



# Working in Marks & Spencer's food and footwear supply chains

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**OXFAM**

## Foreword by Oxfam

John Plastow, Chief Impact Officer, Oxfam GB



In 2018, Marks & Spencer (M&S) asked Oxfam to undertake a collaborative piece of research, similar to its earlier ‘gap analysis’ study with Unilever, to help the company understand the reality for workers in global supply chains.<sup>1</sup> Its aim is to identify insights and lessons for M&S and the wider sector on how to address human rights and worker wellbeing issues in their supply chains.

Oxfam welcomed the willingness of M&S to demonstrate transparency by opening up its food and footwear supply chains to Oxfam’s scrutiny, and we jointly agreed to focus on the important themes of gender equality, worker voice and in-work poverty.



‘We will enter into a new collaboration with Oxfam over three years, focusing on the UK and India, to develop a deeper understanding of the connection between our sourcing practices and our human rights impacts.’<sup>2</sup>

M&S Plan A 2025 Commitments



This initiative builds on a longstanding partnership between Oxfam and M&S, which has included an award-winning clothes recycling initiative called ‘Shwopping’,<sup>3</sup> as well as ongoing dialogue about human rights issues in global supply chains. It also builds on Oxfam’s years of experience analysing issues affecting workers’ rights and engaging with business on solutions. As expected, Oxfam found both issues of concern and examples of good practice.

Better understanding the perspectives of workers and suppliers on the challenges they face and potential solutions matters for improving workers’ wellbeing and business success. We would like to thank the 390 workers who agreed to be interviewed, in many cases overcoming concerns about potential repercussions, in the hope that this would contribute to positive change by M&S and its suppliers. We also thank those supplier managers who worked hard to accommodate our requirements on top of their busy roles, and of course M&S’s own personnel.

When the Polish immigrant Michael Marks started the company in 1884, he could not have imagined all the transformations that would be needed over the next 136 years. In that time, M&S has evolved and implemented positive change within its sourcing practices. However, we know that it is continually looking for ways to improve the resilience of its supply chains and that effective workforce management, which prioritizes worker wellbeing, has become even more important for companies during the COVID-19 pandemic.

We are confident that this independent report offers useful insights into the perspectives of M&S’s supply chain workforce, and will encourage M&S and other retailers to integrate these perspectives into the way they do business. This is essential if retailers are to meet customers’ growing expectations that the products they buy are of a guaranteed high-quality produced under fair, sustainable conditions.

## Foreword by Marks & Spencer

Paul Willgoss, Director Food Technology, M&S Food

Fiona Sadler, Global Head of Responsible Sourcing, Clothing and Home

Nidhi Dua, Head of India Region, M&S Clothing and Home



Building trusted partnerships with suppliers, caring for our people, supporting local communities and taking a long-term approach to innovation and investment have been core to M&S's culture since its inception in 1884. Our founders understood that there was a direct link between how people were treated and the value created through the supply chain. By building a business based on what we would now term 'ethical trade,' M&S was able to offer unique own-brand products of superior quality at fantastic value and deliver a customer proposition built on quality, value, innovation, service and trust.

Fast forward 137 years and these principles have been codified through our Global Sourcing Principles,<sup>4</sup> with the aim of ensuring that the people who work in our supply chains are treated with respect and fairness, and their human rights are respected and promoted. These principles have been in place for over twenty years and are continually reviewed and updated to ensure they are relevant and fit for purpose. They also include several elements of international codes, including the Ethical Trading Initiative (ETI) Base Code.<sup>5</sup>

We are clear with all of our suppliers that they must meet agreed standards. We work with them to raise standards and improve working conditions as our business relationship with them develops. To ensure standards are adhered to, we foster open communication and transparency, supported by regular site visits and a policy of continual improvement. Strict sanctions are applied when standards are not met, and where there is no commitment to improve standards, we reserve the right to walk away.

Reporting transparently on our supply chain practices and operations is core to our approach to sourcing. Not just to keep us and our suppliers 'honest,' but so that we can share our lessons with the wider industry and improve global supply chains – many of which are interlinked. In 2016, we were the first retailer to publish an interactive map of our active clothing and food manufacturers. As part of this, we set out worker representation status for each site and have continued to increase our disclosures to include auditing protocols and how we have resolved allegations raised through grievance or whistle-blowing channels.

Across our Food, and Clothing and Home businesses, we have supplemented the work in our core operations with specific programmes delivered through Plan A<sup>6</sup> to tackle what are often deeply entrenched societal issues. As an example, since 2017 over 250,000 people in our Food, and Clothing and Home supply chains have benefitted from our commitment to training through our global community programmes, such as Emerging Leaders.<sup>7</sup> This training helps develop leaders capable of coming up with solutions that support business and the community. The course emphasizes the importance of taking responsibility for the problems you see around you; considering what you can do to make a difference; and working with others to achieve a goal.

Setting standards and investing in our own operations – however good – can only ever be a baseline. To effect real change, particularly in an age of globalized, increasingly fast and interdependent supply chains, we have to work with the wider industry and international bodies. That's why we work to uphold internationally recognized human rights using the UN Guiding Principles on Business and Human Rights<sup>8</sup> as a basis for dialogue and action. In line with this, we are signatories of UN Women's Empowerment Principles<sup>9</sup> and the UN Global Compact.<sup>10</sup> We play an active role in cross-industry bodies such as the ETI, the Food Network for Ethical Trade, Sedex and the British Retail Consortium's work on global supply chains. We are taking a lead on tackling Modern Slavery. In the UK, M&S co-chairs the Modern Slavery Intelligence Network. Our CEO is co-sponsor and governance board member of the Consumer Goods Forum



Global Coalition on Forced Labour and Human rights. In our overseas sourcing operations, we are partners in the International Labour Organization's Better Work Programme<sup>11</sup> to help influence safe working environments, and work with local partners, such as Swasti, Change Alliance and READ, to tackle issues pertinent to workers health and safety in the workplace and community.

However, if we want to continue to deliver our unique customer promise of quality, value, innovation, service and trust, there is no room for complacency. If we are serious about ensuring that everyone who works with, as well as for, M&S is treated with decency and respect, then we must hold a mirror up and make sure the reflection is true. For this reason, we asked Oxfam to conduct a 'gap analysis' of our supply chain in the UK and India focused on 'worker voice' along with living wages and gender equality. This issue of worker voice was chosen in collaboration with Oxfam as it was identified as an area where existing sector-wide social processes seemed to be less effective.

As a result, this report rightly focuses on what we need to do better in our own operations to ensure workers in our supply chains have a voice, and what actions we can take with the wider sector to galvanize substantive change. The experience of every individual matters and collectively they represent the challenges we face as an industry. While some of it makes for uncomfortable reading, progress will only be made by openly sharing the issues and challenges we are facing rather than taking cold comfort from the things that are working well. We have already made changes in light of the report's findings (**see Chapter 10**) and hope that, through sharing the report and our response openly, it can help to support meaningful change across the industry.

We are incredibly grateful to Oxfam for the diligence they have shown in compiling this report, and for being a challenging, critical and constructive partner. We are also appreciative to our suppliers who opened their factory doors in support of our shared ambition for transparency and change. Their willingness to allow a campaigning NGO full access to their sites is a testament to their shared commitment to ensuring everyone in our supply chain has a voice and to fostering a culture of openness and continual improvement. And, more importantly, we want to thank the 390 workers, as well as our own M&S colleagues, who participated and shared their experiences openly with Oxfam.



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**No photographs of interviewed workers have been included in this report to protect them from potential repercussions.**

## Executive Summary

Marks & Spencer (M&S) sets itself high standards. Its Plan A<sup>12</sup> was widely recognized as breaking new ground in sustainability reporting when it was launched in 2016. In addition, M&S has achieved high rankings on human rights indices<sup>13</sup> and, based on interviews for this project, colleagues take pride in its values and high standards.

M&S asked Oxfam to identify human rights and worker wellbeing issues in their supply chains as part of a collaborative research project. The company has shown itself willing to engage on difficult issues, by opening its doors to Oxfam so that it could:

- capture the experience of workers producing its products;
- identify what M&S is doing well and where it can go further;
- consider how that progress can be measured; and
- publish the findings, so that learning can be shared and M&S can contribute to achieving a joint industry approach to tackling these widespread and global issues.

Oxfam's interviews with 390 workers across food manufacturing sites in the UK and footwear factories in India supplying M&S revealed a range of concerns among workers, as well as examples of good practice on which the company can build.

The scope of the study, agreed between M&S and Oxfam, focused on gender equality, worker voice and in-work poverty. It involved interviews over a period of 28 days within a six-month period. The nature of a deep-dive qualitative study and the need to protect workers' anonymity mean that the findings are based on workers' testimony and are not necessarily generalizable across or beyond the sites where the interviews were held. Nonetheless, the interviews provided valuable insights into the perspectives of a large sample of workers and managers in M&S supply chains, with important and consistent themes emerging:

- a lack of effective worker voice;
- concerns about speaking out;
- inadequate sick pay;
- the need for more transparent or fairer job progression processes; and
- difficulty in meeting living costs in some instances.



Workers in UK food factories told Oxfam:

'Sometimes management support us, so they're very good, they listen to us.'

UK worker

'We'd be scared to raise it – we can't speak up – we get told: "you're only agency; who are you?"'

UK worker

'I could save the company loads of money because I know what I am doing...but I won't get the line supervisor job because I am not a friend [of the recruitment manager].'

UK worker

'People are used to being primed before an audit or external visit. You expect that... [the supplier] want a gold star from M&S.'

UK worker

'There are more stable jobs here, so employees are well satisfied here.'

UK worker



“

Workers in India footwear factories told Oxfam:

‘When a needle went through the finger of a machine stitcher, the company took her to a private hospital near the factory, but then they deducted that [cost] from her salary. So now everyone is scared to show any blood if they cut themselves – they can’t afford that treatment.’

India worker

‘Every month we take loans as the salaries are not enough. There shall be something to earn more money.’

India worker

‘If I have a concern, I have to take it to my supervisor, so I don’t raise the concern at all.’

India worker

”

These issues were generally more serious for women than for men in both countries, and for all workers interviewed in India compared with those interviewed in the UK.

The workers and suppliers’ perspectives gathered matter both for workers’ wellbeing and to M&S’s business. If a worker believes they are taking a risk to speak up – and that nothing will change if they do – they will stay silent. If a manager thinks workers are unreasonable, workers’ ideas and solutions will not be valued.

The results of this study echoed Oxfam’s research<sup>14</sup> from the last 25 years into the global food and garment<sup>15</sup> supply chains, which evidenced in-work poverty, gender discrimination and poor communication between managers and workers.



Photo: dreamstime

There were nevertheless some findings that surprised us, such as the level of poverty among skilled leather workers in India, despite them being paid above the minimum wage, and the range of reported issues in UK food sites that were not raised with management or via audits. It should be noted that many other high-street retailers source products from the same factories, including supermarkets that appear in the Oxfam Supermarket Scorecard as part of its ‘Behind the Barcodes’ campaign.<sup>16</sup>

A key conclusion was the disconnect between the information that M&S managers typically receive about conditions in workplaces, based largely on third-party ethical audits, and what workers report as their experience. This raises important questions for M&S and other companies about the reliability of auditors’ findings on suppliers, and the need for stronger worker representation and potentially regulation.

We heard positive feedback from some workers in the UK, including that the people they worked with were the best thing about their job, that they enjoyed the flexibility afforded by their shift patterns, that there were examples of concerns being effectively resolved, and that there are opportunities to learn new skills and progress into higher-paid roles.

We also heard positive feedback from suppliers about doing business with M&S. They told Oxfam in interviews that they valued M&S’s clear and transparent business processes, the long-term commitments it makes to its suppliers, and its colleagues’ understanding of production processes and willingness to work on solutions that benefit everyone. We heard from more than one supplier that these ways of working by M&S had enabled them to make long-term investments that were good for their business and workforce.

Supplier managers told us that supplying M&S is seen across the sector as a mark of quality because it is known that they typically choose to do business with suppliers that are among the best in their sector.

High-street retailers, including M&S, face huge challenges, from consumers looking for the best price while expecting next-day delivery, to employers under financial pressure and intense competition from discounters and online retailers, as well as investors looking for the best returns. COVID-19 has further exacerbated these pressures, and highlights the need for workforce resilience and wellbeing across companies’ operations and supply chains.

Some issues documented in this study – such as gendered norms and caste discrimination in India, and agency working in the UK – represent clear human rights risks, but there is a limit to the influence of one company to address them. Challenges in M&S’s supply chains, both in the UK and in India, such as unpredictable and low incomes (often linked to excessive hours), a lack of access to sick pay and health care, and debt (linked to very low wages) are not only relevant for M&S, but reflect wider social and economic realities. It will only be by a global cross-industry effort that effective change will occur.



Managers told Oxfam:

‘M&S have a clear vision mapped out by their Plan A [wellbeing, community and environmental] commitments. None of the other retailers have that... It’s the heart of their business, it’s what shows they do the right thing.’

Supplier senior manager

‘We have better ethics. I don’t know how I could NOT work in an ethical way, because M&S would not use an unethical factory.’

