

Minutes of WRC Governing Board Meeting: November 12, 2001

Attendance: Marikah Mancini, Suzanne Webb, Lauren Stephens-Davidowitz, Daniel Long, Ginger Gentile, Katie Quan, David Dyson, Mark Barenberg, Chris Howell, Rut Tufts, Marcella David.

Official Governing Board actions:

- **Governance:** Marikah Mancini announces her resignation as Chair of the Governing Board. By a unanimous vote of the Governing Board, Suzanne Webb's nomination as Chair is approved.
- **Executive Sessions:** The Governing Board determines that staff will remain during executive sessions unless the Board decides in a particular case that staff should not be present.
- **Audit Committee:** By a unanimous vote of the Governing Board, an Audit Committee is created and is composed of one representative of each constituency, including the Treasurer. Committee members are: David Dyson, Chris Howell and a student representative who will be nominated after new USAS representatives are elected to the Board. The function of the Audit Committee is to bring additional oversight to WRC financial matters. The staff is directed to supply to the members of the audit committee the same monthly financial statements as are provided to the Treasurer and to provide such other information as the Audit Committee Requests.
- **Personnel Policies:** By unanimous vote, the Governing Board approves personnel policies for the WRC, as enumerated in the document entitled "Worker Rights Consortium Personnel Policies," with the following modifications to the proposed text:

Commitment to Diversity section, page 3:

Our commitment to diversity is achieved by:

~~§ Recruitment of women and minority applicants for all open positions by actions including but not limited to:~~

- ~~-Posting of positions in publications and on websites that reach diverse audiences~~
- ~~-Systematic outreach to individuals and organizations that can assist in identifying potential minority applicants~~

A hiring process that gives strong priority to an applicant's ability to bring experiences and perspectives to the WRC that reflect the diversity of our society and especially those we serve in the mission of the WRC. [edited]

now reads:

Our commitment to diversity is achieved by:

* *A hiring process that gives strong priority to an applicant's ability to bring experiences and perspectives to the WRC that reflect the diversity of our society and especially those we serve in the mission of the WRC. Recruitment will include but not be limited to:*

- *Posting of positions in publications and on websites that reach diverse audiences*
- *Systematic outreach to individuals and organizations that can assist in identifying potential minority applicants*

Work: Vacation, Holidays, and Sick Days section, page 9:

Vacation, Holidays, and Personal Days - employee is given four weeks of paid vacation a year unless otherwise specified in their employment contract. One of these weeks is may be the week between Christmas and New Year's Day.

now reads:

Vacation, Holidays, and Personal Days - employee is given four weeks of paid vacation a year unless otherwise specified in their employment contract. One of these weeks may be the week between Christmas and New Year's Day.

Grievance Procedure for Discriminatory Conduct section, page 6-7:

An arbitrator selected by the investigator from the American Arbitration Association (AAA) will conduct the arbitration. The sole issue for the Arbitrator to resolve is whether the WRC had "just and sufficient cause" to suspend or terminate the employee. The fee of the arbitrator will be paid by the WRC. The employee may opt for counsel; if so, the WRC may also acquire counsel with the same as, or less than financial means as the employee. However, if the employee does not opt for counsel, the WRC does not have the choice to opt for counsel. A representative chosen by the grievant may assist the grievant. (added)

~~If the process requires a written report, the report should detail the grievance, including:~~

- ~~• Who the grievance involves~~
 - ~~• Date the incident took place~~
 - ~~• What the employee perceived as wrong~~
 - What professional or other standard the employee believes was violated
-

now reads:

GRIEVANCE PROCEDURE FOR DISCRIMINATORY CONDUCT

The Executive Director and Governing Board and all other officers will conduct all investigations promptly and in as confidential a manner as possible. The WRC recognizes that every investigation requires a determination based on all the facts in the matter. The WRC recognizes the serious impact of false accusations as well. Therefore, we expect all who may be involved in the investigation to continue to act responsibly. Sexual harassment or other discriminatory conduct toward any employee will not be tolerated. Violations of this policy may result in disciplinary action, up to and including termination.

The following procedure is available to all staff of the WRC. All references to "days" refer to working days, exclusive of weekends and holidays. A grievance shall be resolved in the following manner:

Step 1: An employee having a grievance and his/her representative(s) shall report to the Executive Director or, if preferred, a member of the Governing Board, within a reasonable time of the grievance arising. The grievance shall be submitted in writing and, within five (5) days of such submission, the investigator and the employee will set a date for a meeting which will be held within the following ten (10) days. After the grievance meeting is held, the investigator will render a decision in writing within five (5) days.

All parties shall use their best efforts to observe all of the time limits specified herein.

Step 2: In the event a suspended or terminated employee is dissatisfied with the outcome of Step 1, he/she may request arbitration of the dispute. An arbitration will occur if the employee opts for one, regardless of the opinion of the WRC. The request for arbitration must be made in writing to the Executive Director or Governing Board within twenty-one days of the publication of the outcome of Step 1. However, an employee may opt for an arbitration and then stop the process under extraneous circumstances. An arbitrator selected by the investigator from the American Arbitration Association (AAA) will conduct the arbitration. The sole issue for the Arbitrator to resolve is whether the WRC had "just and sufficient cause" to suspend or terminate the employee. The fee of the arbitrator will be paid by the WRC. The employee may opt for counsel; if so, the WRC may also acquire counsel with the same as, or less than financial means as the employee. However, if the employee does not opt for counsel, the WRC does not have the choice to opt for counsel. A representative chosen by the grievant may assist the grievant. There shall be no briefs filed, and the arbitrator will issue an award within forty-eight (48) hours of the close of the arbitration hearing. The arbitration shall be held within (30) days of receipt of the request for arbitration. The decision of the Arbitrator shall be final, conclusive and binding upon the employee and the WRC.

Annual performance reviews, oral warnings, transfers, and promotions are not subject to the grievance procedure.

Please see Appendix 1 and 2 for information on the Governing Board and Advisory Council of the WRC.

Sexual Harassment section, page 6:

deleted from section:

~~*Complaints regarding sexual harassment should be reported immediately to the Executive Director, unless the Director is implicated, in which case the employee could report to the board member of their choice. All involved parties will act responsibly and in accordance to these guidelines.*~~

Confidentiality/ Works for Hire section, page 10:

added to section:

All works created during an employee's tenure at the WRC are property of the WRC.

Addition topics discussed:

- Some Governing Board members suggests the creation of a research section on the WRC website including links to relevant research on worker rights issues. The staff agrees to pursue this possibility.
- The Governing Board discussed the pros and cons of affiliate colleges and universities urging licensees to maintain, increase or renew orders at factories that have improved Code of Conduct compliance (e.g. Kukdong). Concerns were raised that such encouragement may be inconsistent, in some cases, with a company's obligation to pursue good business practices. It was agreed, however, that it is in keeping with the spirit of the Code of Conduct effort that, wherever feasible, those factories that correct violations and/or demonstrate exemplary Code compliance should be rewarded and supported.

- The Governing Board discussed, but left unresolved, the question of whether and how educational seminars for Board members and staff should be scheduled. The purpose of these would be to increase the skill and knowledge levels of those Board members and staff participating in WRC investigations.