

Toxic Uniforms: Behind the 'Made in USA' Label

The federal government spends approximately \$4 billion annually on apparel and textile products. Despite the trend of outsourcing needle trades jobs, a large majority of the apparel procured by the federal government is still manufactured in the United States. An estimated 40,000-50,000¹ U.S. workers produce apparel for federal agencies mainly thanks to the Berry Amendment (10 U.S.C. 2533b) of 1941, which requires apparel and textiles purchased by the Department of Defense to be produced in the U.S. or its territories. In February 2009, the Kissell Amendment, part of the American Recovery and Reinvestment Act, extended the Berry Amendment to the apparel for the Coast Guard and Transportation Security Administration. However, it is not clear that the jobs created by the Berry and Kissell Amendments are always good jobs. Repeated U.S. Department of Labor surveys of cutting and sewing shops in the major U.S. apparel centers between 1995 and 2001 indicate that sweatshop conditions are “normal” at the heart of the United States apparel industry, prompting questions about the labor compliance of federal government apparel contractors.² Economic justice and economic recovery require that workers who sew uniforms and textile products for government employees receive decent wages for work in good conditions.

Major Findings

Toxic Uniforms: Behind the 'Made in USA' Label presents findings from a 2009 SweatFree Communities investigation of working conditions in one cut-and-sew factory in southeastern Massachusetts and eight factories in western Puerto Rico that manufacture soldiers' uniforms and sewn gear for two major suppliers of the U.S. military: Propper International and Eagle Industries. The research is based upon primary sources: worker interviews, union leaflets, company fliers, and letters from politicians. Workers at all factories reported poor conditions, including:

- **Poverty Level Wages:** For a single parent supporting a child, the pay-rate at each factory equaled roughly half of a living wage. For a family of four with two adults working at the factory, earnings were 60-65% of a living wage.³
- **Pressure on the Job:** Propper employees sewed at a relentless pace in order to earn a bonus for meeting quota, causing long-term stress injuries. At Eagle, workers did not receive extra pay for reaching the production target, but they faced time-keeping and surveillance to hurry them along.

- **Poor Benefits:** Eagle provided a family health insurance plan that cost 80% of monthly earnings, a prohibitive expense for almost all workers. Propper's medical plan was less costly, but did not include prescription drug coverage. Neither company paid for sick days. Because workers lived in poverty they often opted to work sick rather than to lose pay. Each company provided nine paid vacation days. Propper operated in violation of Puerto Rico Law 180, which mandated twelve paid sick days and fifteen paid vacation days to workers who work at least 115 hours per month. Neither company provided a path to retirement.
- **Health and Safety Problems:** The health and safety concerns reported at both companies include heat exhaustion and fainting, repetitive stress injuries, puncture wounds, cuts from sharp material, and exposure to toxic chemicals.
- **Discrimination:** Workers at both companies reported intimidation, surveillance, and layoffs of union supporters. In addition, Eagle workers spoke of nepotism and favoritism; sexual harassment; and ethnic and racial discrimination.

For the workers, the uniforms they make are literally and figuratively toxic.



Sign posted outside a Propper Factory in Puerto Rico: "Say no to the union! Don't sign the union card. Out with the dues-suckers. -Management."

Recommendations

Procurement from Domestic Sources

Among several long-standing pieces of legislation designed to eliminate sweatshop conditions for workers providing goods and services to the federal government, the Walsh-Healey Public Contracts Act of 1936 applies to manufacturing operations in the United States, including the Eagle workers in Massachusetts and the Propper workers in Puerto Rico. It requires contractor compliance with prevailing wages, health and safety standards, the 40-hour work week, and minimum age limits.⁴ However, *Toxic Uniforms: Behind the 'Made in USA' Label* indicates that more needs to be done to ensure that apparel companies that profit from substandard working conditions cannot underbid responsible contractors for federal contracts. While the federal government should procure goods and services, whenever possible, from U.S.-based manufacturers and service providers consistent with guidance in U.S. law, it must also ensure labor standards compliance and decent wages for all workers who sew uniforms and other apparel for military personnel and other government employees.

