

## President's Advisory Committee on Labor Standards and Human Rights

3/12/04

### Procedural Guidelines for Acting on Complaints Received by the President's Advisory Committee on Labor Standards and Human Rights

These steps are a guideline not a required sequence. The point of initial action will depend upon the specific context and severity of each complaint. A quorum of the committee is 7 members. For any action the committee will work towards consensus decisions. Any action by the committee requires a quorum in attendance and 2/3 of those present to vote in favor. Communications to the President's office from the Committee is through the General Counsel (GC).

<b>Step</b>	<b>Criteria</b>	<b>Information Needed</b>	<b>Action</b> <i>(As part of any action, the committee will define a time frame for action/response)</i>
1. Gather Information	Allegation of action by supplier suggestive of violation of UM Code	<u>UM</u> 1. \$ amount of UM sales 2. Date of next contract Renewal 3. Evaluation of legal options and constraints for nonrenewal/termination with General Counsel.	Communication from Chair to both WRC and FLA requesting information about the allegation.  Notify General Counsel (GC) of existence of complaint
	Possible supplier violation documented or confirmed by FLA or WRC	<u>WRC/FLA</u> Detailed written information on complaint including documentation/evidence of specific allegations related to code violations	Letter from Chair to Licensee regarding University's awareness of potential problem, encourage cooperation with monitoring organizations. (cc'd to GC and notification to FLA/WRC of action)
		<u>OTHER SCHOOLS</u> Information on actions taken by other schools	Letter from Chair to Licensee regarding Request for Information regarding specific allegation of potential code violation(s). (cc'd to GC and notification to FLA/WRC of action)

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2. Consider Contract Action	<p>Non-response or unsatisfactory response from licensee to request for information</p> <p>Information from FLA or WRC documents or confirms violation/ indicates lack of cooperation or movement towards resolution.</p> <p>Nature of violation</p> <p>Proximity of renewal</p>	<p><u>WRC/FLA</u> Detailed written information on complaint including documentation/evidence of specific allegations related to code violations</p> <p><u>OTHER SCHOOLS</u> Information on actions taken by other schools</p> <p><u>OTHER</u> Gather information on situation from other sources if available.</p> <p><u>UM</u> Continued evaluation of legal options and constraints for nonrenewal/ termination with General Counsel.</p> <p>Information on University's relationship with licensee and history of reciprocity.</p>	<p>Letter to Licensee from Chair regarding fact that University is investigating possibility of non-renewal or termination of contract with a date specified upon which the committee will be making a decision regarding recommendation not to renew or to break a contract. <i>(Prior review by and then cc'd to GC and notification to FLA/WRC of action)</i></p>

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3a. Recommend: Postponing renewal or nonrenewal	A serious and credible allegation about abrogation of the UM code of conduct has been raised.	<u>WRC/FLA</u> Detailed written information on complaint including documentation/evidence of specific allegations related to code violations.	Discussion with General Counsel about how to proceed, includes sequence of desirable communications and who will be signatory to communication with licensee.
If a serious and credible allegation about abrogation of the UM code of conduct is raised at the time of a pending renewal, renewal will be postponed until appropriate steps have been taken towards resolution of the complaint.	Nature of violation.  Dialogue between UM and licensee remains unsatisfactory or licensee is non-responsive to UM requests.  Code violation has been documented and Information from FLA or WRC indicates lack of cooperation or movement towards resolution.	Written or oral communication from WRC/FLA indicating lack of cooperation or movement toward resolution by licensee.  <u>OTHER SCHOOLS</u> Information on actions taken by other schools	Written recommendation to postpone renewal or not to renew contract made by Committee to UM Licensing with clear documentation of rationale for action with cc to GC.  Notification of FLA/WRC of UM action.  Licensing department/designated signatory of communicates action to Licensee.
If no satisfactory resolution is reached committee may further recommend nonrenewal of the contract.		<u>UM</u> Continued evaluation of legal options and constraints for nonrenewal with GC.  Documentation of licensee failure to respond or inadequate response to Committee inquiries.	

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3b. Recommend: Termination of existing contract.	<p>Renewal of licensee's contract is not imminent.</p> <p>A serious and credible allegation about abrogation of the UM code of conduct has been raised.</p> <p>Nature of Violation</p> <p>Continuing dialogue between UM and licensee remains unsatisfactory or licensee is nonresponsive to UM requests.</p> <p>A Code violation has been documented and Information from FLA or WRC indicates lack of cooperation or movement towards resolution.</p>	<p><u>WRC/FLA</u> Detailed written information on complaint including documentation/evidence of specific allegations related to code violations</p> <p>Written or oral communication from WRC/FLA indicating lack of cooperation or movement toward resolution by licensee.</p> <p><u>OTHER SCHOOLS</u> Information on actions taken by other schools</p> <p><u>UM</u> Continued evaluation of legal options and constraints for termination with GC.</p> <p>Documentation of licensee failure to respond or inadequate response to Committee inquiries.</p>	<p>Discussion with General Counsel</p> <p>Written recommendation to terminate contract with documentation of rationale for action.</p> <p>Notification of FLA/WRC of UM action.</p> <p>The University will communicate action to Licensee.</p>
4. Acknowledge Remediation, Reinstitute Contract	<p>Substantial movement towards remediation or satisfactory resolution of concern.</p>	<p>FLA/WRC provide written documentation to the UM of substantial movement towards remediation or satisfactory resolution of concern.</p>	<p>Written recommendation made by Committee to the Licensing/President as relevant with documentation of rationale for action.</p>

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