



International Labor Rights Forum

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From: *International Labor Rights Forum*

To: socially responsible investors, labor rights stakeholders, investors

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Summary of Dole's Global Human/Labor Rights Violations

Dole has claimed adherence to high social and environmental standards but, in practice, pursues policies to violate workers' rights and deny them the internationally recognized right to freedom of association. In numerous agricultural sectors worldwide, Dole:

Subjects workers to substandard working conditions. Unskilled workers producing Dole products around the world have demonstrated that they earn poverty-level wages, are exposed to hazardous chemicals and are obligated to work overtime hours without proper compensation, amongst other concerns.¹

Has been accused of supporting the murder of union activists working on its supplier plantations in Colombia. More than 70 Colombian plaintiffs filed a lawsuit in 2009 under the Alien Tort Claims Act demonstrating that union activists were systematically killed and threatened by illegal paramilitary organizations supported by Dole. Many of the Dole workers who were assassinated had unresolved labor disputes pending with Dole's suppliers. Including wider human rights violations on farmers and civilians, the lawsuit has charged that Dole has been responsible for the death of over 1,000 Colombians. While Chiquita Brand International and its executives came forward to ultimately pay \$25 million in fines in a precedent case, Dole Food Company has been enjoying full impunity for its alleged role in similar murders and has yet to admit responsibility for such murders.²

Undermines independent workers' unions by supporting company-favored organizations. Starting in 2004, Dole's subsidiary, Dole Fresh Flowers waged a multi-year battle to undermine the independent union, Sintrasplendor, composed of cut-flower workers on its Colombian plantations. Dole only negotiated a Collective Bargaining Agreement with a separate company-friendly union, Sinaltralflor, which failed to improve conditions for its workers, despite ILO recommendations that it also negotiate with Sintrasplendor. Dole shut down its facility, El Corzo, where the independent union was strongest and most persistent. Last spring, Dole sold its flower operations all together, giving up on a relationship with Sintrasplendor.³ Similarly, Dole's Philippines subsidiary provides preferential treatment to an organization of workers, known as UR-Dole, which was established for the express purpose of conducting a daily campaign to undermine the elected leaders from the independent union representing of Dole's workforce.⁴

¹ See "A Valentine's Day Report." *International Labor Rights Forum and USLEAP*. February 13, 2007, Arpi, Jean - Paul, Feral Maude, and Fischer Helge. "Dole...Behind the Smokescreen". *Peuples Solidaires/ Action Aid, Banafair*: October 7, 2009 and "ILRF Testimony to USTR: Dole GSP Petition", Oct, 2007 Sarangani between June 2006 and June 2007.

² See JUANA PEREZ 1-51/JUAN PEREZ 5E-50 v. DOLE FOOD COMPANY, INC. (Legal complaint against Dole Food Company). filed on April 28, 2009 by attorneys of CONRAD & SCHERER, LLP. See <http://www.iradvocates.org/4.27.09%20Dole%20Complaint%20FINAL.pdf>

³ See "A Valentine's Day Report." *International Labor Rights Forum and USLEAP*. February 13, 2007

⁴ See, reports from Dolefil workers

Supports schools opposed to Freedom of Association. Dole has invested heavily in pineapple and banana operations in Costa Rica, where labor laws fail to uphold ILO recommendations on ILO Convention 87 on freedom of association. Dole has supported anti-union “schools” such as the John XXIII Social School (run by solidarist organizations) and “permanent committees,” which are not democratically elected by workers, and have severely restricted rights for workers to freely organize and join democratic unions. No banana or pineapple supplier plantation in Costa Rica has had a collective bargaining agreement with a union for the last two decades, despite immense international pressure to urge Dole to support union rights. Dole has also divested from surrounding Central American countries with stronger labor unions.⁵

Replaced regular jobs with temporary, subcontracted jobs. Dole’s Philippines subsidiary, Dolefil, employs 1400 of its 5900 workers on a contract basis. These employees work at the world’s largest pineapple processing facility and surrounding plantations. Regular workers are gradually being replaced by contract workers who have no direct employer, and are consequently denied many of the rights enjoyed by regular workers. Dole’s suppliers are increasingly using exploitative subcontractors on profitable pineapple plantations in Costa Rica, as well.⁶

Outsources pineapple production in the Philippines to independent growers, often under unfair contract terms. Small farmers producing pineapples for Dole under Dole’s contract terms only, without being given the opportunity able to properly negotiate their concerns. This has led to poverty and income insecurity amongst small growers as they are subject to Dole’s rules and regulations.⁷

Allegedly assists military harassment of union leaders. Dolefil has assisted the Armed Forces of the Philippines to employ egregious intimidation tactics to threaten Dole’s independent union members. In total, there are over 45 cases stemming from the hostile environment created by Dole and the Armed Forces of the Philippines pitting themselves against the union. Dole has also allowed the Philippine military to conduct anti-union “symposiums” or information sessions during work hours.⁸

⁵ Arpi, Jean - Paul, Feral Maude, and Fischer Helge. “Dole...Behind the Smokescreen”. *Peuples Solidaires/ Action Aid, Banafair*: October 7, 2009

⁶ “ILRF Testimony to USTR: Dole GSP Petition”, Oct, 2007 , field research conducted by ILRF partners in the provinces of Sultan Kudarat, South Cotabato and Sarangani between June 2006 and June 2007.

⁷ Borras, Saturino M. Jr. and Jennifer C. Franco. “Struggles for Land and Livelihood: Redistributive Reform in Agribusiness Plantations in the Philippines.” *Critical Asian Studies* 37:3 (2005): 339

⁸ “ILRF Testimony to USTR: Dole GSP Petition”, Oct, 2007 and Dolefil workers’ personal testimony