



**House Foreign Affairs Committee
Tom Lantos Human Rights Commission**

Promoting Labor Rights in the Cut Flower Industry

**June 5, 2025 - 2:00 p.m.
2255 Rayburn House Building**

**Statement of Allison Gill
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Co-Chair McGovern, Co-Chair Smith, and distinguished members of the Commission, it is an honor to submit a statement on the urgent steps needed to protect workers' rights and increase accountability in global cut flower supply chains.

Global Labor Justice is a nongovernmental organization that supports workers and unions around the world in exercising their right to freedom of association. Global Labor Justice believes individuals have the right to interact and organize among themselves to collectively express, promote, pursue and defend common interests. This includes the right to form trade unions, collectively bargain, and enforce contracts.

This statement draws from best practices in supply chain governance to enforce labor rights and engagement with unions representing agricultural workers. My recommendations highlight concrete steps the Congress should take to promote international labor standards on cut flower farms, ensure that workers in the cut flowers sector can access their fundamental labor rights, and make certain that US companies do not use exploitative labor in their cut flower supply chains.

Global Labor Justice has a long history promoting labor rights in global cut flower supply chains. In 2003, the International Labor Rights Forum, one of the organizations that later merged to become Global Labor Justice, launched the Fairness in Flowers campaign in partnership with workers in the cut flower sector and their unions in Colombia and Ecuador. This campaign was among the first to expose abusive working conditions in the industry, including poverty wages, health and safety issues caused by the use of harmful pesticides, and gender-based violence and harassment of women workers, who make up the majority of the workforce. These practices persist across cut flower supply chains.

Labor exploitation is fundamentally related to a lack of worker power. Many, if not the vast majority, of workers in the cut flower sector have limited access to their fundamental labor rights, especially freedom of association and collective bargaining, which are essential to combat forced labor and other forms of exploitation. The sector is characterized by a highly gendered workforce. Additionally, it is dependent on vulnerable migrant workers during peak seasons, illegal sub-contracting, and is rife with occupational health and safety hazards, including exposure to pesticides and repetitive stress injuries. Some workers are not supplied with personal protective equipment (PPE) and are exposed to high levels of pesticides. During peak seasons, workers are made to work overtime and face higher levels of exposure. In some cases, companies fire and blacklist workers for trying to negotiate better wages and working conditions. Also, labor inspectorates in production countries often lack resources and oversight. These factors contribute to structural barriers for workers accessing their fundamental labor rights.

As in many agriculture supply chains, companies buying flowers and selling them in the US contribute to downward pressure on prices, driving producers to cut costs, with direct negative impacts on the workers' working conditions and livelihoods. The sector bears out longstanding agriculture supply chain dynamics that have made farmwork underpaid and hazardous—including in this country—for decades. Actors at the top of supply chains, including buyers and producer organizations, can contribute to labor exploitation through purchasing practices, contract conditions, pressure on suppliers, and lack of meaningful due diligence efforts to identify, prevent, and remediate human and labor rights abuses in their supply chains. After decades of partnership with agricultural workers in the supply chains of US corporations, we know first-hand that corporate self-regulation in supply chains does not work. Corporate codes of conduct, social audits, and multi-stakeholder initiatives, including certification schemes, have been in place for over 20 years but have not led to material changes in the situation of agricultural workers, including in the cut flowers sector.

As a major importer, the US needs to regulate imports and US buyers to ensure flower imports are produced without labor exploitation. US companies should ensure that purchasing practices cover the cost of production *with decent work*. Second, due diligence efforts should prioritize engagement with workers and unions and include worker-led systems for identifying and remediating labor violations. These steps are all the more imperative as the threat of increased tariffs will raise costs. And we know from many supply chains that workers will bear a portion of these costs, often in the form of unpaid overtime, higher production targets, wage cuts, and degradation in working conditions. With the proposed 10% tariffs on Ecuador and Colombia which, combined account for 85% of US flower imports at a value of \$1.7 billion, wholesalers and retailers may start looking for cheaper labor, which often accompanies worse conditions and increased labor violations. Uneven bargaining power between workers and producers, facilitates exploitation of workers, wage depression, and increasing precarity.

Certifications on cut flowers are not a substitute for measures that empower workers. Certifiers across sectors and including in cut flowers have failed to show that certifications result in material improvements for workers, with certification standards doing little to challenge power relations between workers and their employers. Effective corporate due diligence should not rely on audits or third-party certifiers but on meaningful engagement with workers and their trade unions. As the global economy increasingly involves transnational supply chains and value chains, we recommend working with national, regional, and global partners to innovate enforceable supply chain agreement models that draw from the history of successful worker and union agreements and are adapted to new business models in the global economy.

