance process, including the Milk with Dignity Code of Conduct ✓ Workers receive individualized support to make complaints and provide necessary evidence for investigation ✓ Both workers and employers have a voice in the process when a grievance is substantiated and remediation is formulated; workers are provided options and a space to share perceptions on how a change might be best implemented, resulting in more equitable and durable resolutions
<p>Transparent (e): keeping parties to a grievance informed about its progress,</p>	<ul style="list-style-type: none"> ✗ Workers are contacted within 24 hours with a generic message: "Thank you for 	<ul style="list-style-type: none"> ✓ Investigators communicate regularly with all parties; at each new step in the

<p>and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake</p> <p><i>Commentary:</i> Communicating regularly with parties about the progress of individual grievances can be essential to retaining confidence in the process. Providing transparency about the mechanism's performance to wider stakeholders, through statistics, case studies or more detailed information about the handling of certain cases, can be important to demonstrate its legitimacy and retain broad trust. At the same time, confidentiality of the dialogue between parties and of individuals' identities should be provided where necessary</p>	<p>giving us the opportunity to investigate your concern;" after this message 9 out of 10 complainants received no further message until conclusion of investigation</p> <p>✗ When an investigation concludes that a farm is outside Ahold's supply chain, no evidence is provided to workers, even when workers provide evidence to the contrary</p> <p>✗ Workers who have requested follow-up information regarding the investigation's conclusion have not received responses; rather, the cases have been closed for further comment</p> <p>✗ No public information available on the performance of the mechanism, including number of complaints submitted or resolved</p>	<p>investigation process, both employers and workers are updated and informed of potential next steps</p> <p>✓ Communication with parties is detailed and individualized; conclusions are supported by evidence gathered</p> <p>✓ Program publishes regular public reports, including both statistical analysis on the grievance mechanism performance and detailed case studies demonstrating its effect in practice</p> <p>✓ Independent researchers have received access to Program data and have published evaluations of Program effectiveness⁵</p>
<p>Rights-compatible (f): ensuring that outcomes and remedies accord with internationally recognized human rights;</p> <p><i>Commentary:</i> Grievances are frequently not framed in terms of human rights and many do not initially raise human rights concerns. Regardless, where outcomes have implications for human rights, care should be taken to ensure that they are in line with internationally recognized human rights</p>	<p>✗ Investigations lack due diligence by failing to adequately engage complainants and co-workers, or to perform housing or worksite inspections</p> <p>✗ Rights violations included in grievances filed include the right to safe and healthy working environments, tenant rights in housing, freedom from violence and intimidation, and freedom from discrimination, yet no complainant has received remedy for any adverse human rights impact</p>	<p>✓ Investigations of grievances practice due diligence by including in-depth interviews with all stakeholders and witnesses, review of financial documents and employment policies, and housing and worksite inspections, as needed</p> <p>✓ Resolutions and remedies center human rights, as outlined by the Code of Conduct, including restitution, compensation, rehabilitation, and guarantees of non-repetition.</p>
<p>A source of continuous learning (g): drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms;</p> <p><i>Commentary:</i> Regular analysis of the</p>	<p>✗ No information available regarding analysis of complaints submitted</p> <p>✗ No information available on how improvement is measured</p> <p>✗ No information on evaluation of trends of</p>	<p>✓ Regular public reporting and analysis of patterns and learnings; data available from hundreds of complaints and resolutions</p> <p>✓ Resolutions of complaints and Corrective Action Plans resulting from</p>

⁵ See, for example, Angelini, Antonella and Shauna Curphey. "The Overlooked Advantages of the Independent Monitoring and Complaint Investigation System in the Worker-driven Social Responsibility Model in US Agriculture." *Business and Human Rights Journal*. 10/12/22. Accessed: <https://www.cambridge.org/core/journals/business-and-human-rights-journal/article/overlooked-advantages-of-the-independent-monitoring-and-complaint-investigation-system-in-the-workerdriven-social-responsibility-model-in-us-agriculture/B2FA243E5ACD6F4CBEBCDF0C500BFC4A>