M&S colleague

‘We used mystery workers and got fantastic insights about what it’s like to be a worker. No auditor will EVER see what those people see. Things have to be really bad before people are willing to talk... You could see the difference in behaviour when supervisors were in the room.

Before that, I hadn’t understood why issues were never raised by workers.’

Supplier senior manager





M&S has reflected on the research findings and demonstrated a commitment to continuously improving and adopting good supply chain standards. They have shown an interest in driving wider sectoral change. Oxfam has challenged M&S to be bolder in doing so, and the two organizations are discussing how to achieve this.

Oxfam hopes that insights from this rare project will enable M&S to consolidate its position on human rights and sustainability. There is evidence of good practice in M&S's supply chain. Closing gaps in the high-level governance of workplace management issues along its supply chains will enable M&S to have better understanding of the key issues that need to be addressed in its day-to-day business decisions.

Our shared concern is to make work safer, more dignified and more fulfilling for the tens of thousands of men and women producing M&S products, thus securing M&S's supply chains and enhancing the wider sector.

This independent report presents Oxfam's research findings and conclusions, which were presented at a workshop in May 2018 and have formed the basis of dialogue in the period since then.



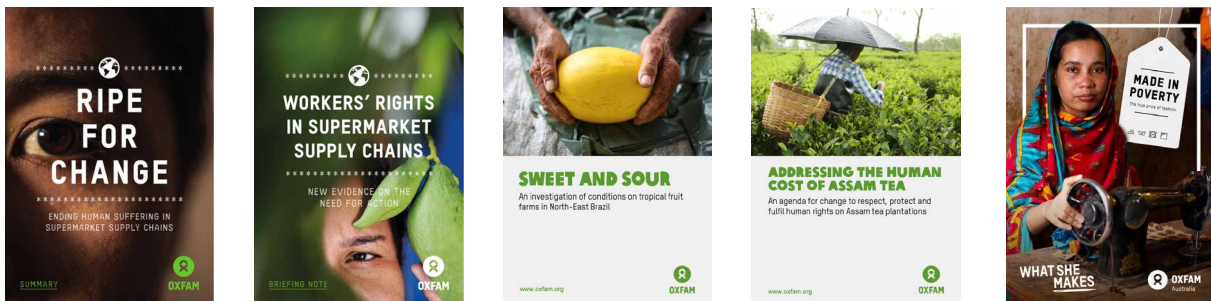
# 1 Introduction

Marks & Spencer (M&S) sets itself high standards. Its Plan A<sup>17</sup> has for 13 years been a key brand asset; it has achieved high rankings on human rights and sustainability benchmarks;<sup>18</sup> and its employees take pride in its values and high standards.

M&S asked Oxfam to identify human rights and worker wellbeing issues in their supply chains as part of a collaborative research project. Oxfam interviewed 390 workers across food manufacturing sites in the UK and footwear factories in India over a six-month period. The investigation focused on gender equality, worker voice and in-work poverty.

This report shows that M&S is willing to engage on difficult issues. Like Unilever nearly ten years ago,<sup>19</sup> M&S opened its doors to enable Oxfam to capture the lived experience of workers making their products, and publish the findings for the benefit of all. M&S was hoping to gain insights from Oxfam's research findings and recommendations that would help it strengthen policies and practices, and maintain its reputation as a leader.<sup>20</sup>

Many of the research findings were in line with those from Oxfam's 'Behind the Barcodes' campaign, which evidenced hidden suffering in the production of foods such as tea and coffee, fruit and vegetables, and meat and seafood.<sup>21</sup>



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‘Governments, food companies, small-scale farmers and workers, and citizens around the world can all help to rebalance power in food supply chains and ensure they more fairly reward those producing our food. The supermarket sector is ripe for change’

From Oxfam’s 2018 launch report for Behind the Barcodes,  
*‘Ripe for Change: Ending Human Suffering in Supermarket Supply Chains.’*

‘85% of investors believe investment in employees is an important factor in their decision making.’

Living Wage Foundation

”

Oxfam recognizes the challenges companies face in addressing these issues. High-street retailers, including M&S, face growing competition from discounters and online retail. This study was undertaken before the arrival of COVID-19 added an unprecedented stress test for businesses.

At the same time, the pandemic – which layers additional risks and pressures on top of the already precarious lives of workers – shows why addressing these issues really matters. Too narrow a focus on cost management will keep the door closed to the productivity and innovation that can come from a thriving workforce,<sup>22</sup> and hinder the supply-chain resilience that has shot up the business agenda of the food industry in particular.<sup>23</sup> These are only some of the reasons why increasing numbers of investors consider human rights risks to be material and are concerned that they are effectively addressed.<sup>24</sup> We hope that this study provides useful insights for companies whose ambition is not only to come through the crisis but also to ‘build back better.’

## 2 Methodology

The research was a qualitative study to investigate the experiences and perspectives of the men and women working in M&S's supply chains. Oxfam and M&S jointly selected the topics of focus – gender, worker voice and living wages – and the sectoral focus on UK food and Indian footwear. M&S identified the supplier sites to be visited based on their relevance to these issues, staff capacity and other considerations. For instance, some sites were dedicated to supplying M&S only; for others M&S is a minor customer. More than one supplier was a larger business than M&S itself. It was agreed that Oxfam would withhold the names of the suppliers and protect the identity of the interviewed workers to give reassurance and confidence to participate.

Oxfam researchers planned each site visit with the relevant supplier. They then spent a total of 15 days onsite at five food factories in the UK, and 13 days interviewing workers at six footwear sites in India, both on- and offsite, with the support of independent interpreters where appropriate.

Between August 2018 and February 2019, researchers interviewed:

- 390 workers (49% of whom were female);
- 49 supplier managers;
- 17 M&S managers (based in the UK and India);
- 46 external sector experts.

Oxfam secured informed prior consent from interviewees and guaranteed their anonymity. When seeking workers' informed consent, most agreed to proceed, but several expressed concerns about repercussions for speaking out. More than one UK worker and a significant number of Indian workers (across all sites) told us that they were too concerned about potential repercussions to participate. All names of workers in this report have been changed; where photographs are placed near to stories and quotations, they are not connected.

Oxfam researchers used both focus group discussions (FGDs) and individual interviews. FGDs generate discussion between 4-6 people working in similar roles, at similar grades and usually of the same gender. Individual interviews were used more widely than initially planned to assure confidentiality and encourage open dialogue. All interviews were semi-structured: workers and managers were asked questions relating to the three themes and at least one open question inviting them to raise anything else that they thought was important. The latter findings are reported in **Chapter 6**. The method was tested at sites in both the UK and India, and adjustments made to the process, in agreement with M&S.

Immediately after each site visit, Oxfam shared an initial summary of anonymized findings with the supplier. Suppliers themselves were guaranteed anonymity from M&S, so Oxfam shared a summary of aggregated findings with the M&S project team in a way that did not allow them to identify which findings were from which factory. Although this limited the extent to which M&S was able to follow up on specific issues identified at each site, it significantly increased the number of interviewees willing to talk openly, improving the quality of research results.

## Limitations

In India, Oxfam was required to send interview questions to managers at each site in advance. When researchers conducted the onsite interviews, they heard the same phrases in response to questions from over half of the workers and managers, which suggests that interviewees may have been briefed. Only when interviews were instead arranged offsite did workers answer researchers' questions freely. In the UK too, more than one worker at more than one site told us that they are briefed about what to say ahead of external visits and audits.

The limited time spent on sites and the need to protect workers' anonymity mean that the findings are not necessarily generalizable across or beyond sites where interviews were held. However, the interviews provide valuable insights into the experiences and perspectives of a large sample of workers and managers in M&S supply chains, with important and consistent themes emerging.

Since we were not able to carry out a survey to test our key qualitative findings at scale, we have few quantitative findings. As a result, the report uses descriptors (such as 'more than one' and 'a significant number') rather than numbers when presenting the research findings.

When conducting worker interviews, we found that workers needed time to decide whether they could trust the interviewers. Individuals at more than one site said they were telling Oxfam about issues they had not previously disclosed to management or auditors, and it was their hope that something would change that persuaded them to participate. When serious issues were raised, we noticed that this tended to be towards the end of interviews when greater trust had been built.

## Structure of findings

The following chapters summarize the findings from the worker interviews according to the three priority themes – worker voice, in-work poverty and gender. We have integrated gender differences into the findings under each topic, as well as including a standalone section on gender inequalities (**Chapter 5**). **Chapter 6** covers other issues workers raised during the interviews, specifically health and safety, communication, harsh treatment and discrimination. **Chapter 7** presents the results of interviews with managers of suppliers, and M&S staff.





## 3 Worker voice

### Lack of effective worker representation

The fundamental right to freedom of association and collective bargaining<sup>25</sup> enables other rights to be realized; it enables individual workers, through their elected representatives, to express their interests and concerns without putting individuals at risk of repercussions. As trade unions explain, the collective nature of representation evens up power between managers and workers, and enables safe dialogue.<sup>26</sup> In Oxfam's experience, worker voice apps<sup>27</sup> can yield valuable intelligence, but tend to be designed only to give a voice to individual workers and to provide that feedback directly to sourcing companies such as M&S, rather than to the companies employing those workers. This can leave workers unclear about the process through which their concerns can be resolved and unable to raise issues collectively.

At all M&S supplier sites, a common theme emerged: workers thought their colleagues were the best thing about their job. We also heard positive feedback about management practices in the factories visited. At all sites, more than one worker and manager felt they had received the support and opportunities they needed to flourish at work.

However, a lack of effective representation via worker committees and/or trade unions was found to be the norm. The majority of workers who expressed a view said that committees and unions lacked the power and expertise needed (and in the case of worker committees also the independence) to advance workers' interests on the key issues that mattered to them, i.e. wages, working hours, discrimination and leave provision (e.g. holiday/sick/parental leave). Few workers or managers could point to positive experiences of industrial relations working well in practice.

At all sites, trade unions were found to lack backing from the management team or workforce as a whole. A clear theme among UK workers and managers alike was their wish for this dialogue to function well, without being able to see a way forward to make this a reality.



'I have never been called to sit down with M&S. And people here who might be asked to speak with them won't speak freely.'

Worker representative

'They behave like Gods and can fire any worker any time. There is no freedom of expression at this site. Sometimes supervisors are threatening the workers at the occasion of any grievance or concern raised by workers.'

Male worker, India



In India, trade unionists we interviewed reported working anonymously at some of the sites we visited to avoid retaliation against workers. At three Indian sites, workers could only join a 'trade union' that was managed by the company's human resources (HR) team. This, by definition, is not a trade union.

At supplier sites, many managers responsible for HR felt under significant pressure themselves and often lacked the necessary time, skills and motivation to actively listen to workers. We heard very few reports of M&S encouraging or incentivizing suppliers to invest in such active listening. In the UK, one manager described the value of hearing workers' perspectives: *'We used mystery workers and got fantastic insights about what it's like to be a worker. No auditor will EVER see what those people see. Things have to be really bad before people are willing to talk... You could see the difference in behaviour when supervisors were in the room. Before that, I hadn't understood why issues were never raised by workers.'*



‘In here we understand each other more. But over there [at the other unit] they have a higher volume. Sometimes they are just too stressed. And how they treat agency; they have a different way of talking...’

UK worker

‘We fix any problems here, so we don’t have a problem. We have good relationships. We don’t hide things; we fix them and we continuously improve things.’

UK worker

‘Sometimes management support us so they’re very good, they listen to us.’

UK worker



Oxfam heard from workers who had a good relationship with their manager and were given opportunities to learn new skills and progress into higher-paid roles. There were cases of workers saying their concerns were effectively resolved when they raised them with either HR or their line manager. Other workers in the UK reported that either the trade union or the worker committee had resolved their concerns.

In the UK, a notable theme was that women and men reported sharing unpaid care responsibilities with their partner. In India, it was more clearly the woman’s role, though some received help from husbands in the home. Managers at two sites in India also reported organizing family outreach and community days so that local families could learn about what women do at work and encouraged them to support women who break cultural norms by taking up paid work outside their homes.

### Opportunities for workers to raise concerns and ideas

In India, managers told us they were open to listening to workers, and that all issues could be resolved through line managers or HR, but that workers rarely raised any issues. Workers said that they did not raise issues because they:

- did not think the problem would be resolved;
- believed that if they raise a problem, they must offer the solution too; and/or
- were afraid they would lose their job.

In the UK, managers’ prevailing views were that workers have few ideas to raise, that concerns should be addressed to their line manager or HR, and that putting information on a noticeboard or in a circular is adequate to communicate the actions taken by managers in response. However, workers wanted managers to speak with them on the shop floor about their ideas, concerns and management responses. Many tended not to raise issues at all, believing that they would not be listened to, the issue would not be resolved and/or they would be marginalized at work.