Procurement from International Sources

Investigations by monitoring organizations and research and advocacy organizations indicate widespread and serious labor violations in factories overseas that produce uniforms and other apparel for the government procurement market.⁵ Though a minority of federally procured apparel is made outside the United States, the federal government should ensure that taxpayers' money is never used to support sweatshop labor. Yet, virtually no federal procurement standards support the rights of workers overseas that make products for the federal government.⁶ The federal government should join with the dozens of U.S. cities, counties, and states that have developed such standards, substantially increasing the market for decent working conditions overseas.⁷ Federal procurement should require contractor and subcontractor compliance with international core labor standards and living wages ensured through an effective independent monitoring program. Compliance can be more easily ensured through the Sweatfree Purchasing Consortium, a new collaborative effort of government agencies and labor rights advocates to pool resources, share information, and coordinate enforcement towards ending public purchasing from sweatshops.⁸

Federal sweatfree procurement from international sources would buttress the Berry and Kissell Amendments in their aim to protect American workers. Poor working conditions overseas not only strip workers in other countries of their rights, but also contribute to unfair competition in the global labor market. The ensuing "race to the bottom" is one of the main forces behind the loss of U.S. manufacturing jobs. Together, federal, state, and local governments can create a substantial market for decent working conditions that will help level the playing field for labor-rights compliant manufacturers and benefit workers in the United States and overseas.

In Workers' Words

We just started working on a new product: fire retardant uniforms. It takes 118 operations to make these uniforms. The factory that makes the cloth puts on fire retardant chemicals. We have to handle this chemical all day long and we don't have any protection for our skin or lungs. I'm worried about what this toxic exposure will do to my health.

-- Rafael Irizarry, Propper Worker

Most Propper workers have scarce resources, earning \$400 to \$500 biweekly, and go to work sick as to not lose their pay. In addition, there are people whose health conditions require an operation but they postpone it in order to not miss work. This sort of conduct likens workers to slaves.

-- Victor Vélez, Workers United Puerto Rico

They even made some people who wanted to start working at the factory sign declarations that said that they couldn't join the union as a condition to start work. If they signed this declaration, management gave them the work, which is against the law. When we tried to recruit people for the union, there were a lot of people who said they couldn't join because they had signed a declaration.

-- Santa Sanchez, former Eagle Worker



Eagle workers rally on June 9, 2009 to keep the factory open. Their signs read: "The contract belongs to New Bedford. Leave the doors open. "We are fighting for our jobs. Less than two months later the company closed the factory.

¹ Estimate by Workers United based on industry research (2009, May 12).

² Each of these surveys found that 50- 60% of the shops failed to pay either the minimum wage, or overtime, or both. See, for example, United States Department of Labor. 2002. "U.S. Department of Labor 2001 New York City Garment Compliance Survey." Available online at:

http://www.dol.gov/Opa/Media/Press/Opa/NewYork_Survey.htm#survey1. Accessed on November 1, 2009. For an overview of these U.S. DOL investigations, see Ross, Robert J.S. (2007). *Slaves to Fashion: Poverty and Abuse in the New Sweatshops*. Ann Arbor: The University of Michigan Press, pp. 28-36. Ross estimated that there are approximately 255,000 sweatshop workers in the United States.

³ The report uses the widely-cited Living Wage Calculator (www.livingwage.geog.psu.edu) developed by Amy Glasmeier of Pennsylvania State University.

⁴ 41 USC Sec. 35.

⁵ See, for example, Worker Rights Consortium monitoring reports to the City of Los Angeles at http://www.lacity.org/GSD/sms/WRC/WRC_reports.htm.

⁶ One exception is Executive Order 131266, Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor. But this prohibition lacks enforcement provisions.

⁷ A sample sweatfree procurement policy, policy implementation guide, and list of state and local sweatfree procurement policies are available here: <http://buysweatfree.org/resources>.

⁸ Sweatfree Purchasing Consortium. (2009, March). "White Paper." See: <http://www.buysweatfree.org>.