<p>frequency, patterns and causes of grievances can enable the institution administering the mechanism to identify and influence policies, procedures or practices that should be altered to prevent future harm;</p>	<p>complaints received or on how suppliers' practices are improved to address the initial source of complaint</p>	<p>audit findings are not exclusively remedial; instead, they focus on forward-looking measures designed to prevent future grievances and harms (for example: creation of progressive disciplinary procedures to prevent unjust firings; institution of health and safety measures as risk mitigation, etc.)</p>
<p>Based on engagement and dialogue (h): consulting the stakeholder groups for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances.</p> <p><i>Commentary:</i> For an operational-level grievance mechanism, engaging with affected stakeholder groups about its design and performance can help to ensure that it meets their needs, that they will use it in practice, and that there is a shared interest in ensuring its success. Since a business enterprise cannot, with legitimacy, both be the subject of complaints and unilaterally determine their outcome, these mechanisms should focus on reaching agreed solutions through dialogue. Where adjudication is needed, this should be provided by a legitimate, independent third-party mechanism.</p>	<p>✗ There is no information indicating that workers were consulted in the design of this mechanism</p> <p>✗ Investigations of complaints are conducted by Ahold employees or by suppliers, with resolutions unilaterally determined</p> <p>✗ Farmworkers in Hannaford's supply chain have publicly opposed this mechanism as ineffective; no dialogue with affected parties</p>	<p>✓ Designed by farmworkers, with a central role as rights holders, with input from additional stakeholder groups</p> <p>✓ The Milk with Dignity Standards Council is an independent third party entity whose sole purpose is to address and resolve grievances; arbiter is independent of, and distinct from, business enterprise</p> <p>✓ Resolutions are reached through dialogue with suppliers and workers</p>

Evaluation and Analysis of Ahold-Delhaize's Speak-Up Line

As outlined in the UN Guiding Principles on Business and Human Rights (UNGPs), businesses must meet their responsibility to respect human rights through:

- A. A policy commitment to meet their responsibility to respect human rights;
- B. A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights;
- C. Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute.⁶

⁶ Guiding Principles on Business and Human Rights
https://www.ohchr.org/sites/default/files/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

While the existence of the Standards of Engagement and the Speak-Up Line appear to meet UNGP Principles, their operation in Hannaford's private label dairy supply chain fails to match the expectations of the UNGPs and does not provide a rights-based outcome to the impacted rights holders.

Over the past 10 months, workers on ten farms have submitted complaints through the Speak-Up Line with the support of farmworker organization Migrant Justice. Workers have lodged complaints over violence, retaliation, inhumane housing conditions, health and safety violations, 14-hour shifts without breaks, and discrimination. Four complaints have been investigated and dismissed; four have been dismissed as originating outside Ahold's supply chain; and two remain open.

The combined experiences of the workers on these ten farms point toward the following conclusions: the Speak-Up Line 1) lacks supply chain transparency, 2) conducts inadequate investigations, 3) does not protect workers from retaliation, and 4) fails to provide access to remedy, all key components of an effective due diligence process and grievance mechanism.

Supply Chain Transparency

Workers employed on farms in Hannaford's dairy supply chain have no way of knowing whether they are part of that supply chain and thus protected by Ahold's Standards of Engagement. Due to the nature of the dairy industry – where the supply chain is mediated by producer cooperatives and processors – workers have no way of knowing actual or potential end users of the milk they are producing. And no information is provided to farmworkers at the time of their employment that would allow them to identify their farm as supplying Hannaford-brand milk.

Ahold relies on workers' ability to find the Speak-Up Line on their own in order to raise a concern, even as the worker is unsure as to whether Ahold is a relevant entity to provide protection and remedy. Of those workers who have submitted complaints, four received the following response:

“We are committed to following-up on allegations of human rights violations within our supply chain. As it pertains to these cases, our review shows that these farms do not supply “Hannaford” brand fluid milk.”

No evidence was provided to back the conclusion that the farms did not supply Hannaford's private label milk. Given that Hannaford's private label milk is bottled by H.P. Hood, which in turn sources commingled fluid milk from the region's major dairy cooperatives, the burden falls to Hannaford to demonstrate how a particular farm in one of those cooperatives could be excluded from the company's dairy supply chain.

Indeed, one worker asked this question through the Speak-Up Line portal:

"In response to a previous complaint from a member of our community, Hannaford has acknowledged that it sources its private-label fluid milk from Vermont farms belonging to the Dairy Farmers of America cooperative. We know that the farm where we are working and submitting this complaint belongs to the same cooperative, and that milk from DFA farms in this geographic region is commingled at the DFA facility in St. Albans before being sent to the bottling plants where Hannaford has private label contracts, how can Hannaford claim that this farm is not within its dairy supply chain? Can you provide evidence showing that milk from this farm is segregated from milk from other DFA farms that Hannaford has already acknowledged sourcing from?"

Rather than respond to this question, Ahold closed the case and the complainant was restricted from asking any further questions.

A commitment to increased supply chain transparency is an essential precursor to an effective supply chain grievance mechanism. In addition, proactive outreach to workers is needed to communicate that 1) the supplier is beholden to Ahold's Standards of Engagement; 2) those Standards confer benefits and protections to the worker; and 3) the worker has access to a grievance mechanism to address violations of those standards.