**Table 1: Worker and manager perspectives on grievance mechanisms in M&S's Food, and Clothing and Home (C&H) supply chains**

Grievance-handling channels	India Clothing and Home managers	India Clothing and Home workers	UK Food managers	UK Food workers
<b>Talking to line managers or HR officers</b>	<p>Effective.</p> <p>HR manage the worker committees directly.</p> <p>Open-door policy works.</p>	<p>Ineffective on core issues, e.g. pay, hours, flexibility and leave.</p> <p>Some examples of effectiveness, e.g. stopping bullying.</p> <p><b>'If I have a concern, I have to take it to my supervisor, so I don't raise the concern at all.'</b> Worker, India</p>	<p>Effective. Open-door policy works.</p> <p>One mention of proactively going to shop floor to consult workers.</p>	<p>Ineffective on core issues, e.g. pay, hours, flexibility and leave.</p> <p>Some workers said they preferred speaking to HR rather than their line manager. In more than one case, a solution was negotiated via worker representatives.</p>
<b>Workers' committees/forums</b>	<p>Chaired by Human Resources (HR) managers.</p> <p><b>'We have never had an example of the worker committee being used'</b> Manager, India</p>	<p>Ineffective on core issues. A few examples of effectiveness, e.g. improving canteen food.</p> <p>Not all workers knew about committees, but workers who did said representatives were selected by management.</p> <p>At some sites, workers can vote on nominated candidates but only in front of others.</p> <p><b>'Management picked who were the worker committee representatives, we were not asked our opinion. Not just anybody could be a representative.'</b> India worker</p>	<p>Effective.</p> <p>Senior managers chair the forum/committee and HR managers are present. Minutes are posted on the noticeboard so workers are up-to-date with what is being discussed and what actions have been taken.</p>	<p>Ineffective on core issues. A few examples of effectiveness on minor issues, e.g. improving canteen facilities.</p> <p>Not all workers knew about these committees, and workers who did could rarely name any topics discussed or any outcomes.</p> <p><b>'This place doesn't recognize the union. I was told to join the workers' committee – they tried to dress it up as there's more workers than union members, so they wanted to hear the voice of non-union members, but I think it threatens the union.'</b> UK worker</p>
<b>Trade unions</b>	<p>Managers typically did not value the role an independent trade union can play in a workplace.</p> <p><b>'There is no trade union at this site. There is no need of them, we have no issues here.'</b> Manager, India</p>	<p>Workers generally did not know about trade unions on site. Those who had heard of them perceived it to be a similar body to management or HR.</p>	<p>Perception that union representatives do not have the skills needed to represent workers effectively. Sites allow reps time to attend training. Workers are better off speaking to their line manager or HR directly, but can also do this through the worker committee or forum.</p> <p><b>'The union is so old fashioned in its ways of working... It's like being back in the 1970s.'</b> UK Supplier Manager</p>	<p>Some workers were unaware they could join a trade union. Some said they were discouraged from joining. Others felt free to join but reported management did not respect the union, so there was no point. Many thought that union representatives did not have the power to help them and doubted whether they had adequate expertise.</p> <p>Protracted pay negotiations and workers not getting requested pay increases had reduced membership and confidence in trade unions.</p>

## SIGNPOST TO GOOD PRACTICE 1

**THE COALITION OF IMMOKALEE WORKERS' FAIR FOOD PROGRAM<sup>28</sup>**

The Coalition of Immokalee Workers' Fair Food Program was the most widely cited example when Oxfam asked 23 experts about effective ways for workers to represent themselves. The programme benefits about tomato labourers, primarily in Florida. Since 2005, company members of the FFP have agreed to pay 1-4 cents more per pound of tomatoes. In turn, the growers have agreed to pay farmworkers at least the local minimum wage, to which the FFP premium adds a bonus, and to meet a set of labour standards (such as providing shade and water for workers, and ensuring freedom from physical and sexual abuse). Agreements are legally binding. Growers found to have violated FFP's code of conduct can lose access to buyers.

In 2019, it was estimated that 20 to 25% of all US tomatoes are now purchased from growers that take part in the FFP. There are independent reports that these workers now enjoy some of the highest labour standards in American agriculture. The FFP claims that 100% of workers are now directly employed and that 2,200 complaints have been resolved, free from retaliation, since 2011. Women have particularly benefitted from the reduction in harassment and elimination of sexual assault and modern slavery.

Success factors include:

- FFP auditors interview at least half the workers on each farm – often hundreds of them – which is far more than conventional auditors typically interview.
- All new workers must be shown a video outlining their labour rights.
- The coalition must be allowed to provide education sessions for workers at least once per season.
- Workers are urged to report abuses to a 24-hour hotline, which is monitored by an independent council that investigates the complaints.

According to the Fair Food Program, 100% of workers are now directly employed and, since 2011, 2,200 complaints have been resolved free from retaliation.

*'The Fair Food Program is a proven model for change in US agriculture and it is done in a manner that is thoughtful and strategic... its combination of worker education, a hotline to report problems and abuse, and complaint and financial auditing assures compliance by growers and those companies who have signed the Code of Conduct. It is transparent, and there are market consequences for violations.'*

Cheryl Queen, Vice President of Communications, Compass Group USA<sup>29</sup>



Photo: Shutterstock



## 4. In-work poverty

### Wages and working hours

In Oxfam's experience, it is common to find workers in low-paid jobs working long hours to generate sufficient income to meet their needs. In the UK, for instance, an estimated 11,000 firms failed to pay the minimum wage in 2018–19, based on official figures analysed by the Resolution Foundation.<sup>30</sup> In food and garment supply chains, the prevalence of wages that leave workers unable to meet their living costs is widely recognized.<sup>31</sup>

It was a common theme that workers reported earning the legal minimum but less than a living wage<sup>32</sup> and some had incurred debts. This in turn led them to working excessive hours, accepting cash-in-hand work or taking second jobs. All UK workers reported being paid at least the minimum wage; however, a number of interviewees reported having problems paying their bills.

Working in second jobs at home (mainly women) or at other sites (mainly men) was an important source of income for many workers that Oxfam interviewed. In India, unskilled workers reported taking home between 5,000 rupees (approximately £53) and 7,500 rupees (approximately £80) per month.<sup>33</sup> At the time of research, the trade union leaders we interviewed were calling on the Indian government to set a living wage of 21,000 rupees (approximately £223) per month.<sup>34</sup>

Women in India reported taking paid piece-rate work they could do at home (either from the site they worked at or another employer), whereas men were more likely to work excessive hours on site or in a second job at other sites. Site managers were unaware of the additional hours individuals worked for a second employer or at home.

In India, homeworking was prevalent in the communities where the workers we interviewed lived, and was considered an accessible option for women who were expected to remain at home to fulfil their unpaid responsibilities. M&S states they do not use homeworkers in their supply chain,<sup>35</sup> and supplier managers told Oxfam they do not use homeworkers to supply M&S.

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‘I do take [part of a leather shoe] from [this site] and sometimes, [this site] drops [part of a leather shoe] at my home and me and my husband do the hand stitching to earn extra.’

Female worker, India

‘Every month we take loans as the salaries are not enough. There shall be something to earn more money.’

Group of workers, India

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### CASE STUDY IN-WORK POVERTY: AMIT'S STORY

Amit is 29 years old and married with a 5-year-old daughter. Amit himself was sent out to work at the age of five by his parents due to his family's poverty.

His basic salary is the equivalent of £90 per month; including overtime it averages about £133 per month, just enough to cover food, loan repayments and his child's education. His wife's salary ensures they have enough money to pay the rest of their bills. Amit has a regular shift (14:00–22:00), and does piece-rate work from home (10:30–14:00). He tries to get around 40 hours' overtime per month.

A quarter of their joint income goes to repaying a loan, which Amit had to take out to make essential repairs to his small house, and to pay his father's medical bills. He has no money to save anything for emergencies, such as their daughter getting sick.

Amit works with chemicals and worries that breathing them in every day may harm his health. Although there are some safety measures in place, he would like to know he could get access to first aid and emergency medical treatment if needed.

When he raised this concern with his supervisor, he was told 'you people are thieves and you'll just loot all the first aid medicines. Do not raise such a question ever in the future'.



*As previously stated, to protect anonymity, the photos and stories are not linked and all names have been changed.*

In both the UK and India, some workers reported issues with their pay, and pay discrepancies between men and women. The latter was much more common in India. Some workers reported sometimes undertaking tasks before or after their shifts in order to meet expectations.<sup>36</sup> At all six sites in India, Oxfam found instances of men being paid more than women for the same work. For example, at one site we spoke with a man who reported earning a monthly salary of 11,000 rupees, whereas his female colleague reported earning 6,700 rupees for making the same part of a leather shoe.

In the UK, a strong theme emerged that workers were taking responsibility for showing temporary workers what to do during busy periods, and describing how this prevented them achieving the targets they needed to get their bonus. This also has implications for their ability to develop their own skills and access higher-paid work.

When discussing wages, working hours, second jobs and both paid and unpaid work in the home, a recurrent theme was exhaustion. Workers perceived their work as having negative health and safety consequences for themselves and their colleagues, and as a cause of inefficiencies through poor decisions and increased error rates.

At Indian sites, a common theme reported by workers was that they wanted more overtime but were already exhausted by their work. Women wanted more income but also more time away from work to meet their unpaid responsibilities at home. At all sites in India some workers reported being expected to work overtime if the company needed help to meet a deadline, while others said they felt free to decline such requests. In both India and the UK family time was highly valued. In the UK most people said they valued time with their family over working longer hours to earn a bit more.

### Job security and flexibility

Virtually all workers we interviewed said that they wanted to be in permanent and secure jobs with predictable incomes so that they could plan their lives. Such concerns are increasingly prevalent for workers in India and the UK, where the 'gig economy' has doubled in size in three years.<sup>37</sup> We heard that men were more likely than women to negotiate their pay and conditions, and to change their job to get what they were looking for. Women were more likely to prioritize predictable and secure work, and less likely to feel free to change their job than men, due to their unpaid responsibilities in the home.

When Oxfam spoke to recruitment agencies, they reported specializing in providing flexibility for employers. They gave preference to workers who work full time, since administering part-time workers was more time consuming and therefore less cost-effective. Only if there was a high demand for staff would agencies respond to workers' priorities and provide them with more flexibility.

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'We're physically working every single minute of the day. We get £7.54 and they rely on your getting a bonus to make up the minimum wage. The more skilled, the better the bonus. But we're understaffed all the time, so you don't get the chance to work up your bonus from 50% to 75%.'

UK worker

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### CASE STUDY JOB INSECURITY: DEBBIE'S STORY

Debbie has worked on an agency contract at the same UK food site for over a decade. She told Oxfam that company policy is that people who work at the site continuously for over six months will be hired directly and as a permanent member of staff. But this has not been her experience.

During the ten years that Debbie has worked for the company via the agency, she took gaps when she had children and then returned to the same site via the same agency. Because she was on an agency contract, she received less maternity pay than permanent staff. Debbie feels that it is now even more challenging to find a permanent role that fits with her childcare responsibilities. For instance, more jobs are available on the night shift, but she can only work day shifts.

She is upset that she is paid less than permanent staff, many of whom have less experience than her, despite doing the same work. Debbie told Oxfam that her 'income is really low' and agency staff also get less holiday allowance. She explained that she only finds out whether she is working or not the day before each shift. This makes it very difficult to plan her life and responsibilities at home, including medical appointments.

She adds that being on an agency contract makes it harder to speak out about any issues she and her friends experience at work:

*'We'd be scared to raise it – we can't speak up – we get told: "you're only agency; who are you?". We'd be worried that we'd get treated differently, or we'd get punished by being put on a rubbish job.'*<sup>38</sup>



Photo: dreamstime

In the UK, there were also reports from some workers who enjoyed the freedom of agency work because it meant they did not have to explain if they had other responsibilities or priorities, or just did not feel like going to work that day. These workers felt that there was enough demand for their skills that they would be hired whenever they wanted to work. Men more commonly reported using this flexibility to take on additional better-paid and less-secure work, such as in construction, taxi driving, or to enable them to chase their dreams; in one instance that meant playing in a band. Women more commonly reported using flexibility to care for children when they were ill.

In both the UK and India, many workers (mainly women) wanted shorter or flexible hours to fit around their unpaid work responsibilities. Such flexibility was usually only available for managers; however, in more than one case, site managers had changed overall shift times to make it easier for workers to fulfil their other responsibilities and/or coordinate with public/site transport times.

Job security can be unpredictable for workers. At two sites in India, women reported that they were picked up from the surrounding villages and brought to the site. This was confirmed by a senior manager who explained: ‘the van drivers are our contractors. They go out and pick up staff, we don’t know from which villages’, which suggests a lack of checks and balances. More than one worker at more than one site reported needing to know someone to get hired. Oxfam’s impression was that, in effect, these drivers are unacknowledged, untrained labour providers.<sup>39</sup>

In India, we were told by workers that there was less use of agency workers, with some telling us that such workers had been told not to be on site during our visit.

### Skills development and opportunities for progression

Developing skills and experience is a key way for workers to access higher-paid work or promotion. At all sites, more than one worker and manager felt they had received the support and opportunities they needed to flourish at work. Oxfam heard from workers who had a good relationship with their manager and were given opportunities to learn new skills and progress into higher-paid roles.

Across the UK and India, women and men at each site frequently expressed the desire for promotion. A theme emerged from managers that it was their priority to have the right people in the right jobs; yet at all sites a recurring theme from workers and even managers was a lack of access to fair or transparent selection criteria and processes. Asked to say more, workers cited nepotism, gender, unpaid care responsibilities, contract status, migrant status, race, trade union membership or active participation in workers’ committees as factors affecting promotion prospects. In the UK, a reason frequently cited for lack of access to training or promotion was not being able to speak the same language as co-workers or managers, and being dependent on the informal interpretation of co-workers.



