While labor violations are not new to China, in June 2011, a number of incidents expanded the landscape of labor right violations. Although workers' wages are raised in the past several months, their labor intensity is also prompted at the same time which leads to tragedies like suicides and overwork death. To raise several, a female worker in Taiqiang factory (Mattel's supplier factory) jumped to her death in the factory ground due to the pressure from work and abuse from her manager; in Xixing Electronics Corporation a workers was stroked by a sudden disease and died in asleep, the dead-cause reason ascribed to the egregious overtime work; Out of depression in her life in Xinghao factory, a female worker jumped to her death. Last but not the least, when we are composing this newsletter, the 17th suicide just happened today in Shenzhen Foxconn adding up to its tragedies of 16 suicide incidences in the past half a year.

In the last month, there have been many suicide and excessive work related deaths. This is a manifestation of the shortage of young workers in China, which forces factories to push for more overtime and increase working intensity.

The indirect cause of this tragedy in Kingmaker factory is the high demands of peak production period of Timberland and Clarks. The factory’s situation is as follows: the factory needs to deliver a certain amount of goods, but has a difficult time meeting its deadlines. According to the factory, Timberland and Clarks have approved the high intensity working and overtime during peak session. Timberland and Clarks are focused solely on whether the factory meets its quotas, not on social responsibility. The brand company hopes to occupy its market niche. “Social Responsibility” is just empty words when it stands in the way of delivery time.

With numeral labor abuse cases happened and death threaten to workers, we strongly urge effective and functional labor union established in factories and representatives democratic selected. Only by the way, workers can collective bargain with employers and have their legal right justified.

In addition, concerned customers should help to prevent this tragedy from happening again. Please write a letter to the CEO of Timberland and Clarks, urging them to take action to prove that the corporate social responsibility is not just empty rhetoric.

I have recently heard about a worker who died on the job at the Kingmaker factory after being overworked and denied time off. Since this factory was producing Timberland products and the accident happened during its peak season, I hope your company will take action and responsibility as a international corporation, and prove that corporate social responsibility is an important part of your business model. I hope Timberland takes action to improve and revise the working conditions in the Kingmaker factory and other supplier factories.

I received the following information from China Labor Watch after it sent an investigator to Kingmaker:

- Labor contracts: There is a huge gap between what's written in employees' contracts and the reality of their everyday work. Furthermore, workers are encouraged to sign their name without considering the details of the contract; there is no room for discussion.
One worker died on the production line for Timberland and Clarks.

- Working hours: Workers are required to arrive 15 minutes early in the morning (7:15am instead of 7:30am) to clean and organize their work area, even though they are not paid for this time. In addition, workers are forced to give up more than half of their lunch period, reducing the time from one and a half hours to only fifty minutes (11:20am - 12pm instead of 11:20am to 12:50pm), a chunk of time for which they are unpaid. When added up, this extra work amounts to over an hour every day for which workers receive no compensation.
- Wages: If the factory is not meeting its quota on time, workers are required to work late into the night with no compensation for overtime, and no annual leaves.
- Occupational safety: Workers are given no training in environmental hazards, health or safety. A terrible stench of industrial glue fills the factory, and no protective gear is distributed. Gloves and masks are only used when customers come in for an audit.
- Poor relationships: There is no union, leading to terrible relationships with management. Workers have complained that there's only one word they hear from the bosses: 'Faster!'
- Not being allowed to leave the factory: Workers are not allowed to leave the factory during lunch time unless they make a written request for leave.

These are the facts that I've gathered from China Labor Watch. I hope that Timberland will redeem itself as a responsible corporate citizen in today's global marketplace, and take action to see that future tragedies are avoided.

Your concerned consumer,

(NAME)

(SIGNATURE)

(DATE)

Melissa Potter
CEO
C & J Clark America Inc
156 Oak Street
Newton Upper Falls, MA 02464
United States of America
Tel: 01458443131
Fax: 01458 447547

Dear Mr. Melissa Potter:

I have recently heard about a worker who died on the job at the Kingmaker factory after being overworked and denied time off. Since this factory was producing Timberland products and the accident happened during its peak season, I hope your company will take action and responsibility as a international corporation, and prove that corporate social responsibility is an important part of your business model. I hope Timberland takes action to improve and revise the working conditions in the Kingmaker factory and other supplier factories.