The Milk with Dignity Program already achieves those results. Farmworkers employed on farms enrolled in the Program receive annual education sessions where they are informed of their farm's end-use buyer, the rights they have through their employer's participation in the program, and the mechanisms available through which to lodge complaints. Workers additionally receive written materials when hired, and farms are required to prominently display information at worksites and in housing units. These critical components ensure transparency and thus workers' ability to understand their rights and seek remedy when necessary.

Timely and Thorough Investigations

When Ahold does acknowledge that a complainant works for a supplier and thus falls under the protections of the Standards of Engagement, the investigations conducted lack the rigor and urgency that would be needed to fulfill the company's human rights commitment.

Of the ten complaints submitted, four have resulted in investigations. Ahold has claimed that investigations were either conducted by Ahold Delhaize employees or by the supplier. In neither instance is the investigator a neutral party capable of conducting an impartial investigation.

Each complainant received a form response issued within 24 hours of filing their complaint: *"Thank you for giving us the opportunity to investigate your concern."* Beyond that initial response, only one of the four received any communication before a resolution was issued. In that case, the worker was asked only six follow-up questions. After he responded to the questions, he waited 210 additional days before learning that his complaint was dismissed.

In the other three cases where Ahold claims to have conducted an investigation, none of the workers were contacted or asked to provide information beyond the initial complaint. No workers on the farms have reported any contact from investigators. When complaints required worksite or housing inspections to investigate allegations, workers are unaware of any having occurred.

The timelines for Ahold's grievance investigations are exceedingly long, particularly given the gravity of abuses included in the complaints. The three aforementioned cases took 57, 94, and 120 days to resolve. During that time, workers have been left with no protections and have continued to experience the violations that led them to access the grievance mechanism in the first place.

In contrast, investigations in the Milk with Dignity Program are prompt, thorough, and professional. They are conducted by an independent, third-party monitor unaffiliated with the buyer or the supplier. Investigations begin immediately after a complaint is made and can include interviews with the complainant, co-workers, managers, employers, and other potential witnesses; they also include worksite and housing inspections, as well as reviews of supplier financial records and employment policies, as necessary. Investigators maintain personal contact with the complainant throughout the process, informing them of actions taken and next steps planned.

Protection from Retaliation

If an employee is not protected from retaliation, they are highly unlikely to raise concerns or to utilize grievance mechanisms. Ahold fails to provide sufficient protection from retaliation to workers in its supply chain, both on paper and in practice.

Ahold's Standards of Engagement provide that "Suppliers are expected to establish adequate complaint mechanisms for employees who believe they have been mistreated, and to ensure no retaliation against employees who raise complaints in good faith." While this provision prohibits suppliers from retaliating against workers using *internal* complaint mechanisms, it is silent on consequences for retaliation when workers complain using *Ahold's* grievance mechanism.

In practice, Ahold has failed to protect workers from retaliation, whether they have raised complaints internally with their employer or via the Speak-Up Line. In a case where the worker was fired directly after calling the police to protect his family from a supervisor's violent attack, the investigation dismissed the claim of retaliation, writing:

"We also have not been able to establish that the dismissal and eviction following the incident, which occurred away from work but inside housing provided by the farm owner, was directly related to the specific incident."

Ahold reached this conclusion despite clear evidence to the contrary, and without asking the complainant or other witnesses any follow-up questions regarding the claim of retaliatory termination and eviction. As in other cases, Ahold appears to have taken the employer at her word. In this instance, Ahold failed to provide remedy to workers who had experienced retaliation from their employer.

In another instance, workers experienced retaliation following their use of Ahold's grievance mechanism. When workers submitted a complaint about severe housing violations, the response they received from their employer was the placement of a "Restricted Access" sign on the door to the workers' housing. Rather than take action to improve housing conditions, the employer posted a sign requiring visitors to contact management when entering the housing unit. Such an action is by itself a violation of the employer's legal responsibility not to restrict a tenant from receiving guests. And the timing of the sign's placement – directly following the

Speak-Up Line complaint – leads to the conclusion that its placement was retaliatory, an attempt to limit workers’ interactions with outsiders.

Following the placement of the “Restricted Access” sign, the workers posted a comment on the Speak-Up Line portal: “*we aren't protected from retaliation. Since we filed this complaint our employer has gotten upset, the farm has put signs of not [sic] trespassing.*” Rather than respond to this new violation and indication of retaliation, Ahold closed the case, preventing the complainant from making any further comments.

In contrast, the Milk with Dignity Program has a zero tolerance policy against retaliation. Both suppliers and supply chain workers are educated about this robust protection. When a worker is terminated and suspects retaliation, Milk with Dignity’s Just Cause protections⁷ place the burden of proof on the employer to show why the termination was for cause and not retaliatory. Any instance of retaliation for using the grievance mechanism will result in the farm being placed on probation and – without swift remedial action – the farm will be suspended from the program. Workers have seen these protections work. In one instance, a farm was suspended following a manager’s threat to fire a worker for accessing the Milk with Dignity Support Line. The farm was only allowed to return to the Program once the offending manager was removed. This enforceable protection against retaliation undergirds workers’ access to grievance mechanisms.

