'No More iSlave:' An Activist Fights for iPhone Workers

But she has plenty of questions.

Chan's modest office here, shared with another human rights activist, is cluttered with books and papers. Posters hang from the walls, questioning the legitimacy of Burma's 2010 elections. There's another of an iPhone [1] with a graphic on the screen, a worker carrying the Apple logo on his back with blood flowing from his mouth, under the words "No more iSlave."

And on a cabinet, there's a picture of Chinese dissident Li Wangyang, who spent 11 years in prison for "counter-revolutionary propaganda and incitement," and died on June 6 under suspicious conditions. The government called his hanging a suicide, though his family and other activists suspect authorities, threatened by his activism, are responsible.

More than any activist, Chan has been calling attention to the labor rights abuses at Foxconn. Her group, Students and Scholars Against Corporate Misbehavior or SACOM, has aggressively documented the working conditions at Foxconn's plants in Zhengzhou and Shenzhen.

A day before the iPhone 5's release last week, SACOM published a report, called "New iPhones, old abuses," that found that "the old problems of labour rights abuses remain norms [2] at Foxconn" after interviewing 60 workers at Foxconn's Zhengzhou, China, plant. At some personal risk, Chan has traveled frequently from the relative safety of Hong Kong to mainland China to interview workers.

Those discussions have led Chan to report on excessive overtime for workers, required hours that violate Chinese labor laws. She's documented unpaid overtime work, as well as compulsory meetings where managers berate employees about about low productivity, the high rates of product defects, and disciplinary problems. And she's written about unsafe conditions in Foxconn [3] metal-working and parts-processing workshops, where workers handled chemicals unknown to them with little in the way of protection.

"Most of the workers feel hopeless when you ask them about work pressures," Chan told me. "They'll say, 'Everywhere, it's the same.'"

For Chan, that's not good enough.

"The profit margins of Apple keep rising," she said. "Apple has the capacity to increase" the amount they pay Foxconn to produce iPhones.

Apple declined to address a question about whether it has the ability to increase the pay of the workers at the companies it's hired to assemble iPhones. The company did say, though, that an audit conducted by the Fair Labor Association, a monitoring group Apple contracted to inspect Foxconn's factories is already paying dividends.

"We asked the FLA to conduct a special audit of Foxconn factories earlier this year, and we are proud of the progress we are making together," the company said in a statement. "As part of the plan we developed in March, Foxconn has met every short-term goal including better ergonomics and more health and safety training.

It's not an easy issue. The Pulitzer Prize-winning New York Times columnist Nicholas D. Kristof argues sweatshops are often a step up [4] from the poverty and squalor endemic to the developing world. He wrote in 2009 that "sweatshops are only a symptom of poverty, not a cause, and banning them closes off one route out of poverty." And as offensive as some of the conditions in Foxconn's factory are to people in the West, they're clearly a notch or five above some of the more notorious Asian sweatshops.

Media reports of the conditions at Foxconn plants led Apple, in February, to hire the Fair Labor Association [5], a monitoring group, to inspect the contractor's factories in Shenzhen and Chengdu. Cook called the audit "unprecedented" and noted that the FLA would interview thousands of employees about their working and living conditions, and inspect the workplace itself.

Few journalists have been inside Foxconn's factories. Shortly after a New York Times investigation [6] of the manufacturing of Apple products in China last January, ABC's Nightline [7] and American Public Media's "Marketplace" [8] radio program toured Foxconn plants. The Chinese media has gotten a look as well, with the Web site iFeng visiting the Zhangzhou plant [9] in May with Foxconn chief executive Terry Guo. And just before the Sept. 12 iPhone 5 launch, a Chinese reporter for the Shanghai Evening Post, wrote an article about going undercover as a Foxconn worker [10] at its plant in Taiyuan for 10 days, assembling iPhones.

The reports offered a glimpse at production lines. Rows upon rows of workers, often dressed in white static-proof jumpsuits, hats and gloves to keep dust away from the gleaming production line, worked at machines. They placed protective covers on iPhone screens, assembled iPad [11] motherboards, and plugged batteries into housings. Each report showed a labor-intensive process that included plenty of machines but often many more people operating them. The undercover Chinese reporter described exhausting work as the company raced to get the iPhone 5 out the door.

