

Memorandum of Understanding

(Final – March 28, 2001)

China Capacity Building Project – Occupational Health and Safety **Dong Guan City, Guangdong Province, China**

The undersigned organizations and individuals met in Hong Kong on November 30, 2000, and discussed the following set of agreements to govern a one-year training project on workplace health and safety issues. The project will include conducting and evaluating a training at the Yue Yuen II plant in Dong Guan, China, and six months of technical assistance and support for plant health and safety committees following the training.

1. Goals and objectives

The goals and objectives of this project are the following:

- a) to build the health and safety capacity of all participants (worker, supervisor/manager, labor practices staff of the international brands, and non-governmental organization (NGO) staff) to recognize, evaluate and document workplace hazards;
- b) to establish baseline health and safety knowledge and inspection skills of plant health and safety committee members, and to enable in-plant workers to meaningfully participate in improving health and safety on the job;
- c) to provide post-training technical assistance and support to plant health and safety committees and to NGO staff with the goal of improving conditions in the plants; and
- d) to involve US-based professionals, Hong Kong-based NGOs, international brands and China-based plant management in a collaborative process to plan, conduct and evaluate a workplace health and safety project.

At the end of the year-long project, the participants will meet to conduct an evaluation of the project's process, activities, results and impact. We hope to publish a report outlining the lessons learned from this experience for all those around the world interested in labor practice issues in the global economy.

2. Training Participants

Participants in the project will be drawn from four populations: shop floor-level workers of the participating plants; supervisors/managers with departmental or plant-wide responsibilities for occupational health and safety in the participating plants; labor practices staff of the participating international brands; and staff members or active volunteers of the participating NGOs in Hong Kong and China.

The participants are intended to be individuals who now have, or will have in the future, direct involvement in department or plant-wide health and safety committees, and individuals who have an interest and ongoing responsibilities in the area of occupational health and safety. Each participating organization will design its own method for selecting its designated participants with the understanding that the project goal is to increase the ability of the plants to initiate and sustain active workplace health and safety committees involving workers, supervisors and managers.

Participating organizations are encouraged to select shop-floor workers and supervisors/managers in such a way that all participants will feel able to speak freely and openly during the training. It may be useful to select supervisors/managers who have department- or plant-level health and safety responsibilities and who do not directly supervise worker participants.

The allocation of the 88 participant places in the training will be as follows: Yue Yuen II will select 15 shop-floor workers and 5 supervisors/managers with health and safety responsibilities; Pegasus will select 15 shop-floor workers and 5 supervisors/managers with health and safety responsibilities; KTS will select 15 shop-floor workers and 5 supervisors/managers with health and safety responsibilities; each brand (adidas, Nike and Reebok) can select 2 participants; and a total of 22 participants to be selected by the Asia Monitor Resource Center, Chinese Working Women Network, Hong Kong Christian Industrial Committee, and the Hong Kong Confederation of Trade Unions.

3. Curriculum Issues

The training will consist of two 44-member classes attending concurrent four-day training sessions at the YY II facility during the week of July 30-August 3, 2001. Classroom instruction will occur in the YY training center and significant time will be devoted to hands-on exercises in the production areas of the plant. The training methodology will be participatory, interactive and based on the principles of "popular education."

A thorough written and oral needs assessment will be conducted with the designated participants prior to the training to determine the exact topics and priority for the training curriculum. All written training materials will be translated into Mandarin Chinese and the language of instruction will also be Mandarin, either directly or through simultaneous translation. The training curriculum and materials will be designed to be accessible and understandable for participants of varying literacy and technical levels. The team of instructors will include occupational health and safety professionals from the United States, Hong Kong and China.

Primary responsibility and authority for developing the curriculum, training materials and training team will rest upon the MacArthur Foundation grantees and the Labor Occupational Health Program (LOHP) at the University of California at Berkeley. The

US-based professionals will consult with the Coordinating Committee during the curriculum development period.

4. Logistical Issues

The project will be organized by a Coordinating Committee and a Local Coordinator based in Hong Kong, in partnership with the MacArthur Foundation grantees and LOHP.

The Coordinating Committee will consist of the Local Coordinator and one representative from each of the following organizations: adidas, Reebok, Nike, YY II factory, Pegasus factory, KTS factory, YY headquarters, AMRC, CWN, HKCIC, HKCTU. The Coordinating Committee will meet monthly, starting in February 2001, and will select its own chair, meeting schedule and locales. The Coordinating Committee will make decisions by consensus.

The Local Coordinator will be selected and funded by the MacArthur Foundation grantees. The Coordinator will be responsible for coordinating all logistical aspects of the training and will also participate in Coordinating Committee meetings. It is expected that the Coordinator will work an average of 10-12 hours a week for the six month period prior to the training.

5. Follow-Up Activities

Following the four-day training, a six-month period of evaluation, assessment and support will be conducted to support the fledging plant health and safety committees and to draw out the lessons of the project. The US-based participants and the Hong Kong-based NGOs will make themselves available to provide whatever information and technical assistance the plant committees require, as appropriate and feasible. The Coordinating Committee shall be the vehicle to facilitate communication and share experiences during this period.

At the end of the six-month period, the US-based participants will spend a day with each set of participants and/or facility, and convene a final gathering to discuss and determine the outlines of the final report and any subsequent activities that the participants deem useful and feasible.

This first phase of long-term capacity-building work is a primarily a learning process. The long range goal is to build on the lessons of this concrete exercise by working with the participants, other brands and international organizations to advance similar efforts so that they become “mainstream” and capable of being “scaled-up” over time. The experience of initiating and assisting health and safety committees in these factories can lay the basis for developing train-the-trainer activities and materials that can be applied across facilities in China and in other countries.

6. Participant Relations and Confidentiality

During the course of this one year project all participating organizations pledge to interact with one another in a good faith effort to maximize the training goals of this project. Any concerns about the project's process and activities shall be shared with all participants through the Coordinating Committee. Any information received about problems related to health and safety, or other labor practice issues, at the participating plants during the course of the project shall be provided directly to the management of the plant(s) involved, and shared with other participants through the Coordinating Committee.

Shop-floor worker participants will be encouraged to raise any health and safety concerns during the training and follow-up period. All parties agree that there should be no adverse consequences for workers who raise such concerns during the year-long project.

Project participants will resolve concerns or problems at the participating plants through the Coordinating Committee and all parties agree to refrain from public statements about issues under resolution by the Coordinating Committee. This MOU will be made public at the beginning of the project and no other public report is expected until the end of the year-long project.

At the end of the year, a joint report will be issued where there is consensus among all participants which outlines the lessons learned from this experience for the benefit of interested business and NGO communities around the world. Following the conclusion of the project and the publication of any joint report, participants will be free to express their own perspective on the project. In such cases, parties publishing their views agree to circulate those views to all other participants 72 hours in advance of their public distribution.

7. Project Time Line

Assuming agreement is reached on this Memorandum of Understanding in February 2001, the proposed schedule of activities will consist of the following:

- February-March 2001 – simple written and oral needs assessment with all designated participants by the US-based instructors;
- March-May 2001 – development of the training curriculum, written training materials and team of instructors;
- June 2001 – translation of all written materials from English to Mandarin Chinese;
- July 30-August 2, 2001 – two concurrent four-day trainings at YY II;

- August 2001 – initial evaluation of training activities;
- August-December 2001 – post-training period of assessment and technical support for plant health and safety committees; and
- December 2001 – US-based participants conduct site visits and convene an all-participant meeting to prepare a final project report.

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