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Your concerned consumer,

(NAME)

(SIGNATURE)
China Labor Watch Statement in response to Timberland’s letter

July 26, 2011

The Timberland Company recently sent China Labor Watch (CLW) a written response regarding the publication of a report last week discussing the death of a Chinese worker at the Timberland manufacturing plant, Kingmaker. Below is CLW’s reply to that response:

After CLW published a report in 2005 accusing the Kingmaker factory of unlawful and exploitative labor practices, Timberland chose to cease business with the factory starting in the middle of 2006. CLW had not advocated for Timberland to make this choice, but had rather hoped they would renew their relationship with Kingmaker and put greater emphasis on improving the working conditions at this factory. Timberland’s decision to suspend business ties with Kingmaker resulted in a significant drop in manufacturing orders for the factory, which led to a large number of assembly workers being let go.

In 2010, CLW raised the possibility of Timberland and Kingmaker establishing a new cooperative relationship. Around this time, CLW again conducted an in-depth investigation of the working conditions at Kingmaker that once more found serious problems in need of improvement. By releasing this report, CLW sought to inform Timberland of those areas in need of improvement, so that when they reestablished business ties with Kingmaker, they could also help institute those factory reforms needed. In this way, Timberland could fulfill their corporate social responsibilities, while continuing to run a business.

While Timberland did reestablish ties with Kingmaker and worked closely with the factory to improve working conditions, not all of CLW’s reform and improvement proposals were accepted. In the context of this tragedy, Timberland and Kingmaker’s refusal to establish a worker hotline is the most unfortunate proposal rejected. Had there been a hotline in the factory available to this worker, it is quite possible that he would have been able to obtain sick leave by appealing to higher factory authorities, rather than die on the assembly line.

After news broke about the death of this worker, CLW took immediate action to conduct an investigation into the circumstances surrounding this tragedy. CLW investigators interviewed dormitory roommates and work colleagues of the deceased worker. Those workers who were willing to talk with investigators informed them that an enormous amount of pressure was being placed on them not to cooperate with outside investigations and stick with the official account released by the factory. In initial interviews, workers informed investigators that the deceased worker had previously been ill for several days and that his condition had only worsened because he had been given no time to rest and recover. They went on to say that this worker had earlier in the month been granted one day leave from the factory for his birthday, but had later been denied sick leave when he began to feel ill. Only after these initial investigations did CLW inform Timberland about the death of this worker. When CLW investigators returned to the factory for second round of interviews, workers who had previous told them the above story denied ever saying anything and refused reveal any further details pertaining to this case. This is a clear case of factory pressure and intimidation silencing workers.

Timberland Statement in response to CLW Report

Dear Ms. Chan,

Thank you for your email about workers’ rights and working conditions at the Kingmaker factory in China. We share your concern, and we have a long history of working with factory management for continuous improvement in the places our products are made (go to www.timberland.com<-http://www.timberland.com> for more info). One of our guiding principles is around constructive engagement - we help factories identify areas needing improvement and then work with them to implement positive solutions.

What you may not know is that we also have some history with China Labor Watch (CLW). They approached us in 2010 about resuming a relationship with Kingmaker in China (we had severed the relationship 4 years earlier because of their inability to meet our Code of Conduct standards). We trusted their assessment, did our own research, and agreed that the factory had improved enough to do business with Timberland.

On June 29, a representative of CLW approached us when he heard of a worker death in a Kingmaker factory that supplies Timberland and Clarks products. We immediately met with factory management and learned that the exact cause of death is unknown, and that there is no record of this employee claiming to be ill, or of his asking for time off on the day of his death. Records show that this worker did request and was granted time off the day before he died. We also met with employees, many of whom confirmed the management team’s information. That said, we are working closely with Kingmaker to improve their protocols for medical assistance and time-off requests.

To be clear, we do acknowledge that this Kingmaker factory has room for additional improvement. Members of Timberland’s senior management team and Code of Conduct team have routinely met with Kingmaker management to discuss necessary changes that we identify during our assessment process, and we’ll continue to hold them accountable for making those improvements.

Given China Labor Watch’s positive endorsement of Kingmaker less than 12 months ago and our own experience of improved factory conditions by Kingmaker since then, we’re surprised and disappointed by the allegations CLW has made even after we offered to compare information and discuss this specific situation.

Thanks again for voicing your concern for workers’ rights in China. As a global business, it’s a concern we share and take seriously, and an issue we’re continuing to work to improve.
One worker died on the production line for Timberland and Clarks.