Access to Remediation

UNGP Principles require that a grievance mechanism provide access to remediation for adverse human rights impacts. For the Speak-Up Line to be effective, it must provide the possibility of remediation for workers who have experienced violations of Ahold’s Standards of Engagement. However, of the 10 complaints submitted, not a single worker has received remediation of any kind.

As detailed above, Ahold has unilaterally dismissed some complaints outright as falling outside of Hannaford’s private-label dairy supply chain, despite evidence to the contrary. It has investigated others before concluding in each instance that: “*The allegations have been investigated and determined to be inconsistent with what was observed at the time of the assessment.*” Ahold’s investigations averaged over 100 days before reaching that conclusion.

⁷ See Code Provision #48 and Appendix A on Milk with Dignity Code:
<https://migrantjustice.net/sites/default/files/2018%20MD%20Code%20English%20%281%29.pdf>

In each instance, Ahold presented the resolution of the complaint as a *fait accompli*. The company did not provide an explanation as to what investigatory techniques the company used, and what evidence it considered, in order to arrive at its determination. This left workers understandably confused. In one response to Ahold's determination, a worker responded:

"Thank you for your response, however, I don't understand what kind of investigation you conducted because nobody came into the house we live, to check and see that we still use a bucket for taking showers, we still have holes in the walls where the cold enters, we still don't have a washer machine separated from the one for the cows' rags.... Please share who is conducting the investigations. what is the process of resolution without coming to inspect the housing conditions?"

The worker's incredulity was understandable, given that the housing conditions at the core of his complaint had recently been documented and published in a press report from Vermont Public.⁸

In the one instance where a worker's complaint did result in action, workers were excluded from the process and denied remediation. In the complaint of a violent attack by the supervisor – which was corroborated by a police report – Ahold held *"a formal meeting with the management of our supplier to reiterate the expectations outlined in our Standards of Engagement and to discuss the investigation, our findings and our concerns."* The decision was made unilaterally by Ahold, without participation or input from the workers. And because workers had already been fired by the farm due to the incident in question, the meeting did nothing to provide redress for the adverse human rights impacts experienced by the complainants.

Under the Milk with Dignity Program, remediation is prompt, collaborative, and forward-looking. In contrast to the Speak-Up Line's 107-day median, Milk with Dignity's median complaint resolution time is just 4 days. In its first five years,⁹ the program received 1,095 inquiries from workers and employers to its support line and investigated and resolved

⁸ 10/31/22. Elodie Reed, "Vt.'s housing health & safety system didn't protect farmworkers, so they created their own program." *Vermont Public*. Accessed: <https://www.vermontpublic.org/local-news/2022-10-31/vt-s-housing-health-safety-system-didnt-protect-farmworkers-so-they-created-their-own-program>

⁹ Migrant Justice and the Milk with Dignity Standards Council. "2018-2022: Five Years of Milk with Dignity". Accessed: https://milkwithdignity.org/sites/default/files/2022_md_program_five-year_report.pdf

474 violations of the Milk with Dignity Code of Conduct. Resolutions are achieved through dialog and cooperative decision-making among stakeholders and are supplemented by in-depth, holistic audits that evaluate suppliers' employment practices and create collaborative Corrective Action Plans to improve conditions. Remediation focuses not only on redress for the aggrieved party but on forward-looking, preventive measures that provide long-term protections for workers.

The impact of these mechanisms is widely felt by workers, who have experienced unprecedented transformations in labor and housing conditions on farms enrolled in the Milk with Dignity Program. As farms achieve compliance with the program's Code of Conduct, workers experience improvements to wages and benefits, schedules, health and safety outcomes, and housing conditions; they also report new protections against sexual harassment, discrimination, and violence.

Conclusion

The UN Guiding Principles on Business and Human Rights lay out a company's responsibility for ensuring respect for human rights in its business operations. Principle 31 specifically details the criteria by which to evaluate a non-judicial grievance mechanism. On every front, Ahold's Standards of Engagement and Speak-Up Line – as experienced by farmworkers in Hannaford's dairy supply chain – has failed to respect rights and provide remedy. The mechanism lacks transparency, fails to provide adequate investigations, exposes workers to retaliation, and provides no access to remediation.

In stark contrast, the Milk with Dignity Program has proven to be an exemplary mechanism for protecting human rights in supply chains. As amply demonstrated in this analysis, the program is legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning, and based on engagement and dialogue. In every criterion where Ahold's current grievance mechanism falls short, Milk with Dignity excels.