

1 **5.3. Wages and Benefits.....**
2 **5.4. Housing.....**
3 **5.5. Health and Safety.....**
4 **5.6. Interns and Apprentices.....**
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6

7 Dear Reader,

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9 We would like to focus your attention on certain issues addressed in these standards:

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11 * We request your suggestions about what standards to classify as Major and Minor non-
12 compliances

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14 * We believe there is a need to develop co-op standards, for both producers and retailers.
15 We welcome advice on how to best address social justice for co-ops.

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17 * We are seeking comment on the phrase “democratically chosen” in the worker
18 standards. What language would reflect the right of workers to choose their own
19 representatives, whether in a union or in a less formal structure, but that could not be
20 misinterpreted to allow for anti-union behaviour by employers?

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22 * We also seek suggestions for a process for judging continual improvement. Should the
23 certifier award points for various standards? If so, should we require a minimum number
24 of points from each section for an applicant to qualify to use the AJP seal? In addition,
25 please consider the table VII below as a suggested format for displaying the minimum
26 requirements as well as areas for continuing improvement.

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28 * AJP anticipates the need to develop standards for grower groups with an organizational
29 staff/body. These would include provisions such as the internal auditing team
30 requirements including a trained worker representative on the internal audit team on
31 member farms with labor, holding training sessions for member farmers and possibly for
32 workers and interns on member farmers as a grower group (rather than each individual
33 farmer conducting training for their own workers on legal rights and rights per AJP
34 standards), conducting annual visits of member farms to complete internal audits, and
35 addressing conflict of interest issues in education, price setting, and monitoring for
36 compliance with AJP standards. AJP seeks additional input during the public comment
37 period on appropriate standards for grower groups seeking AJP certification.

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39 * We would also like to draw the reader’s attention to the issue of At Will Employment.
40 In many states this law provides that employers may fire employees “At Will” without a
41 determined “just cause.” AJP believes in the right of the worker to a fair contract and
42 grievance process that includes termination only for just cause, and believes that this is a
43 fundamental issue of workers’ rights. The At Will provision is not a mandatory
44 requirement in any state that it is allowed. Therefore, employers can voluntarily give up
45 the right to have an At Will workplace. AJP is seeking comments on this issue, especially
46 from organizations that have dealt with this legal provision, or that believe they have
47 developed creative solutions for providing workers their right to a just cause in
48 termination while maintaining At Will status.

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2 * AJP is seeking comments on the use of temporary worker visa programs (such as the
3 h2A agricultural guestworker program). Up to now AJP has prohibited the use of h2A as
4 it is widely viewed in the farmworker community as exploitative by not recognizing
5 workers' fundamental rights such as access to federal courts or the ability to change
6 employers if problems occur. That being said, should AJP view the situation differently
7 if workers themselves request h2A visas of their employers? In addition, without
8 comprehensive immigration reform that solves the deeper problems in our immigration
9 system, it is becoming increasingly difficult for farm employers to hire enough workers
10 without fearing increased enforcement. Is there an alternative way that AJP could
11 develop standards to protect workers' rights and allow for the use guestworker programs,
12 or are these programs inherently flawed to the degree that makes that impossible?
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14 * Finally, We seek comments from indigenous people involved in wild crafting who
15 would like to make suggestions for these standards. We developed them at the request of
16 an indigenous trading project, but without the participation of stakeholders. We
17 especially seek answers to these questions:

18 p. 3 Definitions l. 16: How to define wild collection company – should the fair trade
19 claim be limited to indigenous projects? Or extended to for-profit or ngo projects?

20 p. 18. 2.3.1. Anti-discrimination: should collectors be limited to tribal members?
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24 **V. Definitions**

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26 **Consumer -**

27 **Contractor –**

28 **Farmer –**

29 **Food sovereignty –**

30 **Mentoring –**

31 **Food system worker -**

32 **Collectors -** the individuals from the indigenous community who do the physical work of
33 selecting and collecting the natural resources.

34 **Wild collection company –** (we could limit it to indigenous projects or leave it open to
35 any NGO or for profit entity)

36 **Wild gathering -**

37 **Wild harvest -**

38 **Indigenous land -**

39 **Bad faith -** Intentional dishonest act by not fulfilling legal or contractual obligations,
40 misleading another, entering into an agreement without the intention or means to fulfill it,
41 or violating basic standards of honesty in dealing with others.¹