‘I know that McDonalds they give you a contract saying those are your minimum hours per week. People need that so they can then get rented accommodation, a mobile phone contract... this is absolute minimum needed to exist.’

UK worker representative

‘We have to be more skilled than a man to get the same job. Women are treated very differently here.’

Female worker, UK

‘People who do the job understand it best. They should recognize us for that and give us supervisory responsibility. But that never happens, no one has ever nominated a lady as a supervisor.’

Female worker, India





In India, fewer women workers than in the UK had expectations of accessing higher-paid roles, and both women and men reported expecting women's work to be valued less than men's.

The prevailing view of managers we interviewed in India was that women workers were not interested in being promoted. By contrast, just under half of the women Oxfam talked to said they were interested to learn more skills and be promoted; but only if their concerns could be addressed. The most frequent concerns included:

- If promoted to a manager, they would be expected to treat others badly and shout at them;
- Their reputation would be ruined, because some workers were in sexual relationships with their line managers and had been promoted based on unclear and/or inconsistent criteria; and
- Women did not see how they could take on extra hours and stress at work, while still fulfilling expectations of their unpaid work in the home.

One female manager said she had given up asking women if they wanted to be promoted, since she assumed they would say 'no'. Her view was that: 'if anyone wants to progress they would study; anyone around here could if they wanted to.' After university, she had received training, mentoring, sponsorship, flexible hours, and support from her family to reach the position she was in. When women workers' initial response was to turn down a promotion, she had not persisted to find out what they might need to be able to take up such opportunities.

One worker representative described how poverty was preventing the workforce from studying: 'we only get paid leave for Sundays. For the rest, all leave is deducted [from our salary]'. For women with responsibilities when arriving home, we heard comments such as: 'I would like to study; but looking at burden of house, I don't want to,' and 'we get too tired with all the work we have to do at home'.

At all sites in India, after five consecutive years, workers can withdraw a lump sum from their personal social security funds (held by the government) when leaving their job. This is a popular choice, used by more women than men to pay for getting married and/or building a family home. It emerged as a theme that workers reported having been encouraged to do this by their employer, but that they had not been informed that, when they later wanted to return to the same job after having collected that lump sum, the company would rehire them at a lower grade and/or they would lose their accrued five annual salary increments. This practice was confirmed through supplier manager interviews. More women than men reported not being fully informed before taking this decision, and that it had constrained their opportunity to access higher-paid work.



'They put the wrong people in the wrong places, doing the wrong things.'

UK worker

I could save the company loads of money because I know what I am doing...  
but I won't get the line supervisor job because I am not a friend [of the  
recruitment manager].'

Female worker, UK

'Workers [at our supplier sites] are not promoted worker to manager; only within  
the production line.'

M&S colleague

'This is a very well-paid factory considering past jobs I've done.'

UK worker



## Debt and vulnerability

In India, which M&S recognizes as a country with a high risk of modern slavery,<sup>40</sup> workers often said they had taken out one or more loans, usually to cover basic needs such as food, housing, education, medical expenses, weddings and funerals.

This included taking loans from the company supplying M&S; however, these were capped based on their salary. For minimum-waged workers, this was not enough to cover their basic needs in a standard working week. We heard stories from workers who had to resort to unscrupulous lenders, with exorbitantly high interest rates of 3-5% per month, with long-lasting consequences. An inability to repay debts is known to make workers (especially women) more vulnerable to modern slavery.<sup>41</sup>

A few workers in India told us they were sending one or more of their children to work instead of school. In more than one case this had been triggered by poor health due to an accident at work or a health consequence of their work (e.g. exposure to chemicals, heavy lifting etc.). Although social security contributions are deducted from salaries, workers reported challenges accessing these benefits especially at times of crisis. A theme commonly reported by workers at all Indian sites was that they could not access Employee State Insurance (ESI) after an accident, and faced unexpected wage deductions to pay for their emergency health care instead. The situation was worse for temporary workers, who are not entitled to these benefits.

### CASE STUDY THE IMPACT OF DEBT ON A TALENTED WORKER: SHANTI'S STORY

Shanti is a skilled senior quality checker with many years' experience. She earns 13,000 rupees per month, her husband also works and she has one son who just started school. She and her husband are currently repaying three loans they took to pay for transport, education and housing costs.

'When I could not repay, the lender took my original [public health registration] card. So now I can't provide the right documents to the factory and I can't access ESI.'

ESI is the government health insurance for workers across India. If Shanti could get her registration card back, she would be able to access the free-at-the-point-of-use healthcare she is entitled to at government hospitals, since she pays ESI contributions from her salary. Instead, she must pay for her family's healthcare, adding to her financial woes. She has been too ashamed to admit what has happened to her employer or the government. Shanti was born into a scheduled caste and does not want to give people any more reasons to look down on her family.

*'I have a lot of talent and can get a good salary... A few managers have already offered me promotions, but I refused. It's too much pressure... At staff level, if mistakes happen, the company will throw me out. I need regular, stable work, so I am not willing to risk that. Managers scold staff a lot and I couldn't bear that every day! The pressures get cascaded down.'*



Photo: Atul Loke, Panos/Oxfam

## SIGNPOST TO GOOD PRACTICE 2

**ALTA GRACIA APPAREL FACTORY'S LIVING WAGE**

Located in Santo Domingo in the Dominican Republic, Alta Gracia produces T-shirts and sweatshirts for about 600 US colleges. Workers' Rights Consortium certifies that the factory pays a living wage, which is 2.5 times the local industry standard and 3.5 times the legal minimum wage.

One Alta Gracia worker believes working at the factory has saved her from destitution and enabled her, her husband and four children to live in a two-bedroom home. This is something she never dreamed of when she worked at the same site when it was owned by a Korean company. It had paid a legal minimum wage and hired staff on temporary contracts according to demand.

The CEO has new fashion lines and online distribution plans, which make him confident the company's growth is guaranteed until 2024.

*Below: Alta Gracia factory, Dominican Republic. Photo: Worker Rights Consortium.*



Photo: Worker Rights Consortium

## 5 Gender inequalities

A common theme emerging from worker interviews was that men often manage women in lower-paid, less-secure roles. In the experience of Oxfam and other NGOs, this can increase the risk of gender-based violence at work.<sup>42</sup> In India, Oxfam heard that the risk of being accused of a sexual relationship with a manager (who holds power over the worker), could devastate the woman's reputation, but not the man's.

In India employers are required by law to have effective grievance processes in place and to take steps to prevent sexual harassment in the workplace. This includes having an internal complaints committee.<sup>43</sup> On the surface this seems to be a sign of progress. In practice, workers interviewed in India reported that these committees are ineffective and that the ways in which power is held over women<sup>44</sup> remains unchallenged, both in the workplace and in the communities where they live.

For example, there were reports from women who had experienced retaliation for attending an internal complaints committee. Women, men and trade union representatives reported that false allegations of sexual misconduct had been levelled at people who represented women's interests effectively. Women in the most precarious<sup>45</sup> and low-paid work in India are the most seriously silenced, with no safe space to discuss issues in confidence.



In India women workers pointed to attitudes towards women working as a cause for the lack of respect. For example, participants said:

'We are unmarried and it is really not allowed in our community to work outside. It affects us socially and we avoid going to marriage functions. We want some help from the site to make our society understand that working women are not bad women.'

Unmarried female worker, India

'I work out of the home and my brother has broken the relationship with me, as I asked my brother to send his wife [to do the same work as I do].'

Unmarried female worker, India

'My husband feels that as a working woman and an earner, I am not talking with respect to him. But I do this as I want to show the equal status with him, as I am working woman and I consider that we both are human.'

Married female worker, India

'Our marriage also gets spoiled sometimes due to [being a] working woman. My husband put so much pressure on us and talks down about our past working. We always pray to God that "please give us the husband who understands us".'

Married female worker, explaining the stress that her paid work outside the home puts on her marriage.





### CASE STUDY UNEQUAL TREATMENT AND LACK OF RESPECT: MARIA'S STORY

Maria has worked at a UK food site for two years. She worked in a male-dominated area and was proud to be one of the first women in this type of role. She used to really enjoy the work; she and her colleagues had thought her supervisor was a good manager. However, this all changed when her supervisor was replaced by a new man.

The new supervisor treated everyone badly, including bullying and shouting at staff. For instance, he would 'punish' workers at his own discretion by putting them on harder jobs, and often separated workers so they couldn't talk, making them feel isolated and alone. Maria felt it was unfair that he treated women and foreign workers much more harshly than British men.

The supervisor sent her inappropriate text messages and tried to call her outside of work. She never replied to the messages, telling Oxfam: 'I didn't want to start that kind of relationship'. She told him to stop messaging her, which he did, but his behaviour towards her at work got much worse.

She filed a complaint against him on 10 specific grounds, including bullying, abuse, threatening behaviour and discrimination. Three months after she put in the complaint, and still working under the same supervisor, she received a short message from

management saying that they did not find any misconduct. She still sees him treating people badly and finds that extremely difficult. The situation is affecting her health, she says she gets frequent migraines and her depression has got worse.

At the time of interview she had decided that the only thing she can do now is resign, because she cannot continue working under this man, and does not have the energy to keep fighting.



Photo: dreamstime

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'I had to work really hard to get respect when I first started, but now the men around here [in the area of the factory I work] know to treat me with respect. But they don't treat everyone the same and I see other women being treated very disrespectfully, sometimes by managers.'

UK worker

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## 6 Other issues raised by workers

As explained in Chapter 2, Oxfam researchers asked workers and supplier managers about the three themes Oxfam had agreed with M&S, but also asked an open question to allow them to raise anything else that they thought was important. When the findings were analysed, the key themes that emerged related to:

- health and safety;
- inefficiencies arising from poor communications; and
- experiences of harsh treatment and discrimination.

### Health and safety

At all 11 sites, there were workers who described concerning health and safety issues they were experiencing or had experienced. A common theme was workers describing the long-term health impacts of their work, the cost of which was not factored into wages or workplace practices.

#### CASE STUDY WORK-RELATED INJURY WITHOUT PAID SICK LEAVE: DAVE'S STORY

Dave and some of his colleagues need the same type of shoulder operation. He reported that the damage developed after doing the same task at work repeatedly over several years.

However, Dave cannot afford to take the time off needed to recover from the operation because the company does not pay sick leave. He can apply for statutory sick pay (provided by the government), but it is much less than his usual earnings (just above minimum wage) and would not cover his basic bills.

When Dave spoke with Oxfam, he reported having put the date of his operation off once and anticipated having to postpone again, which would mean losing his place on the hospital waiting list.

Dave is in too much pain to carry out his daily work effectively and is worried that he may cause injury to others if he accidentally drops something one day. Even though the company struggles to attract

reliable workers willing and able to do the skilled work he does, he fears he may ultimately lose his job if he cannot have the operation.



*To achieve high quality products, some tasks cannot be done by machines*

At all sites there were reports that workers were not allowed to use the toilet until their official break. There were also complaints about the condition of workers' toilets, in contrast to those for management. Some workers reported concerns about the time it took to repair faulty tools or equipment. Especially in India, women reported treatment they found humiliating, such as being required to ask a male security guard for a sanitary towel each time they needed one.

### Poor communication resulting in inefficiencies

At all 11 sites workers reported that the quality of communications between managers and workers worsened at times of high pressure, increasing the risk of mistakes and other inefficiencies. For example, workers and managers at some UK sites reported that expensive ingredients were wasted after being accidentally dropped on the floor. A number of common reasons were cited, such as the lines being run too fast to meet unreasonable targets, and staff not being able to speak the same language, leading to misunderstandings about how the line was being run. These workers were frustrated that spending time teaching agency staff how to do their job prevented them meeting their own targets, such that they did not receive their normal bonus. Amongst workers earning only the minimum wage, losing a bonus is a significant loss. Such situations were at their most fraught during periods of high pressure and contributed to production inefficiencies as well as strong feelings of unfairness.

*'Only this morning we did a 20-minute run and we had already used 6kg more [expensive meat] than planned for that order, but we still had 100 more [products] to make.'*

Female worker, UK

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*'It's a big deal just to go to the toilet here... I've had a urinary infection three times in one year because of this. I'd never had one in my life before working here.'*

Female worker, UK

*'Almost all supervisors shout... I would never send my kids to this place, I will not even have children until go home, because we are treated so badly here. People talk badly about us and we can't do anything about it. I can't raise it with HR because we are not from here.'*

Group of migrant workers, India

*'When a needle went through the finger of a machine stitcher, the company took her to a private hospital near the factory, but then they deducted that [cost] from her salary. So now everyone is scared to show any blood if they cut themselves – they can't afford that treatment.'*

Indian worker

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## Harsh treatment and discrimination

In the UK, perceptions of unfairness and discrimination triggered one of two main responses in workers. Some reported tension and even feeling at risk of imminent violence, while others reported feeling despondent and apathetic. Both responses created challenges and frustration for managers, and only a handful of managers interviewed reported that they understood why workers reacted in these ways. Even fewer could report actions they had taken to address these patterns of behaviour. Workers reported that they believed managers would either not listen to them or punish them if they raised a concern or an idea, leaving the business with untapped potential, as well as unmanaged risks.