The diminutive Chan is anything but a wallflower, and her outrage isn't limited to Foxconn's treatment of workers. A few days after I left Hong Kong, Chan traveled to Shaoyang, in the Hunan province in mainland China, to take photographs of Daxiang Hospital. That's the spot of Chinese dissident Li's suspicious death.

Shortly after Chan arrived in Shaoyang, she was held by local police and detained for 10 hours [12], according to a South China Morning Post account. Authorities strip-

searched her twice and confiscated leaflets Chan and a fellow activist planned to distribute, as well as a banner and a picture of Li. (Worried about the impact of her activism on SACOM, Chan told me recently that she has resigned her position at SACOM and plans to hand over her responsibilities with the organization in December.)

When it comes to Apple, Chan points to the company's own pledge to hold itself and its suppliers up to the highest standards of social responsibility. In February 2007, Apple posted its "Final Assembly Supplier Audit Report" (PDF) [13] on the Web, looking into concerns that had been raised about poor working and living conditions at an iPod [14]assembly plant in China. The report was largely positive, but found that some workers making iPods worked excessive overtime, and that some facilities didn't follow common safety conventions, such as properly storing chemicals or installing handrails on stairwells to code. But the company committed to doing better.
"In cases where a supplier's efforts in this area do not meet our expectations, their contracts will be terminated," Apple wrote in its report.

Over the years, Apple itself has found suppliers who have fallen short. In its 2008 report (PDF) [15], Apple's auditors interviewed 800 randomly selected employees and found three cases of employees being "disciplined in unacceptable ways." In one case a worker had to clean bathrooms, while the other two employees "had to write the mistake for which they were being disciplined multiple times or read it aloud to coworkers." Apple noted that it required those suppliers to end the practices.

In its 2009 report (PDF) [16], for example, Apple's auditors found that 19 supplier facilities had pay structures that were "unnecessarily complex," sometimes leading to underpayment of workers. Apple required those vendors to adjust pay practices to ensure that they are "clear and easily understood" and repay workers for any underpayment.

Apple has even terminated work with some vendors. In its 2010 report (PDF) [17], auditors found repeated attempts by one supplier to falsify records related to worker time cards, an apparent attempt at covering up requiring excessive overtime. Apple didn't name the vendor, but it did say that it ended its relationship with that specific facility.

That all sounds good, except every year, in every report, violations persist. Apple has said that pushing those suppliers to improve is better than simply terminating contracts and moving onto the next vendor. But critics say the persistent problems show Apple's unwillingness to truly uphold the standards it set for itself.

"Apple has a track record," says Scott Nova, executive director of the Worker Rights Consortium in Washington, D.C.

The latest report from Apple's hand-picked auditor, the Fair Labor Association, suggests that violations with regard to overtime continue. The auditor trumpeted a

commitment by Foxconn to come into compliance with Chinese labor law by July 2013.

"The company has reduced hours to 60 per week (including overtime) with the goal of reaching full compliance with the Chinese legal limit of 40 hours per week plus an average of 9 hours of overtime per week while protecting worker pay," the FLA writes in its report (PDF) [18].

Nova sent a letter to FLA chief executive Auret van Heerden on August 22 asking for some clarification.

"What is the basis for the FLA's position that it is acceptable for Apple and Foxconn to continue to break the law on a massive scale for more than 15 months from the date of the FLA's March audits, particularly in light of the fact that both Apple and Foxconn have been promising to stop this behavior since 2006?" Nova wrote.

Nova received an e-mail from van Heerden, but the FLA leader didn't address the question, Nova said. And the FLA declined to comment for this article.

In a statement to CNET, Foxconn said it based working hours on guidelines developed by a trade group, the Electronic Industry Citizenship Coalition, that call for no more than 60 working hours per week, including overtime, even though those guidelines could lead to violations of Chinese law. The company said it needs until next July to come into compliance "to ensure a smooth transition."

And yet, Nova finds some reason for hope.

"The crisis Apple faces is real," Nova said. But "Apple has the resources to solve the problem."

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