

RESOLUTION No. 36527 AS AMENDED

Create the City of Portland Sweatshop Free Procurement policy for uniforms and clothing purchases to be fully implemented in 2008 (Resolution)

WHEREAS, the City of Portland spends approximately \$2 million annually in public funds on uniforms and clothing, and

WHEREAS, some vendors of uniforms and clothing obtain clothing through their supply chain from contractors that utilize sweatshop labor; and

WHEREAS, “Sweatshop Labor” means serious and repeated violations of laws of the jurisdiction within which the work is performed pertaining to: wages; employee benefits; health and safety, including without limitation exposure to hazardous toxic substances; labor, including without limitation collective bargaining rights; environmental conditions; nondiscrimination, harassment or retaliation, including without limitation all laws prohibiting workplace and employment discrimination; freedom of association, and; building and fire codes. In addition, it includes work performed by any person under a contract or subcontract that constitutes foreign convict or forced labor, or abusive forms of child labor or slave labor; and

WHEREAS, contractors who engage in such serious and repeated violations are not “responsible” contractors as defined by ORS 279C.375(3) because such contractors do not have a satisfactory record of performance or a satisfactory record of integrity; and

WHEREAS, the City, in its role as a market participant, does not wish to purchase goods and services that depend on, sweatshop conditions that deprive people of their legal rights and dignity, and

WHEREAS, the City should insure that those with whom they contract to provide uniforms and clothing should act with integrity and follow the law, and that others in the uniform and clothing supply chain should also act with integrity and follow the law, even if that law is that of another country (hereafter referenced as “Sweat Free Procurement”); and

WHEREAS, the City, in its role as a market participant, seeks to insure the integrity of its procurement process by not utilizing contractors or subcontractors who engage in Sweatshop Labor practices. Such practices place responsible contractors at a competitive disadvantage and dissuades them from doing business with the City; and

WHEREAS, by adopting this resolution, the City does not intend to preclude the City or its contractors or subcontractors from doing business with any foreign country, and

WHEREAS, Sweat Free procurement will not result in boycotts of any country or change the laws or policies of any government, but is, instead, a form of ethical purchasing; and

WHEREAS, There is a proposed State and Local Government Sweatfree Consortium that would investigate and address working conditions of uniform and clothing suppliers’

factories through education and by leveraging buying power on behalf of government entities affiliated with the Consortium; and

NOW, THEREFORE, BE IT RESOLVED: The City of Portland hereby expresses its desire to create and implement a more detailed Sweat Free Procurement Policy; and

BE IT FURTHER RESOLVED, As a first step, contracts established above the formal threshold for uniforms and clothing suppliers will be asked to disclose factory name and location information to the Bureau of Purchases; and

BE IT FURTHER RESOLVED, The City shall support the creation of the State and Local Government Sweatfree Consortium to collaborate with other public agencies to share information and cost of monitoring the suppliers and factory locations. The Commissioner of Public Utilities will bring forward actions in the fall 2007 budget monitoring process necessary to pay the sum of \$20,000 to Sweatfree Communities, Inc., to support formation of the Consortium. Once the Consortium is established, and approved through the City's annual budgeting process, the City shall pay an annual membership fee to belong to the Consortium in the amount not to exceed 1% of the cost of uniforms and clothing purchased during the previous calendar year; and

BE IT FURTHER RESOLVED, The City Council hereby creates a "Policy Committee" that will consist of nine persons, with members representing the following groups: four members from advocates for labor rights and just working conditions in apparel, footwear and textile industry; two members from an organization representing uniform-wearing public employees; one member who is an expert in global economics and supply chains; the City Purchasing Agent or designee and; the Auditor or designee. The members of the Policy Committee shall be appointed by the Commissioner of Public Utilities and confirmed by the City Council; and

BE IT FURTHER RESOLVED, the "Policy Committee" is hereby directed to recommend a Code of Conduct and Sweat free Procurement policy for the City of Portland once the Consortium is operational, or no later than September 2008; and

BE IT FURTHER RESOLVED, that after adoption of the City's Code of Conduct and Sweat Free Procurement Policy the Commissioner of Public Utilities will form an Oversight Committee, and confirmed by City Council, it will report to the City Council on an annual basis on the status of contractors' compliance with the policy and any proposed policy changes that should be made. Persons serving on the Oversight Committee must volunteer to avoid bidding on city contracts overseen by the Committee during their term of service.

Adopted by the Council: August 29, 2007

Commissioner Sam Adams

Prepared by: Terry Richardson
Kimberly Schneider
August 23, 2007

GARY BLACKMER

Auditor of the City of Portland

By/S/ April Murphy

Deputy

BACKING SHEET INFORMATION

AGENDA NO. 1026-2007

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 36527 AS AMENDED

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
ADAMS	X	
LEONARD	X	
SALTZMAN	===	===
STEN	X	
POTTER	===	===