One manager reported being shocked by the harsh reality of a worker's life during a recent disciplinary hearing, and a large number of managers expressed a wish to improve the situation of workers but felt stuck for lack of ideas about how to do so. In India, workers expressed frustration about unfair or unequal treatment, but women assumed nothing they could do or say would change anything. Men were more likely to change jobs, leaving women and more vulnerable workers more concentrated in the jobs with the lowest pay and harshest conditions.

In the UK workers who did not speak the same language as their manager reported bullying and feelings of isolation. Where workers depend on informal interpretation performed by co-workers, this is a 'red flag' for modern slavery.

A positive example was identified at one UK site where language barriers were a concern. Staffline recruitment agency had successfully identified signs of modern slavery, which were later reported to the authorities who investigated suspected cases.

## SIGNPOST TO GOOD PRACTICE 3

**STAFFLINE RECRUITMENT AGENCY**

In the UK, some of M&S's food suppliers use Staffline to recruit their temporary staff. Staffline experts visit sites and train their employees to recognize signs of abuse. Employees then flag up workers they judge to be vulnerable and include them, alongside randomly selected workers, in one-to-one interviews with experts. The interviewers' skills and experience, together with their ability to guarantee confidentiality and support to workers in need of protection, have enabled Staffline to identify cases of serious abuse that have been overlooked by private ethical trade auditors.<sup>46</sup> Staffline have identified cases of modern slavery that were hidden in plain sight and told Oxfam of the protection they offer survivors, for instance signposting expert services and providing interim financial support and accommodation.

Source: Oxfam interviews with Staffline staff and Staffline. (2020). [Modern Slavery Statement 2020](#).



Photo: Staffline

**CASE STUDY EXAMPLE OF GOOD PRACTICE, UK FOOD: 'EMPLOYEES ARE WELL SATISFIED HERE'**

At one UK site, there were several different units. In setting up the newest unit, which was not yet running at full capacity, managers described how they had put into practice lessons they had learned over the years at other sites about managing their workforce.

At the older units, tensions were running high as a result of unequal treatment based on languages spoken. The inability to understand colleagues left some workers feeling isolated, excluded or deliberately misinformed. By contrast, at the new unit, workers reported enjoying and learning from the diversity of languages and cultures; more than one worker reported experiencing equal treatment despite linguistic differences and said that they liked their manager and their work.

*'Here everyone's job is important, everyone mucks in, there is no hierarchy. We are a good team because we all know we all have the same salary – it's no big secret. That's right and fair.'*

*'I used to work over there before. I would love the other units to be like us.'*

*'Here is much easier to approach manager, over there, lots of people scared to talk to manager. Over the last year or so most people [in this unit] have been made permanent instead of temporary. There are more stable jobs here, so employees are well satisfied here.'*

## 7 Findings from supplier management and M&S staff

Oxfam interviewed 49 managers at the 11 supplier sites visited, as well as 17 of M&S's own procurement staff and managers.<sup>47</sup> This provided perspectives and insights on the relationship between suppliers and M&S, and how this impacts workforce management. Before they can supply M&S, all suppliers agree to M&S's terms of trade and minimum standards against a 'balanced scorecard' of quality, financial, environmental and social standards.<sup>48</sup>

Supplier managers told us that supplying M&S is seen across the sector as a mark of quality and that M&S suppliers typically chooses to do business with suppliers that are among the best in their sector.

### Positives of supplying M&S

The M&S and supplier managers we interviewed all agreed that it is important that M&S operates with integrity and ensures workers' wellbeing.

In both the UK and India, supplier managers particularly valued M&S's 'honest, mature dialogue', which was thought to be possible due to their experienced staff. Long-term relationships with suppliers enabled M&S staff to understand the details of the production process at each site, and enabled suppliers to invest appropriately in their businesses.

Compared with other retailers and brands, suppliers told Oxfam that M&S spends more time on site and is more willing to work together with suppliers to identify solutions. M&S was also praised for its clear and transparent business processes. All of this has helped to develop trusting relationships and is an excellent basis for doing business. Plan A<sup>49</sup> was seen to be 'best-in-class' for its public sustainability plans and progress reports, and as a key brand asset that helps to drive up standards. However, references were also made to other companies that have caught up.

For key materials and ingredients sourced in India, M&S nominates sub-suppliers for their direct suppliers to source from. Supplier managers said that this practice is unique among their customers and helped them create beneficial long-term relationships with their own suppliers that would otherwise have been hard to justify.



'M&S have a clear vision mapped out by their Plan A [wellbeing, community and environmental] commitments. None of the other retailers have that... It's the heart of their business, it's what shows they do the right thing.'

Supplier senior manager

'Suppliers see it as a mark of excellence if they have been approved by M&S. I like to think we do pay a fair price for those demands.'

M&S colleague

'Our long-term partnership with M&S allows us to reinvest in the business.

Not many businesses can do that.'

Supplier senior manager





“

‘We now have something called “earned autonomy”. It has really changed the issue and we’re no longer audited to death. There’s been a big change in trust.’

Supplier senior manager

‘Strategic relationships where we are building both businesses have increased over the last year.’

Supplier manager

‘Over the next ten years the challenge is to get the prices down; but customer expectations on quality have gone up.’

Supplier manager

”

### Barriers for supplier managers to improve employment conditions

Persistent overtime and stress were cited most often by supplier managers as the worst thing about their job; attempts to moderate their working hours had failed.

In the UK and India, a number of managers reported feeling under pressure from their customers to meet unrealistic targets and that they felt obliged to work excessive hours, which had affected their family lives. A common theme was summarized by one supplier manager’s comment: ‘M&S negotiations are just standard, the same as everyone else. All brands want to reduce time [and] everyone is so concerned about price’. Another told us: ‘Prices force us to work just-in-time and leave us little room for flexibility’. Another manager explained how their senior management set impossible targets for the lines to help floor managers point to the targets when workers asked them why they are putting them under so much pressure. At one UK site, a manager explained that shifts were changed and breaks removed in order to cut costs to win an M&S tender process.

In India, supplier managers reported feeling under pressure. One manager reported that a 24-hour production schedule was under discussion at the time of their interview. There was a clear preference among both managers and workers to maintain a standard working week, and a high value was placed on family time. One manager commented that ‘it’s harder to recruit the right people for these shifts – everyone wants to work standard shift hours if they can’. Another spoke about how much he valued workers with the right skills and a strong relationship with the company: ‘[this company] continues to grow because our employees stay here a long time’. He believed that the only current way to make a profit is through large volumes; however, in India there are strict environmental controls limiting the volume of leather production. This was challenging, since the retailers all want such quick outputs, which means keeping a larger stock, adding to overhead costs and the increasing cost of raw materials.

## 8 Conclusions

The conclusion from our analysis echoes Oxfam's research over the last 25 years into global food and garment supply chains: working in factories supplying food and clothing for major retailers and brands can be challenging for many workers. There is often a gap in alignment between what third-party social (ethical trade) audits indicate is happening in the workplace and what workers report as their experience. This disconnect is a concern for all companies that rely on suppliers' engaged workforces to maintain resilient supply chains.

Oxfam's research found some evidence of good practice in M&S's supply chain. We are pleased that M&S is committed to doing more and is not complacent about this, as evidenced by its willingness to initiate this study, and the actions it has taken and the commitments it has made since the field work was completed. Ensuring that M&S's board has oversight of the challenges facing the people making its products will enable key issues to be taken into account and addressed in its day-to-day business decisions. Three underlying workplace management issues were identified:

1. Workers are bottling up concerns and holding back ideas because of a lack of confidence in communication channels.
2. Combined with enormous production pressure, this creates tensions in the workplace and mistakes can go under the radar.
3. The potential of too many women workers is going untapped.

Challenges such as unpredictable and low pay, lack of access to sick pay and health care and debt are a challenge for the whole sector, not only M&S.

Firstly, there were reports of workers bottling up concerns and holding back ideas because of a lack of confidence in channels for communication and dialogue with managers, including during audits. The different perceptions of the effectiveness of these channels, in both the UK and India, indicate a lack of awareness of the power imbalance between managers and workers. Perceptions matter. If a worker fears repercussions and believes nothing will change if they speak up, they will stay silent; if a manager thinks workers are unreasonable, workers' ideas and solutions will not be valued or acted upon.

Secondly, the above combined with enormous production pressures creates tensions in the workforce with the potential for lower quality, for mistakes to go under the radar and for potential to remain untapped. Oxfam's impression was that efforts to create a 'lean' system of production had, in some cases, failed to recognize how they were impacting workers, which exacerbated tensions and undermined cost efficiency. The worst cases at food sites were where workers felt they were unfairly treated or discriminated against compared to their colleagues, creating a highly pressured atmosphere.

Thirdly, the potential of too many women workers is going untapped, which means businesses miss out on the benefits of their talents. While managers identified having the right people in the right places as a priority for an efficient business, flaws in selection and progression processes may mean this is not always happening.

These are issues that M&S can influence, and for which there are good business (and ethical) reasons to tackle them. For instance, since the company's brand is associated with high quality standards, it relies on suppliers being capable of assuring these, through their skilled and engaged workforce. This has become even more important in the context of COVID-19, and this study showed there is scope for improvement here.

Some issues documented by this study – such as gendered norms and caste discrimination in India, and agency working in the UK – represent clear human rights risks, but there is a limit to the influence of one company to address them.

Challenges in M&S's supply chains, both in the UK and in India, such as unpredictable and low pay (often linked to excessive hours), a lack of access to sick pay and health care and debt (linked to very low wages), are a challenge for the whole sector, not only M&S. They reflect wider social and economic realities. In Oxfam's judgement, effective change will require a global cross-industry effort, stronger government regulation and enforcement, as well as strengthened workers' organizations.

## 9 Recommendations

### Retailers

Oxfam has long been calling for companies to change their approach to addressing exploitation in supply chains, including via public campaigns such as its own 'Behind the Barcodes' campaign (targeting food retailers)<sup>50</sup> and 'Behind the Brands' campaign (targeting food brands).<sup>51</sup> Key actions Oxfam has called for from retailers, including M&S, include:

- Strengthen corporate governance for human rights impacted by the business and supply chain operations, in line with the UN Guiding Principles on Business and Human Rights<sup>52</sup> and examples of best practice guidance.<sup>53</sup>
- Transition away from reliance on ethical audits towards a greater emphasis on human rights due diligence and management planning – to integrate identifying, redressing and mitigating harm into everyday operations – as well as effective worker–management dialogue based on a range of channels that work for women and men.
- Adjust the performance management process and procurement team incentives; offer support, incentives and rewards to suppliers that demonstrate better workforce management standards.
- Collect and publish disaggregated data on women, men, contract type, migrant status and ideally all protected characteristics<sup>54</sup> within the supply chain workforce. Use the data to improve outcomes for vulnerable workers.
- Commit to sourcing a larger percentage of products from women-owned businesses, those applying feminist principles<sup>55</sup> and producers with more equitable business models.<sup>56</sup>
- Advocate for action by governments and investors to address systemic issues that affect the realization of workers' rights – such as minimum wage levels, discrimination, freedom of association and collective bargaining – together with outlining clear expectations and rewards for companies that prioritize investment in social sustainability standards and tackle laggards.

Figure 1: Oxfam's Workers' Rights Recommendations for Food Retailers<sup>57</sup>



M&S may lack the leverage over standards that comes with size, and may be unable to compete on price with discount and online retailers. However, it can address specific problems over which it has influence within its own operations and supply chains. It can also use its the status as a longstanding, highly regarded and much-loved British brand to call for a more enabling environment for responsible businesses to compete, including smarter regulation and longer-term investor behaviour.

## M&S

### 1. In its own operations, M&S could:

- a) Strengthen corporate governance for human rights, with an emphasis on achieving women's equality.
- b) Factor into staff performance management, and suppliers' commercial contracts, incentives to ensure human rights impacts are continuously improved over time, and that a narrow focus on price does not undermine longer-term business priorities, including workforce wellbeing and resilience.
- c) Prioritize and strengthen social dialogue between management and worker representatives, and make clear that workers are able to join or form trade unions without repercussions.
- d) Elect workers onto the M&S board and engage with suppliers to do the same.
- e) Meet at least annually with international trade unions such as IUF and IndustriALL, and with worker-elected representatives from M&S supplier sites.
- f) Continue to engage with Oxfam on M&S's self-assessment against the Behind the Barcodes Supermarket Scorecard,<sup>58</sup> which has pillars for transparency and accountability, workers, farmers and women. Publish the outcome.
- g) Explore creative ways to engage staff at all levels across the business on human and labour rights issues, why they matter and what difference they can make on such issues in their role.

### 2. Building on its strong relationships with suppliers, M&S could:

- a) Incorporate positive indicators of effective workforce management, including fair and transparent processes for selection and promotion, into tender processes, supplier contracts and joint business plans, and align commercial incentives with the outcomes sought. Indicators could include:
  - sick leave entitlement and take up;
  - staff turnover and absenteeism;
  - percentage of workers on a secure contract;
  - pay benchmarks based on a living wage or salary matrix;<sup>59</sup>
  - gender pay gap;
  - pay ratio between the highest- and lowest-paid worker;
  - transparency and fairness of staff training and progression;
  - percentage of workers covered by collective bargaining.

