

We, members of Pescando Justicia, a committee of seafood processing plant workers, supported by the New Bedford Community Workers Center (CCT) and Justice at Work, proud residents of this region, with much commitment and hope for the future, announce this Code of Conduct for the industry in which we work.

We invite the leaders of this community--and especially the leaders of the industry in which we work--to join us in committing to this Code of Conduct for the welfare of the entire community.

The Code of Conduct is based on many years of difficult experiences that we workers have had in seafood plants. We have suffered from a lot of general disrespect and injustices related to our wages, working hours and lack of health and safety. We have also faced discrimination, sexual harassment, verbal and physical intimidation, and unlawful retaliation.

The Code of Conduct describes the expectations that we, as workers and active members of this community, have for our work in this industry. We share it to ensure that workers are respected and that we can provide our workforce in a safe and productive manner-for the well-being of employees, employers and the entire community. In addition to the standards expressed in this Code of Conduct, we also expect companies to always follow all state and local laws that apply to them. And we consider any violation of those laws to be a violation of this Code of Conduct.

We are your neighbors. Our children attend the same schools and health clinics. We are dedicated to the future of the City of New Bedford and this entire region.

TERMS of the CODE of CONDUCT

Wage and Hour, Vacation, Sick Pay:

- Notice of work - Employers shall give workers at least 12 hours' notice of their work schedule.
- Workers are free to work seven days a week but there must be no negative consequences if they are not available to work over the weekend (provided they give proper notice to their employer of their unavailability).
- Fair Breaks: a) In a shift of at least six hours, there shall be a non-work break (100% time off) of at least 30 minutes to rest and eat (without pay); b) for every three consecutive hours worked, there shall be a non-work break (100% time off) of at least 15 minutes (with pay).
- Fair wage: workers shall be paid a minimum wage of at least \$1 more than the legal minimum wage and a minimum annual increase reflecting inflation.
- Paid vacation: workers shall be provided, for one year, one week of paid vacation; for two years, two weeks; for three years, three weeks; until the worker reaches a maximum of four weeks of paid vacation. To receive their pro-rata vacation, the worker will have to have worked at least 1,000 hours in the year and all hours--whether regular or overtime (more than 40) would be included in the 1,000 hours.

- If the transportation that workers use to get to the fishing enterprise requires payment by the worker, and that payment is more than 3% of the daily wage, or the payment reduces the hourly wage to less than the minimum wage, transportation may not be provided or charged by any employee of the fishing enterprise or temporary agency and the use of transportation may also not be a condition of employment. In the event that an employee of the fishing enterprise or temporary agency is collecting payment for transportation from his or her other co-workers, that employee shall be deemed to be acting directly in the interest of the fishing enterprise and temporary agency.
- Sick days (minimum 5 per year) will be paid regardless of the size of the company.
- Each agency related worker will be informed of how much money per hour the agency is receiving for their work.

Health and Safety:

The employer(s) shall provide:

- A healthy work environment, including good ventilation and appropriate climate.
- Clean and sufficient restrooms for the number of workers and reasonable access to restroom use. Clean cafeterias with sufficient space and microwaves for heating food. Cleaning of restrooms and cafeterias will not be done by workers who also process fish/seafood.
- Sufficient health and safety training for managers, especially all line leaders, supervisors and managers, and including forklift operators.
- Health and safety training addressing all workplace hazards faced by the workers, in the language of the workers, including indigenous languages.
- Health and safety posters and training in the workers' languages, including indigenous languages.
- Necessary work/protective equipment.
- Any transportation used to bring workers to work is registered and safe, with seat belts for each passenger and adequate climate/temperature.
- Access to appropriate medical treatment in cases of accidents and injuries.
- Mechanisms for reporting and documenting accidents and health and safety complaints whereby the worker always receives a copy of the report in a language the worker understands, regardless of the size of the accident/injury or the nature of the hazard complained of.
- When a worker is unable to work for a family or health reason, the company must provide information on Paid Family Medical Leave and other leave laws to explore whether he/she is eligible for leave, including paid leave.
- Minors (<18 years of age) shall not be hired to work in seafood processing plants.

Respect and dignity:

The employer(s) shall:

- Recognize and respect the right to organize, the right of workers to join together and talk to their employer about working conditions.
- Convene a meeting every two months between the employer, a committee of workers from the company, and an advocate of the committee's choice.

- Provide clear verbal and written explanation in the workers' languages from company and agency management about who the workplace supervisors and managers are so that workers know who to report to.
- Ensure that all workers feel free to express a workplace problem to a supervisor, manager, union, workers' center, labor attorney or any other person or entity without fear of reprisal.
- Provide a work environment free from discrimination, intimidation, harassment and unfair favoritism, especially mistreatment based on a worker's age, sex, gender, country of origin, sexual orientation, and/or religion. Of extreme importance is the lack of any type of sexual harassment by company and agency supervisors and transportation drivers.
- Ensure that no workplace or worker is threatened based on immigration status at any time.
- In the event the employer is contacted by Immigration authorities for any purpose or if a search and/or arrest warrant, administrative subpoena or other request for documents is presented: 1) contact Pescando Justicia to provide notice of such contact; 2) refuse admittance of any authorities who do not possess a valid warrant or subpoena; 3) not reveal names, addresses or immigration status of any employee, *except* pursuant to a valid warrant or subpoena; 4) permit inspection of I-9 Forms *only* after a minimum of three written days' proper notice, and provide no documents other than the I-9 forms to Immigration for inspection in the absence of a valid search warrant or subpoena requiring the provision of such documents.
- If employees notify you of a change in name or Social Security number, modify your records to reflect such changes without employees having their seniority of employment status affected or suffer any loss of benefits.
- Not discharge or in any manner discriminate, retaliate or take any adverse action against an employee because the employee updates or attempts to update their personnel records to reflect changes to their lawful name or valid Social Security number.
- The temporary agency and the company must jointly take responsibility for, and address, a complaint (whether it be sexual harassment, discrimination, wage and hour, health and safety, transportation charges, or any other type of labor complaint) made by an agency worker.
- In cases of dismissal, at the time of dismissal or as soon as possible thereafter, provide a written explanation of the reason for dismissal in the worker's language.

To ensure compliance with the Code of Conduct, a copy of this text will be posted in K'iche', Spanish and English in a visible place for all workers. Also, in each workplace there will be a workers' committee that will be in charge of providing presentations on labor rights to workers and facilitating a meeting every two months between company management and the agency and the committee itself, with an advocate chosen by the committee.