

PROTOCOL FOR WRC INVESTIGATIONS OF NIKE SUPPLIER FACTORIES

I) Request for Access

- A) The Worker Rights Consortium (“WRC”) will provide Nike, Inc., (“Nike”) with a written request for access to a specific Nike supplier factory, for the purpose of conducting an investigation of working conditions at the factory or to confirm remediation as described in Section I(B). The WRC will provide the substantive reasons for the request when requesting access to the factory. If requested by the WRC, Nike will not disclose the reasons for requesting access to the factory.
- B) Nike will use its best efforts, using all available economic leverage including exit, to facilitate access to the factory, including its facilities and personnel, within fifteen (15) days from receiving the WRC’s written request. In extraordinary circumstances, Nike will use its best efforts, using all available economic leverage including exit, to facilitate access no more than twenty-one (21) days from receiving the WRC’s written request. In the event that an urgent problem is reported at the factory, Nike will facilitate access for the WRC as soon as possible. Consistent with Section I(A), the WRC will have the ability to return to the factory, after its initial visit, to confirm that remediation has occurred.
- C) To the extent possible, Nike will share records of audits that have been conducted at the factory by Nike’s staff, its agents, or other organizations. Nike and the WRC will discuss any findings that have been made and corrective actions that have been recommended or implemented. The WRC will review and give due consideration to findings reached by other organizations that have previously conducted audits or assessments in the factory.

II) Investigation

- A) The WRC will be permitted to take photographs, copy documents, and interview factory workers and managers.
- B) Following an inspection, or in lieu of inspection when determined by the WRC, Nike will use its best efforts to ensure the WRC has access to physical or electronic records needed to complete the WRC’s investigation.
- C) Nike’s staff or its agents may be present in the factory during the WRC’s investigation. The WRC will make best efforts to coordinate logistics with other entities. If coordinating schedules between Nike or its agents and the WRC would cause a significant delay, then Nike will facilitate separate access to the factory for the WRC. When necessary, the WRC will be permitted to review personnel records or interview factory workers or managers in private in order to protect confidentiality and anonymity.
- D) The WRC will protect the confidentiality of competitive or proprietary information related to Nike or the factory obtained during its investigation.

III) Remediation and Reporting

- A) The WRC will provide reasonable notice, including a detailed summary of findings, to Nike prior to publishing its factory report in order to include commitments from Nike or the factory regarding remediation, or for Nike or the factory to demonstrate that appropriate corrective actions have been taken or are in process. The WRC may communicate its findings, prior to the publication of its report, to the factory owners, the factory workers, their representatives, government officials, or other buyers, and will discourage these parties from prematurely circulating this information. The WRC will not communicate its findings to any parties other than these prior to publication of its report. In its factory report, the WRC will identify all brands and retailers that it knows to be sourcing from the factory and specify which of them are university licensees sourcing university apparel.
- B) Nike and the WRC will work with the factory – and, if possible, non-collegiate apparel brands and retailers sourcing from the factory – to develop a remediation plan within a reasonable time after Nike receives the WRC’s summary of findings. To the extent that the WRC learns that the factory manufactures university-licensed products for other university licensees, the WRC will engage all university licensees sourcing from the factory to discuss its findings and work together on a remediation plan. If Nike and the WRC agree on the needed outcome of remediation but disagree on the process of achieving remediation, the parties will discuss such differences, and the WRC will retain the absolute right to express its recommendations regarding remediation in its reports.
- C) In the event that a problem identified at the factory is of such an urgent nature (for example, where there is an imminent danger to workers’ health and safety, or where a mass dismissal of workers is imminent or has occurred) that immediate reporting is necessary, the WRC will notify Nike and publicly report the problem.