The data used to track these indicators should be disaggregated, at a minimum, by gender, and ideally by salary grade, contract type and other protected characteristics.



Photo: Staffline

- b) When M&S staff visit suppliers, undertake site visits accompanied by workers, not only with management; meet confidentially with trade union representatives; check on the effectiveness of worker representation (e.g. safe spaces for women); and take time to thank workers for what they do.
- c) Incorporate worker-elected independent collective representation into the M&S ethical minimum standards for supplier sites, with a focus on trust, gender equality and dignified work.<sup>60</sup>
- d) In emergency or high-risk situations, such as during the COVID-19 pandemic, as a minimum do no harm. For example, revisit human rights risk assessments; do not cancel orders, since this is likely to deny workers the wages they have earned; take extra steps to ensure safe working conditions (including providing adequate personal protective equipment, water and sanitation facilities); and engage with suppliers to provide enhanced paid sick leave and workers' access to social safety nets (including healthcare).

**3. To influence the wider sector and enabling environment, M&S could:**

- a) Work with other retailers to engage with suppliers in ways that, without breaching competition law, take labour costs out of the sphere of price negotiation, so that ensuring good workplace management is addressed as a 'pre-competitive' issue.
- b) Join with others to publicly call for legislative changes that create a more enabling environment for dignified work. For instance, call for legislation and enforcement on:<sup>61</sup>
  - national minimum wages that are living wages;
  - mandatory human rights and environmental due diligence;
  - requiring companies' annual filings to disclose workforce information, similar to the US Workforce Investment Disclosure Act;<sup>62</sup>
  - transparency of corporate lobbying for instance through the Corporate Political Engagement Index.<sup>63</sup>
- c) Ask its investors to publicly outline the standards they expect of all companies in which they invest,<sup>64</sup> and join the Workforce Disclosure Initiative.<sup>65</sup>
- d) Join the Action Collaboration Transformation (ACT) and other initiatives seeking to achieve living wages through collective bargaining and improved purchasing practices'.<sup>66</sup>

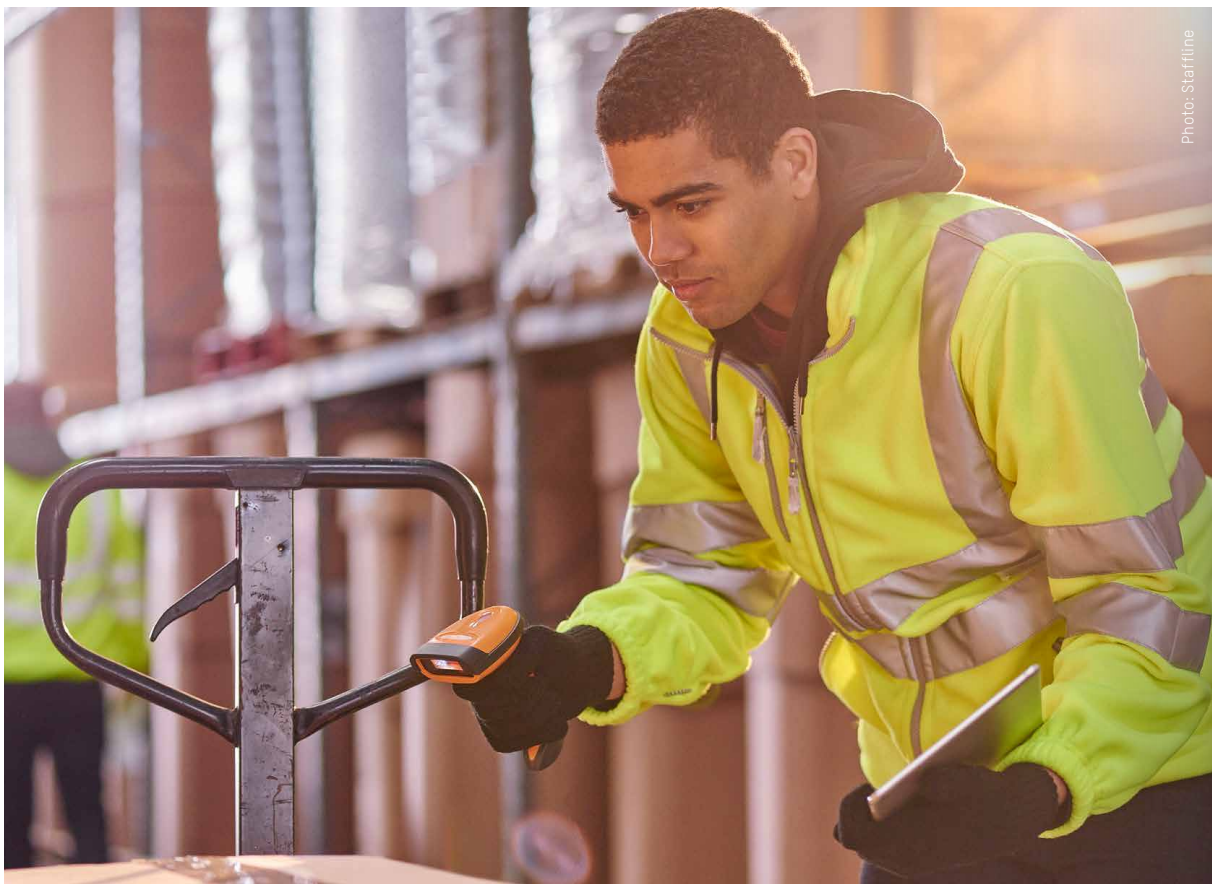


Photo: Starffline



## 10 M&S response and commitments

Oxfam and M&S share a common goal to make work safer, more dignified and more fulfilling. We aim to ensure that the people who work in our supply chains are treated with respect and fairness, and their human rights are protected and promoted. In coming together to undertake this gap analysis study, our objective was to pinpoint the areas we need to address in our own operations and those of our suppliers to ensure workers have a voice, but also to identify the action we can take to bring about sector-wide change in what is an increasingly interdependent and globalized supply chain.

As set out in our foreword, we can take heart that the examples of best practice seen during the study evidence the strength of the standards we set and our recognized leadership in ethical trade. However, real progress can only be made by facing the areas where we must do better. Through the publication of this report and in sharing our response to its recommendations openly and transparently, we hope to galvanize meaningful change.

### M&S's response to Oxfam's recommendations

Oxfam's analysis has identified three consistent issues:

- a lack of effective worker voice;
- a need for greater progression opportunities – particularly for female workers; and
- in some cases, the inability for workers to meet living costs.

The study also uncovered an underlying disconnect between workers and management, and reinforced the insight that more effective worker–management dialogue would support the resolution of other more entrenched societal issues relating to gender and in-work poverty. It is for this reason that elevating worker voice is at the heart of our response.

Oxfam has made specific recommendations of changes we can make:

1. in our own operations;
2. through building relationships with suppliers; and
3. with the wider industry.

For complete transparency, we have set out the action we have taken<sup>67</sup> or will take against each one in **Table 2**.

However, our first and most immediate action has been to remediate and resolve the worker concerns raised with each of our participating suppliers. Our ethical trading teams have led collective reviews of the report's findings with all participating suppliers, and have put in place corrective action plans that have been delivered in full. The implementation of these has been regularly monitored through both planned and unannounced audits. Where appropriate, we have worked in conjunction with local NGOs to facilitate ongoing worker interviews and off-site focus groups to gather more direct worker insight. All participating sites are now part of the worker voice pilot programmes described in 2.2 below.

### Summary of M&S responses

Our response can be summarized into three clear priorities for action in 2021:

#### 1) Further enhancing our corporate governance

- Formally embedding the company's long-standing Plan A sustainability programme into the business transformation plan as part of its 2021 re-launch.
- Following the creation of the new environmental, social and corporate governance (ESG) board sub-committee in December 2020, data from our worker voice and supply chain audit programmes will now regularly be reviewed by ExCo and the board's ESG sub-committee.

#### 2) Resetting our training and engagement programmes for our commercial buying teams to amplify human rights and worker perspectives

- Corporate training will take place on an annual basis.
- All new joiners will undertake a detailed induction that includes this updated aspect of training.

#### 3) Scaling our pilot Worker Voice Programmes to help shape a best practice framework for industry.

- Scale these existing pilots;
- Extend our nGaje worker voice programme in Food to all UK sites by end of April 2022;
- Review Clothing and Home pilot results in Spring 2021 to refine the programme ahead of further roll-out.

It is through this third priority we believe there is the greatest opportunity to galvanize meaningful industry change, as this report's findings confirm the growing need to supplement existing sector-wide social audit processes. While current audit practices are highly effective at capturing tangible issues such as working hours, safety and pay, they do not consistently capture the true worker experience across broader areas of concern such as gender discrimination or in-work poverty – which have been brought to life by the testimonials of the 390 workers interviewed in this report.

As outlined in our foreword, setting standards and making changes in our own operations – no matter how effective – can only ever be a baseline. To effect real change, especially in an age of increasingly complex globalized supply chains, we have to work together appropriately as a sector. While we are competitors, we know we share the same concerns, and in many cases share the same sites too.

With the support of Oxfam, our commitment now is to share the framework of our worker voice programme through the ETI, BRC and ILO, as well as with the wider industry. In doing so openly and transparently, our request to industry is to review current social audit processes against this framework to drive real and meaningful change for the people that work in our supply chains.



Photo: M&amp;S

Table 2: M&amp;S's responses and commitments to Oxfam's recommendations

1. In its own operations <sup>68</sup>	
1.a) Strengthen corporate governance for human rights, with an emphasis on achieving women's equality	<p><b>Action we have taken</b></p> <p>This year we have made progress embedding Plan A into our core businesses, and are now focused on ensuring it regains its position as a central tenet of our colleague and customer promise, embedding it further as part of our 'Never The Same Again Programme'. The Executive Committee (ExCo), the leadership team of the business, has committed to making Plan A a greater priority for the business.</p> <p>The board has agreed to reflect Plan A's importance in its own governance structures and in December announced the creation of an Environmental, Social Governance (ESG) Board Sub-Committee to support the re-launch of our Plan A sustainability programme in 2021. Effective from 16 December 2020, the sub-committee is in place to provide focus and oversight of the programme across the business. The Committee will be chaired by Tamara Ingram, our non-executive director, who will be joined by fellow Board colleague Sapna Sood as a member and M&amp;S Chairman, Archie Norman will attend the meetings.</p> <p><b>Action we will take</b></p> <p>Among other consequences for these governance changes, data from our worker voice and supply chain audit programmes will be reviewed by ExCo and the board's ESG sub-committee. We commit to sharing this data openly with external stakeholders. We will continue to report transparently key audit data in our Plan A report and worker information as part of our supply chain map.</p>
1.b) Factor into staff performance management, and suppliers' commercial contracts, incentives to ensure human rights impacts are continuously improved over time, and that a narrow focus on price does not undermine longer-term business priorities, including workforce wellbeing and resilience	<p><b>Action we have taken</b></p> <p>As an ethical and responsible retailer, how workers are treated and the conditions they work in are of the utmost importance to us. The new M&amp;S Code of Conduct launched in April 2020<sup>69</sup> – and the enhanced governance processes around our compliance with and monitoring of it – are set out in 1.1. We are confident these initiatives will strengthen our governance processes around supply chain and responsible sourcing.</p> <p>Earlier this year, we integrated human rights risk assessments into M&amp;S tender processes and negotiations. A member of the ethical trade team is now included in our tender process or negotiations for all high-risk products – defined as those in industries or sectors with known human rights challenges, or if the majority of sourcing comes from countries where there is a prevalence of human rights issues.</p> <p>Ethical performance is also measured as part of our supplier management process, with a 'balanced scorecard' that considers all aspects of supplier performance, not only cost, both at the point of contract and on an ongoing monitoring basis.</p> <p>All suppliers must adhere to our Global Sourcing Principles (GSPs), which are embedded in our commercial contracts. We already use a number of mechanisms, including social compliance audits and bespoke projects, to ensure human rights impacts are continuously improved.</p> <p><b>Action we will take</b></p> <p>The GSPs have been in place for over twenty years and are continually reviewed and updated to ensure they are relevant and fit for purpose. Consistent with this, we are in the process of updating them, and they will again be published in Spring 2021.</p>