Finally, the lack of transparent import data on cut flowers hampers efforts for more transparent, ethical, and accountable flower supply chains. The majority of cut flowers are imported into the US by air carriers, which, like road and rail carriers, are not required to publicly disclose their shipping manifests. This loophole impedes meaningful supply chain due diligence as well as trade enforcement efforts to promote more accountable supply chains.

Recommendations

As the top importer of cut flowers, the US is best placed to leverage market access to address labor rights violations and advance decent work in cut flower supply chains. We respectfully make the following recommendations:

1. **Solutions should focus on freedom of association and collective bargaining as enabling rights.** Where workers can exercise full freedom of association, they are more likely to have fairer wages, a world of work free of violence and harassment, and safe and healthy working conditions and be free from forced labor. Freedom of association and collective bargaining also support democracy, resilient supply chains, and fairer trade policy. These fundamental labor rights are a foundation of responsible business conduct, and their absence is a major risk factor for investors and supply chain actors.
2. **The US Congress should ensure that all trade agreements and policies towards flower producing countries support the introduction and enforcement of international labor standards.** In some countries, agricultural workers are excluded from labor law protections. Trade agreements with the US are critical to promote freedom of association and labor rights protections. These agreements should be created in accordance with ILO conventions, in particular ILO C11, which advances the principle that agricultural workers are entitled to the same freedom of association rights as other workers.

3. **Agreements should include strong trade enforcement mechanisms** built on the model of the Rapid Response Labor Mechanism (RRLM) under the United States-Mexico-Canada Agreement (USMCA), whose facility-specific mechanism has proved to be effective in enforcing labor rights. The RRLM works as a dispute settlement mechanism between the US, Mexico, and Canada that provides expedited channels for labor rights enforcement. Panelists can assess complaints about conditions at specific facilities and impose penalties, such as the suspension of tariff benefits or the denial of entry of goods. The RRLM model provides for collaborative enforcement and accountability between trading countries, while also providing disincentives to consistent violators of labor obligations. Building on this model can help ensure that cut flower workers can access the core rights of free associations and collective bargaining that are necessary to securing safe and healthy working conditions and living wages.
4. **To support supply chain transparency, accountability for supply chain actors, and facilitate effective enforcement of trade remedies, we urge Congress to amend section 431 of the Tariff Act of 1930 to address the manifest disclosure loophole.** Due to their perishable nature, cut flowers are transported primarily by air freight. Currently air carriers, as well as rail and truck carriers, are exempted from disclosing vital information regarding cross-border shipments, including the name and address of the shipper, general character of the cargo, and gross weight. These carriers account for nearly half of all imports into the US by value and the vast majority of cut flowers. This blind spot impedes supply chain transparency, which is essential for lead firms to conduct meaningful due diligence as well as for targeted supply chain accountability and trade enforcement efforts, including enforcement against goods produced with forced labor.
5. **Reauthorize the Generalized System of Preferences (GSP) of which Ecuador and Kenya—major cut flower producers—were beneficiaries when the program was last in place, and strengthen its labor rights conditionality.** GSP makes market access conditional on a beneficiary country's compliance with internationally recognized workers' rights. The GSP petition mechanism allows any group or individual to file a petition with the U.S. Trade Representative to initiate a review of the labor practices of any beneficiary country. In reauthorizing GSP, Congress should build upon and improve GSP's strong labor rights conditionality to ensure that GSP meets its development goals of diversifying economically developing countries and growing trade without harming American workers. This includes updating GSP's labor rights framework, aligning labor and environmental standards to modern trade agreements, including a gender lens, and imposing a minimal level of compliance to improve GSP as an accountability tool.
6. **Finally, we join Solidarity Center in urging Congress to recommence discussions with the Colombian government regarding its commitments in the Labor Action**

Plan, especially related to the continued use of collective pacts and unlawful labor outsourcing in the cut-flower sector. The Labor Action Plan, if made fully enforceable, would address concerns as to violence against unionists and poor labor rights across multiple sectors. It would enforce the ban on labor cooperatives and illegal subcontracting that allows mistreatment of workers and undercutting of protections, wages, and safety. The Plan would also provide for more labor inspectors, who can engage directly with workers for accurate information about farm conditions. Congress should exercise its oversight function to ensure the interagency presses Colombia for full compliance with TPA obligations.