March 3, 2015

Re:  ABA Model Business and Supplier Principles on Labor Trafficking and Child Labor

Dear Chief Executive Officer and General Counsel:

On behalf of the American Bar Association, I write to ask for your company’s assistance in fighting the scourge of human trafficking, a form of modern day slavery that affects millions of men, women, and children worldwide. Specifically, we encourage your company to consider adopting and implementing business and supplier policies on labor trafficking and child labor—or to revisit its existing policies—consistent with the Model Principles of the ABA Model Business and Supplier Policies on Labor Trafficking and Child Labor.

Recent statistics show that approximately 20.9 million men, women, and children are subject to forced labor around the world, and 168 million children are in situations of child labor. Corporations have the power to play a significant role in eradicating these pervasive human rights abuses, and we would welcome your company’s assistance.

In February 2014, the ABA adopted the Model Principles, which are attached to this letter. The Model Principles are consistent with the UN Guiding Principles on Business and Human Rights, and they were designed to provide a practical and flexible tool to help companies and suppliers develop (or refine) their own policies to fight labor trafficking and child labor commensurate with the risks and other variables presented in their specific businesses.

In crafting the Model Principles, the ABA examined the existing business and supplier policies adopted by many leading Fortune 100 companies, as well as applicable international, federal, and state laws. A recent ABA/Arizona State University Study shows that a majority of Fortune 100 companies with global supply chains have adopted policies on labor trafficking. (See https://asunews.asu.edu/20140603-fortune-100-companies-labor-policies.) Of those companies with such policies, many could be further improved and better implemented through consideration of the ABA’s Model Principles. Whether or not your company has a labor trafficking and child labor policy already in place, the Model Principles can serve as a guide.

The ABA also has developed an online Database of Resources to further assist companies in formulating and implementing anti-labor trafficking and child labor policies. It contains useful resources such as the ABA Resolution that formally adopted the Model Principles; the complete ABA Model Business and Supplier Policies (including an Introduction, Model Glossary, the Model Principles, Commentary and Guidance applicable to each Principle, and Endnotes, though only the Model Principles constitutes official ABA policy); and a wide variety of other background and
informational materials. This Database is available on the ABA Business Law Section’s website at www.americanbar.org/content/aba/groups/business_law/initiatives_awards/child_labor.html.

If you are willing to share your company’s policy or any training material that your company has created or utilized to educate your staff and supply chain on these issues, or if you have any questions, please contact William D. Johnston at (302) 571-6679 or wjohnston@ycst.com; or E. Christopher Johnson, Jr. at (248) 514-7182 or echris@centerjrd.org.

Thank you very much for your thoughtful consideration.

Sincerely,

William C. Hubbard
President, American Bar Association
THE ABA MODEL PRINCIPLES

MODEL BUSINESS PRINCIPLES

Principle 1—The Business will Prohibit Labor Trafficking and Child Labor in its Operations.

Principle 2—The Business will Conduct a Risk Assessment of the Risk of Labor Trafficking and Child Labor and Continually Monitor Implementation of this Policy.

Principle 3—The Business should: (i) Train Relevant Employees, (ii) Engage in Continuous Improvement, and (iii) Maintain Effective Communications Mechanisms with its Suppliers.

Principle 4—The Business will Devise a Remediation Policy and Plan that Addresses Remediation for Labor Trafficking or Child Labor in its Operations.

MODEL SUPPLIER PRINCIPLES

Principle 1—The Supplier will Prohibit Labor Trafficking and Child Labor in its Operations.

Principle 2—The Supplier will Conduct a Risk Assessment of the Risk of Labor Trafficking and Child Labor and Continually Monitor Implementation of this Policy.

Principle 3—The Supplier should: (i) Train Relevant Employees, (ii) Engage in Continuous Improvement, and (iii) Maintain Effective Communications Mechanisms with its Suppliers.

Principle 4—The Supplier will Devise a Remediation Policy and Plan that Addresses Remediation for Labor Trafficking or Child Labor in its Operations.