<p>1.c) Prioritize and strengthen social dialogue between management and worker representatives, and make clear that workers are able to join or form trade unions without repercussions</p>	<p><b>Action we have taken</b></p> <p>In the UK, M&amp;S has effective worker representation through our elected colleague representative body, the Business Involvement Group (BIG). This network covers all levels and functions within the organization. BIG is routinely and actively involved in business performance and operational issues that impact colleagues, including formal collective consultation when required. It engages and listens to colleagues' views and feeds back those opinions to the leadership of the business, which includes regular engagement and dialogue with ExCo members. To demonstrate its effectiveness, a number of significant working practices were changed based on the valued input of our colleagues during the COVID-19 pandemic.</p> <p>We recognize trade unions in the Czech Republic and the Republic of Ireland. It is a very clear part of our corporate People Principles<sup>70</sup> and Global Sourcing Principles that workers have access to representation without any fear of victimization or discrimination – and where our workers are represented by a legally recognised trade union, we respect the principle of collective bargaining.</p>
<p>1.d) Elect workers onto the M&amp;S board and engage with suppliers to do the same</p>	<p><b>Action we have taken</b></p> <p>Engaging with colleagues directly shaped the reset of the role of the BIG in 2019. This strengthened colleague voice at M&amp;S, with BIG attendance at three board meetings and one remuneration committee meeting every year now part of our routine practice.</p> <p>Feedback, suggestions and concerns from colleagues across the business are also shared through channels such as our Monday trading calls, 'Talk Straight' monthly colleague engagement surveys and the 'Suggest to Steve' initiative. The board receives regular updates on these topics.</p> <p><b>Action we will take</b></p> <p>We will be using the findings from the worker voice programme in our supply chains to feed into the ExCo and the ESG sub-committee of the board. We will encourage our suppliers to take similar approaches in their own businesses.</p>
<p>1.e) Meet at least annually with international trade unions such as IUF and IndustriALL, and with worker-elected representatives from M&amp;S supplier sites</p>	<p><b>Action we have taken</b></p> <p>Our International Leadership team meets every year with our European Works Council. Our CEO also routinely attends. This forum exists to inform and consult on transnational issues with elected M&amp;S employee representatives working within the European Economic Area. Provision has been made to facilitate the continued participation of UK BIG representatives after 1 January 2021.</p> <p>We are committed to including direct worker feedback in our supply chains. At supplier sites, M&amp;S colleagues do meet elected representatives when we visit sites in the UK and overseas. When issues arise in our supply chains, we engage with local unions and IndustriALL to resolve issues.</p> <p><b>Action we will take</b></p> <p>Listening, learning, and engaging with – and responding to – stakeholders is an important part of how we do business. Many human rights and ethical trade issues are too large or complex for us to tackle alone, so it is vital that we work with others. Our recent focus on transforming the business and managing the pandemic has impacted our ongoing dialogue with a range of stakeholders,<sup>71</sup> but this is temporary and we have committed to re-engaging with a variety of experts and stakeholders on Plan A in 2021.</p>

<p>1.f) Continue to engage with Oxfam on M&amp;S's self-assessment against the Behind the Barcodes Supermarket Scorecard, which has pillars for transparency and accountability, workers, farmers and women; publish the outcome</p>	<p><b>Action we have taken</b> Oxfam launched our Behind the Barcodes campaign in 2018 to examine retail businesses' policies and practices to ensure that workers' rights are respected, small-scale farmers can prosper, and the women who produce our food are treated fairly.</p> <p>Our commitment to transparency means that we publish information on our suppliers through an interactive supply chain map on our website,<sup>72</sup> which is available to customers and other stakeholders. We also transparently report on our Food, and Clothing and Home raw material-sourcing policies.</p> <p><b>Action we will take</b> As a result of the dialogue with Oxfam on their Behind the Barcodes Supermarket Scorecard, we have reflected increased emphasis on workers, small-scale farmers and women as we update our Food Human Rights strategy, which is relaunching in early 2021.</p> <p>We will also be taking on board Oxfam's recommendation to complete human rights impact assessments and living-wage benchmarks in key supply chains.</p>
<p>1.g) Explore creative ways to engage staff at all levels across the business on human and labour rights issues, why they matter, and what difference they can make on such issues in their role</p>	<p><b>Action we have taken</b> The board oversees support for suppliers by ensuring compliance with our ethical and environmental principles through training, conferences, workshops and other development opportunities.</p> <p>Since 2016, we have trained and engaged our colleagues on the importance of human rights, and we are committed to continuing this on an ongoing basis. We are constantly seeking new ideas to ensure this training is delivered effectively and at the right time for maximum impact.</p> <p>For example, all new colleagues in Food are given an introduction to human rights in their M&amp;S induction. Modern slavery and human rights are included in our training programme for all M&amp;S Food buyers. And M&amp;S Food technologists (who routinely visit our suppliers' sites) are provided with 'deep dives' by our ethical trading experts to raise awareness of issues like modern slavery, bullying, harassment and worker voice.</p> <p>In Clothing and Home, in 2019, we co-created the 'Everyone's Business' app with other brands. This tool can be used by non-technical ethical trade staff visiting sites to report observations, e.g., young-looking workers, suspected health and safety issues, etc.</p> <p>In Clothing and Home, we enhanced our training in early 2020 with the launch of the M&amp;S Sustainability Academy. This internal training module for Clothing and Home colleagues incorporates training across environmental and social sustainability issues. We have developed a specific course called 'Human Rights are Everyone's Rights', which brings human rights issues to life in a more engaging and creative way using case studies from this research with Oxfam.</p>



2. Building on its strong relationships with suppliers	
<p>2.a) Incorporate positive indicators of effective workforce management – including fair and transparent processes for selection and promotion – into tender processes, supplier contracts and joint business plans, and align commercial incentives with the outcomes sought. Indicators could include:</p> <ul style="list-style-type: none"> <li>• sick leave entitlement and take up;</li> <li>• staff turnover and absenteeism;</li> <li>• percentage of workers on a secure contract;</li> <li>• pay benchmarked against a living wage/ based on a salary matrix ;</li> <li>• gender pay gap;</li> <li>• pay ratio between the highest and lowest paid worker;</li> <li>• transparency and fairness of staff training and progression;</li> <li>• percentage of workers covered by collective bargaining;</li> </ul> <p>The data used to track these indicators should be disaggregated, at a minimum, by gender, and ideally by salary grade, contract type and other protected characteristics</p>	<p><b>CLOTHING AND HOME</b></p> <p><b>Action we have taken</b></p> <p>All of the key performance requirements our suppliers are required to meet (e.g. cost, quality, delivery, etc.) are brought together into one balanced scorecard, which is used by our commercial teams for supplier management. Ethical performance makes up 20% of this balanced scorecard for Clothing and Home suppliers. The ethical element of the scorecard is a singular measure that we base on audit findings. This incorporates pay, worker representation and permanent vs temporary contract conditions.</p> <p>We have continued to conduct wage benchmarking across our key sourcing regions to better understand the gap between legal minimum wage and suggested living wages.</p> <p><b>Action we will take</b></p> <p>A member of the M&amp;S ethical team chaired the Brand Gender Working Group at Sedex to drive the need for gender-disaggregated data. The resulting Sedex Gender Report, published in November 2020,<sup>73</sup> will help us and our suppliers better understand the indicators of wage and seniority by gender. The <a href="#">Gender Data Report</a> is available to all Buyer and Buyer/Supplier Members of Sedex.</p> <p><b>FOOD</b></p> <p><b>Action we have taken</b></p> <p>Ethical trading teams engage with suppliers across the Food business on average three times a year (the Ethical Supplier Exchange) which brings M&amp;S suppliers together to discuss ethical performance. The Ethical Supplier Exchange supports the sharing of best practice, and has led to a number of worker-focused collaborative projects. A regular discussion point in Exchange sessions has been the development of indicators that reflect positive workforce management that then are included in our Food supplier manufacturing excellence scorecard. This scorecard feeds into the formal supplier management process and is subject to regular review.</p> <p><b>Action we will take</b></p> <p>With the increased focus on human rights and modern slavery, the food industry is clear that audits, while essential, are only one tool. M&amp;S have updated our human rights standards for food suppliers to reflect the need for broader due diligence to complement audits. The new standards ask our direct suppliers to look beyond their facility and consider the impact on people through the whole supply chain. The new standards will also include a greater requirement for worker voice, so we gain multiple data points to calibrate a supplier’s ethical performance.</p> <p>To support this, we have developed a ‘how to’ guide for all suppliers. This contains best practice case studies from across our supply base. It covers a number of the indicators set out in this report, such as agency work and equal opportunities. While this has been an internal document for use with our suppliers, we are committing to making this open source for others in the food industry to benefit from.</p> <p>In addition, we are planning to enable greater access to Emerging Leaders for UK manufacturers in 2021. This programme has been proven to improve financial literacy and leadership skills for workers.</p>
<p>2.b) When M&amp;S staff visit suppliers, undertake site visits accompanied by workers, not only with management; meet confidentially with trade union representatives; check on the effectiveness of worker representation (e.g., safe spaces for women); and take time to thank workers for what they do</p>	<p><b>Action we have taken</b></p> <p>We pride ourselves on our long-term relationships in both our Food, and Clothing and Home supply chains. Our commitment is clear, the wellbeing of workers in our supply chains matters to M&amp;S, and we want to be reassured that their ideas and concerns are being raised and addressed by our suppliers. In Food, we meet with union representatives and/or worker committee members while conducting site visits. In Clothing and Home, our local sourcing office staff meet union representatives and confidentially interview workers whenever conducting site visits. Our colleagues always make a point of thanking workers for what they do.</p> <p>During the COVID-19 pandemic, as we were not able to go to factories, we sent thank you posters (in multiple languages) to all factories for workers.</p>

2.b (continued)	<p>In the last year, we took an innovative approach with nGaje to introduce an app-based worker survey into the supply chain to complement site visits and our audit checks. This launch was successful, providing a mechanism for us to hear directly from workers in our supply chains, and we have subsequently rolled this out to 50 sites in the UK, and will have this worker voice programme at over 500+ food sites in the UK by April 2022.</p>
2.c) Incorporate worker-elected independent collective representation into the M&S ethical minimum standards for supplier sites, with a focus on trust, gender equality and dignified work	<p><b>Action we have taken</b> As effective worker representation is important to M&amp;S, we include this as one of the data feeds in our interactive supply chain map.</p> <p><b>FOOD</b> Having a predominantly UK-based supply chain, it remains a requirement that all direct suppliers with more than 50 workers have a worker committee or trade union. This is verified during the audit process. Lacking worker representation is considered a major non-compliance.</p> <p>As examples raised in this study demonstrated, language barriers can hinder workplace communication and impact trust, gender equality and dignified work. We partnered with the Co-op – another UK-based retailer – to develop and launch a multilanguage toolkit to address these issues.<sup>74</sup> This was launched in September 2019, ensuring the material was open source and available for the whole industry to use.</p> <p><b>CLOTHING AND HOME</b> To be able to work with us, suppliers must develop processes for communicating and consulting with workers and their democratically elected representatives to share information on the business and to gather feedback. Where relevant, a gender committee should be considered to ensure women’s health and rights are considered and their voice heard by management.</p> <p>This policy is supported by the Work Place Communication (WPC) guide, a guide to inform factory managers about effective workplace communication which supports suppliers. WPC has reached over 91,000 workers in China, Myanmar, Vietnam and Turkey.</p>
2.d) In emergency or high-risk situations, such as during the COVID-19 pandemic, as a minimum do no harm. For example, revisit human rights risk assessments, do not cancel orders since this is likely to deny workers the wages they have earned, take extra steps to ensure safe working conditions (including adequate personal protective equipment, water and sanitation facilities), and engage with suppliers to provide enhanced paid sick leave and workers’ access to social safety nets (including healthcare)	<p><b>Action we have taken</b> Since the start of the COVID-19 pandemic in March 2020, we have been in regular contact with our suppliers to ensure that we are fully supporting needs in our supply chains.</p> <p>This has meant ensuring we:</p> <ul style="list-style-type: none"> <li>• Honour commitments to our suppliers and continue our commitment to support fair wages for workers;</li> <li>• Listen and engage with workers across our supply base;</li> <li>• Monitor key safety and compliance issues;</li> <li>• Work collaborating with others; and</li> <li>• Support suppliers in managing outbreaks.</li> </ul> <p><b>CLOTHING AND HOME</b></p> <ul style="list-style-type: none"> <li>• We paid for all shipped product before production was temporarily halted.</li> <li>• We paid for all made garments that could not be shipped. Across all our partners we aim to ensure that no fabric goes to waste.</li> <li>• We are continuing to offer vendor finance and letters of credit, meaning suppliers get early access to cash regardless of payment terms.</li> <li>• As face-to-face audits and visits were not possible, we successfully conducted virtual assessments. Workers were also contacted for feedback by mobile.</li> </ul>

2.d (continued)	<p><b>FOOD</b></p> <ul style="list-style-type: none"> <li>• At the start of the pandemic, we scheduled one-to-one calls with suppliers to understand how they were managing labour, health and safety and working hours on site.</li> <li>• We provided information to support them throughout the period, sharing best practice and understanding where the risks would be. This resulted in publishing a UK and international 'supplier update' to share best practices and case studies to support factories and farms on ways they could improve their sites during the pandemic.</li> <li>• We used the nGaje tool with protein suppliers, so that we could directly hear workers speaking about their experiences of working in factories during the pandemic, and the questions they had in relation to COVID-19. We were able to use this technology to engage with 32 of our sites and were able to connect with 2,580 workers across the UK and Ireland.</li> <li>• We sponsored and actively contributed to the COVID-19 Autumn/Winter 2020 Guidance for Food, Horticulture and Agriculture website.<sup>75</sup> This website is specifically designed to provide the latest practical tips, guidance, tools and case studies to help businesses better manage risks (including labour exploitation and modern slavery) associated with the COVID-19 pandemic.</li> </ul> <p>Further details on our response to COVID-19 for workers in our supply chains are available here: <a href="#">M&amp;S. (2020). M&amp;S Response to Covid-19: Workers in Supply Chains.</a></p>
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### 3. To influence the wider sector and enabling environment

