Legislation Details (With Text)

File #:	Res 0131-2022	**Version:**	*	**Name:**	Wendy's to join the Fair Food Program and support farmworkers' human rights.
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Civil Service and Labor
On agenda:	4/28/2022				
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Title: Resolution calling on Wendy's to join the Fair Food Program and support farmworkers' human rights.

Sponsors: Carmen N. De La Rosa, Shahana K. Hanif, Gale A. Brewer, Pierina Ana Sanchez, Althea V. Stevens, Tiffany Cabán, Lincoln Restler, Mercedes Narcisse, Erik D. Bottcher, Francisco P. Moya, Shaun Abreu, Carlina Rivera, Kristin Richardson Jordan, Sandy Nurse, Charles Barron, Lynn C. Schulman, Eric Dinowitz, Rita C. Joseph, Julie Menin, Christopher Marte, Alexa Avilés, Kevin C. Riley, Marjorie Velázquez, Farah N. Louis, Crystal Hudson, Chi A. Ossé, James F. Gennaro, (by request of the Manhattan Borough President)

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Date	Ver.	Action By	Action	Result
4/28/2022	*	City Council	Introduced by Council	
4/28/2022	*	City Council	Referred to Comm by Council	
12/8/2022	*	Committee on Civil Service and Labor	Hearing Held by Committee	
12/8/2022	*	Committee on Civil Service and Labor	Laid Over by Committee	
4/11/2023	*	Committee on Civil Service and Labor	Hearing Held by Committee	
4/11/2023	*	Committee on Civil Service and Labor	Approved by Committee	Pass
4/11/2023	*	City Council	Approved, by Council	Pass

Res. No. 131

Resolution calling on Wendy's to join the Fair Food Program and support farmworkers' human rights.
By Council Members De La Rosa, Hanif, Brewer, Sanchez, Stevens, Cabán, Restler, Narcisse, Bottcher, Moya, Abreu, Rivera, Richardson Jordan, Nurse, Barron, Schulman, Dinowitz, Joseph, Menin, Marte, Avilés, Riley, Velázquez, Louis, Hudson, Ossé and Gennaro (by request of the Manhattan Borough President)

Whereas, In 2011, the Fair Food Program (FFP) was created by the Coalition of Immokalee Workers (CIW) in an effort to bring together farmworkers, consumers, major food retailers and growers to achieve humane labor standards and better wages in United States agriculture; and

Whereas, The FFP works by having "Participating Buyers" of farm produce agree to purchase covered produce, mainly tomatoes, only from "Participating Growers"; and

Whereas, These Participating Growers are farms that meet strict standards required by the Fair Food Code of Conduct, which was designed by farmworkers themselves and is independently monitored by the Fair Food Standards Council, that include certain requirements for farmworkers, such as the right to work free from sexual harassment and assault; safe and non-abusive working conditions including shade, water and clean bathrooms in the fields; the ability to report mistreatment or unsafe conditions without retaliation; know-your-rights trainings; access to breaks and safe transportation to work; and

Whereas, In addition to certain labor standards, Participating Buyers pay Participating Growers a small premium on the purchased produce, known as the "Fair Food Premium," which goes to supplement farmworkers' regular paychecks; and

Whereas, To solidify these partnerships, the FFP and thus, the Fair Food Code of Conduct, are backed by legally-binding agreements between the CIW and many of the world's largest produce buyers, such as McDonald's and Subway, with farms that fail to comply with these standards facing risk of suspension from the FFP and losing the ability to sell their produce to Participating Buyers; and

Whereas, As the CIW has established that there is an underlying imbalance of power between farmworkers and corporations, it has focused its efforts on engaging with large corporations at the top of the agricultural supply chain to become Participating Buyers; and

Whereas, Currently, the FFP's Participating Buyers include Walmart, Chipotle Mexican Grill, Trader Joe's, Burger King, Subway and McDonald's; however, there still exist corporations that do not participate in the FFP and thus, may not ensure farmworkers are provided basic protections and fundamental human rights in their work; and

Whereas, The popular and large fast-food corporation Wendy's is one such company that has yet to join the FFP, having faced considerable criticism and protests over its refusal to participate, with a number of cities

passing resolutions urging Wendy's to join the FFP and advocating for the boycott of Wendy's, according to the New York Times; and

Whereas, In New York City, Wendy's has locations throughout the five boroughs, and is one of the only major fast-food chains to reject the opportunity to join the FFP; and

Whereas, In March 2018, over 100 farmworkers and supporters fasted for five days outside the Park Avenue offices of the hedge fund investment firm, Trian Partners, one of the largest shareholders of Wendy's, calling on the fast-food company to join the FFP, with over 2,000 New Yorkers joining in protest through midtown Manhattan on the last day of the fast, according to the CIW; and

Whereas, In New York State there are a substantial number of farmworkers, as an August 2019 New York State Comptroller report indicates that New York State's more than 33,000 farms generated $5.7 billion in revenue in 2017, accounting for up to 55,000 farmworkers within the state; and

Whereas, In New York City, specifically, there are approximately 36 farms located in four boroughs, according to an August 2019 New York State Comptroller report; and

Whereas, In addition, there are hundreds of GreenThumb registered community gardens and registered public school garden projects in New York City, according to the 2020 New York City Food Metrics Report required pursuant to Local Law 52 of 2011; and

Whereas, As New York has a large number of farmworkers, encouraging Wendy's to join the FFP would ensure that farmworkers that provide produce to Wendy's are provided with the benefits, wages and work conditions that they deserve; now, therefore, be it

Resolved, That the Council of the City of New York calls on Wendy's to join the Fair Food Program and support farmworkers' human rights.

Session 12
EA
LS 2930/8249
4/10/22

Session 11
KK
LS 11576

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