<p>3.a) Work with other retailers to engage with suppliers in ways that, without breaching competition law, take labour costs out of the sphere of price negotiation so that ensuring good workplace management is addressed as a 'pre-competitive' issue.</p>	<p><b>Action we have taken</b></p> <p>We are part of many retailer collaborations and have numerous examples of working on challenging issues in a pre-competitive way. For example, we are members of the ETI and the British Retail Consortium (BRC), where we look at global supply chain issues.</p> <p>In India, we are a member (and previously steering committee rep) for the Brands Ethical Working Group (BEWG), which comprises of 46 brands.</p> <p>A particularly effective example is the Food Network for Ethical Trade (FNET), a network of food retailers and suppliers established in 2016. This network was created to:</p> <ul style="list-style-type: none"> <li>• identify, manage and respond to global food supply chain ethical trade risks;</li> <li>• improve the food industry's understanding of ethical trade;</li> <li>• identify and facilitate collaboration opportunities;</li> <li>• promote trust; and</li> <li>• build a forum for sharing issues and best practice.</li> </ul> <p>We are also represented on the FNET board. We participate in FNET's working groups on worker representation, ethical engagement and responsible recruitment.</p> <p><b>Action we will take</b></p> <p>We will continue to play an active role championing the case for greater workforce participation and engagement in industry collaborations.</p> <p>We commit to openly sharing our learning with the wider industry and stakeholders on scaling up worker voice programmes globally. This will begin initially in the UK and India in Spring 2021.</p> <p>Our CEO has recently agreed to take on a leadership role as co-sponsor of the Consumer Goods Forum's Coalition on Forced Labour/Human Rights. He will also sit on the governance board to oversee progress against the key performance indicators and objectives of the Coalition. The Consumer Goods Forum is unique in that it is CEO-led and brings together the CEOs of global retailers and consumer goods manufacturers to collaborate to eradicate forced labour. M&amp;S will play an active role in supporting the activities of the Forced Labour Coalition to implement human rights due diligence systems, support the development of responsible recruitment markets and work collaboratively on forced labour with the International Labour Organization, the International Organisation for Migration, the Institute for Human Rights and Business, and the OECD Business for Inclusive Growth Initiative (B4IG).</p>
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<p>3.b) Join with others to publicly call for legislative changes that create a more enabling environment for dignified work. For instance, call for legislation and enforcement on:</p> <ul style="list-style-type: none"> <li>• national minimum wages that are living wages;</li> <li>• mandatory human rights and environmental due diligence;</li> <li>• disclosure of workforce information;</li> <li>• better investor regulation;</li> <li>• transparency of corporate lobbying.</li> </ul>	<p><b>Action we have taken</b></p> <p>In order to influence the wider sector and provide a safe working environment, we are members of several collaborative groups (including the ETI and BRC) that look at and lobby on making improvements to global supply chains.</p> <p>As an example, in India, the task of making fundamental industry change and creating a more enabling environment for dignified work must be undertaken in partnership with all relevant stakeholders, including local governments. We are therefore members of the Brands Ethical Working Group. This group coordinates collaborative initiatives such as advocacy with local governments to bring about change in wages, hours and adherence to labour laws.</p> <p>In 2020, we joined the Better Cotton Initiative Task Force on Forced Labour and Decent Work. We worked with representatives from civil society, retailers, brands and consultancies to drive this sector-level initiative. The Task Force produced recommendations intended to improve the effectiveness of the Better Cotton system in ‘identifying, preventing, mitigating and remediating forced labour risks’.<sup>76</sup></p> <p>In the UK, M&amp;S Food was the instigator of the Modern Slavery Intelligence Network for the UK food and agriculture sectors with the support of the UK Anti-Slavery Commissioner. M&amp;S’s technical director is its co-chair along with G’s Fresh CEO John Shropshire. This group was setup in early 2020 and now has 18 member companies across retail, manufacturing and farming.</p> <p>We are actively involved in work with government, policy makers, trade associations and NGOs to share our thoughts and expertise. We add our voice to industry campaigns where we think we can have an impact, and will always consider how we can work with others to deliver positive change.</p>
<p>3.c) Engage M&amp;S’s investors and ask them to publicly outline the standards they expect of all companies in which they invest; join the Workforce Disclosure Initiative</p>	<p><b>Action we have taken</b></p> <p>Since 2017, M&amp;S has participated in the Corporate Human Rights Benchmark.<sup>77</sup> We also participate in the Living Wage in Garments Benchmark (ASN Bank).<sup>78</sup></p> <p>We openly report key social audit data in our Plan A report, and supply site worker information as part of our interactive supply chain map.</p> <p>We regularly engage our investors on our environmental, social and corporate governance strategy and discuss the standards they expect of us. In 2020, we responded to a number of investor queries about workforce engagement and resilience during the COVID-19 pandemic.</p> <p><b>Action we will take</b></p> <p>We are committed to ongoing investor engagement on ESG in 2021, with a particular focus on supply chain workforce issues.</p> <p>We will increase our focus on topics associated with workers in the supply chain – human rights, modern slavery and supplier worker voice – in our reporting.</p>
<p>3.d) Join the Action Collaboration Transformation (ACT) and other initiatives seeking to achieve living wages through collective bargaining and improved purchasing practices’.<sup>79</sup></p>	<p><b>Action we have taken</b></p> <p>There are many collaborative groups making valuable contributions to advance worker conditions and pay. As one business, we cannot participate in every group. We focus our participation in collaborations where we think we can have most impact. We are involved in a wide range of industry groups, such as the ILO Better Work, BRC Global Standards, ETI and Fast Forward to name but a few. We continue to review wider industry collaborations on a regular basis.</p>

## Annex

### Women worker representation: insights from interviews with experts

When Oxfam and M&S discussed the findings from the site visits in May 2019, we agreed that there was a lack of good examples of worker representation that work well for women workers. Oxfam therefore interviewed 26 experts from a range of backgrounds.

As discussed in **Chapter 4**, the interviews with workers indicated that women would aspire to progress in the workplace if:

- a) being a manager meant they could still treat others with respect;
- b) they received support at home and in the community, including via family members sharing the burden of unpaid work; and
- c) in India they received assurance they could be promoted without ruining their reputation.

Enabling conditions to build trust and women's representation include:

**Facilitating trusted safe spaces for women.** This was the experts' number one recommendation, because spaces that include men tend to be dominated by them, thus hindering frank and open discussion on women's concerns. Some key success criteria for these safe spaces are:

- that they are independent, confidential and women trust there will be no retaliation for speaking honestly;
- women have access to expert independent advice (e.g. on legal matters) so that workers are fully informed, free to decide their own priorities and initially supported to develop their facilitation of constructive non-violent dialogue;
- supported by the wider communities in which workers live, and are connected with national and international solidarity (e.g. with companies, networks, movements or other organizations).

Some women's groups have come to the view that women-only collective bargaining is the only way for women to be heard effectively. These processes can lay the foundation for genuine two-way dialogue with employers, leading to better outcomes for workers and businesses.

**A variety of channels for dialogue**, some of which must be confidential, to allow for different preferences among workers. Line managers and HR staff can be a solution, or they may be a barrier, depending on the situation.

**Management making an explicit commitment to women's equality.** Managers can demonstrate this through positive discrimination to empower, train, mentor and sponsor women to: access work, take up opportunities to develop their skills and networks, and to enable those with potential to become leaders and support them to act as a role model for others.

#### SIGNPOST TO GOOD PRACTICE 4

#### HOW WOMEN'S EQUALITY IS GOOD FOR WOMEN, MEN AND THE BOTTOM LINE

When Fair Wear Foundation supported garment workers to organize women-only safe spaces and trained them in both technical and soft skills, 48% of participants were promoted soon after completion of the course. However, when Fair Wear made their course materials free to access, companies took shortcuts in course delivery, and programmes did not achieve the intended outcomes. The foundation's advice was to start small and maintain high quality to build trust and demonstrate impact, then roll out more widely informed by the lessons learned.

When female supervisors in the garment sector were trained to create safe and facilitated spaces for women by the Better Work programme (a partnership between the International Labour Organization and the International Finance Corporation),<sup>80</sup> there was a 22% increase in productivity on their lines.

Oxfam's feminist principles<sup>81</sup> outline good practice for men and women to lead in a way that supports achieving women's equality.

The McKinsey Global Institute has found that: 'companies in the top quartile of gender diversity were 15% more likely to have financial returns that were above their national industry median'.<sup>82</sup>



Experts highlighted that women's equality is good for women, men and the bottom line (see **Signpost to good practice 4**). However, a lot more could be done to address the barriers to women's equality, especially subconscious bias, sexual harassment, harsh treatment, fair pay for work done (and in India equal pay for equal work), and women's unequal burden of unpaid care in the home. These barriers were greater for women in India, but existed at every site Oxfam visited.

There is also some evidence that separate men-only spaces address gender inequalities by allowing men to process triggers of aggression and abuse, such as:

- how they manage the burden of providing a household income;
- struggling with addictions (most commonly alcohol and gambling);
- anger management;
- mental health problems;
- debt; and
- excessive overtime.

For example, in the UK, the Drive Project<sup>83</sup> supports domestic violence offenders to stop offending by asking 'Why doesn't he stop?' (rather than the more traditional 'Why doesn't she leave?'). The project achieved a sustained drop in incidents compared with approaches based on supporting survivors/victims.<sup>84</sup>

Strong working relationships between workers and managers are needed to improve worker voice for both men and women alike. Success factors include:

- Managers communicating how they respond to concerns is highly valued by both women and men. If they hear nothing more after they share an idea or raise a concern, workers are deterred from doing so again.
- Providing secure work and a living wage. Some experts highlighted that the workers who are more likely to take the risk of speaking out are those in a secure job earning a living wage. The more secure people feel, the more engaged they can be.
- Taking labour costs out of price negotiations More than one expert highlighted the importance of disaggregating how much of the price paid by the retailer is spent by the supplier on labour costs as a foundation step to making labour costs pre-competitive. As with all data, it is more useful if disaggregated by gender and ideally by other factors such as contract type, migrant status and other protected characteristics.

*Below: Better Work programme with Fair Wear Foundation.*



Photo: Better Work

### CASE STUDY BUILDING TRUST: MANAGERS AND WORKERS

Nike wanted to address productivity and worker wellbeing, so it supported an Indonesian supplier to create women-only safe spaces. These spaces identified that the reason for high rates of sickness and absenteeism in women was because they were staying home to look after sick children. Women had not been entitled to leave to look after dependents or to days off without prior notice, so they had been calling in at the start of their shifts to say that they themselves were sick, so that they would not lose their job.

The factory set up a multi-skilled relief team. Women could call to say they could not come to work, without giving any reason why. They would then be replaced by someone in the relief team, with no repercussions.

The impact of this pilot was:

- Less disruption on lines;
- 19% increase in production;
- 7% improvement in quality;
- Workers reported feeling 22% more valued;
- A senior manager reported, 'I never realised workers had such good ideas.'

Source: Nike. (2018). Personal communication, cited in: S. Barrientos. (2019). *Gender and Work in Global Value Chains: capturing the gains?* Cambridge University Press, p202–5.

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Oxfam's report authors: Beck Wallace, Rachel Wilshaw and Penny Fowler

Oxfam project sponsor: Penny Fowler

Project manager: Harmonie Limb

Oxfam's research team: Beck Wallace, Laura Raven, Pooja Adhikari and Rachel Wilshaw, with contributions from Penny Fowler, Namit Agarwal, Rhaea Russell-Cartwright and Alex Maitland.

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- 61 Other legislation and enforcement that M&S and other companies could call for includes:
  - all workers to have the same access to their rights, regardless of their contract type (e.g. contingent (non-standard), part time, temporary or direct, or permanent);
  - mandatory human rights and environmental due diligence;
  - the implementation of ILO Conventions: C190/recommendation 206 on Eliminating Violence and Harassment in the World of Work and C177/recommendation 184 on Home Work; REFERENCE?
  - something similar to the US Workforce Investment Disclosure Act, to require companies' annual filings to disclose workforce information, (including demographics (gender and race), contract type, retention rates, empowerment, health and safety, recruiting and more);
  - worker-elected representatives to be an integral part of company governance and governmental industrial strategies;
  - national legislation that applies the EU Unfair Trading Practices Directive (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1557237500431&uri=CELEX:32019L0633>) in agriculture and food to all sectors. (For a summary of practices the Directive bans: T. Wills. (2019, February 19). What is the EU's new Unfair Trading Practices Directive? Traidcraft Exchange blog. <https://traidcraftexchange.org/traidcraft-in-depth/2019/2/19/what-is-the-eus-new-unfair-trading-practices-directive>).
- 62 Introduced by the House Financial Services Committee in February 2020: <https://www.congress.gov/bill/116th-congress/house-bill/5930?s=1&r=2>
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