

WRC Report on Findings, Recommendations and Partial Corrective Action at MBI Haiti



August 28, 2025

I. Executive Summary

The WRC investigated a complaint filed by employees of MBI Haiti, which has been a supplier to Workwear Outfitters, Banner Uniform Company, and Cintas Corporation alleging violations of workers' right to freedom of association, specifically the illegal dismissal of workers in retaliation for their decision to exercise this right. The WRC is the designated monitor for the City of Los Angeles'¹ and the City of San Francisco's² respective "Sweat Free Procurement" Ordinances ("Ordinances"), which require compliance with national and local labor laws and international labor standards by factories that produce apparel and footwear supplied to the Cities' employees.

MBI Haiti was disclosed by the US company, Workwear Outfitters, as among its suppliers for the production of apparel sold to the City of Los Angeles by its vendor, Galls, LLC, and to the City of San Francisco by the latter's vendor, Banner Uniform Company, and is, therefore, subject to monitoring by the WRC and must comply with the Ordinances. The factory is also a supplier to Cintas Corporation of apparel that is not supplied to the Cities and therefore is not covered by the Ordinances.

The WRC's investigation found that, in 2023, MBI Haiti had unlawfully terminated and violated the associational rights of workers who were members of the union, Sendika Ouvriye Tekstil ak Abiman-Batay Ouvriye (SOTA-BO) and, simultaneously, workers who were members of or participating in organizing efforts with the union, Groupement des Travailleurs (euses) du Textile pour la Réexportation d'Assemblage (GOSTTRA). Because these violations had not been adequately corrected at the time the factory employees submitted their complaint to the WRC, and because the factory had been identified, in the meantime, as a supplier of apparel covered by the Ordinances, the factory's refusal to implement the necessary remedial measures placed it and its buyers in violation of the Ordinance's requirements.

This report outlines the methodology employed for our inquiry, our findings, and the required corrective actions necessary for MBI Haiti comply with Haitian law and the City of Los Angeles and City of San Francisco "Sweat Free Procurement" Ordinances. The report also outlines the partial remediation of the violation which has occurred to date, which has included reinstatement and full payment of back wages to the members of the SOTA-BO union who were illegally dismissed but does not include any remediation of the violation of the rights of the members of the GOSTTRA union who were also illegally dismissed.

Workwear Outfitters, the company that purchased apparel covered by the Ordinances from MBI Haiti, has since indicated that it has ceased sourcing apparel from the factory. Cintas Corporation has not indicated that it has ceased sourcing apparel from MBI Haiti and has refused to require the factory to correct the termination of, and failure to pay back wages to, the fired members of the GOSTTRA union.

¹ Los Angeles Ordinance No. 176291 (Nov. 9, 2004) (amending the Los Angeles Administrative Code to establish a sweatshop-free policy for procurement of equipment, materials, goods, and supplies, and to establish compliance procedures for the City's "Contractor Code of Conduct").

² *Codified as*, San Francisco, California, Administrative Code, Ch.12.U ("Prohibition on Sweatshop Conditions"), 2005, as amended, February 11, 2010.

II. Methodology

The findings in this report are based on the following sources of evidence:

- Interviews with former employees of MBI Haiti and with representatives of the SOTA-BO and GOSTTRA unions;
- A review of documents issued by MBI Haiti, the SOTA-BO and GOSTTRA unions, the Haitian Ministry of Labor and Social Affairs, and the Textile Ombudsperson's Office (BMST).
- Written communication with representatives of Workwear Outfitters, Cintas, and Banner Uniform Company;
- Telephone conversation with representatives of the Bureau of International Labor Affairs-U.S. Department of Labor (ILAB);
- A review and analysis of applicable Haitian and international law, the City of Los Angeles' and the City of San Francisco's respective "Sweat Free Procurement" Ordinances; and
- A review of the Cintas Corporation Code of Conduct for Vendors.³

III. Finding of Violations of Workers' Right to Freedom of Association

A. Illegal dismissal of six worker leaders in retaliation for joining the SOTA-BO union

On April 3, 2023, the Haitian labor union federation, SOTA-BO, formed a factory-level workers' union at MBI Haiti and communicated, in writing, with factory management to inform them that the union had been formed at the factory and to share the names of the ten worker members of the union's Executive Committee. According to the factory management, four of these workers subsequently indicated that they did not wish to serve on the union's committee, leaving six workers as union committee members.

The workers who formed the union reported to the WRC that they decided to form a union in order to address factory health and safety conditions, harassment and abuse by managers and supervisors, wage and hour violations, the factory's failure to pay benefits, and retaliation against workers who presented grievances related to working conditions.

On April 14, 2023, less than two weeks after the union notified the company of its formation, MBI laid off the remaining six members of the SOTA-BO union's Executive Committee.

³ Cintas Corporation Code of Conduct for Vendors, revised August 8, 2023, [https://www.cintas.com/docs/default-source/esg/vendor-code-of-conduct/c-49-\(global\)-vendor-code-of-conduct.pdf?sfvrsn=d2a6c06_3](https://www.cintas.com/docs/default-source/esg/vendor-code-of-conduct/c-49-(global)-vendor-code-of-conduct.pdf?sfvrsn=d2a6c06_3).

According to information provided to the WRC by MBI Haiti, the workers were dismissed as a result of factory downsizing and for “troubling the [shop] floor.”

The company further reported to the WRC that these six workers had a conflict with the four workers whom the company claims indicated did not wish to serve on the union’s Executive Committee. MBI Haiti also provided information to the WRC that, on April 10, 2023, members of the SOTA-BO union came to the front of the factory to “make noise” and to ask for a meeting, which the factory declined.

MBI Haiti informed the WRC that it dismissed the six workers under Article 42 of the Haitian Labor Code, which outlines specific misconduct by workers that may result in a legal ‘no-fault’ dismissal.⁴ However, and as noted below, the Labor Ministry’s later inquiry into these dismissals determined that none of the conduct alleged against the six workers, even if proven, would have been of sufficient severity to justify termination under this provision of the Labor Code.

The six worker leaders who were fired told the WRC that they did not have any conflict with the four workers whom the management claimed did not want to be on the union committee. Furthermore, these six workers gave testimony that management told them, at the time of their dismissals, that they were being terminated as a result of a staff reduction at MBI Haiti. None of the workers interviewed by the WRC were told, at the time of his or her dismissal, that the factory was firing them because they had engaged in disruptive behavior or any other behavior that was in violation of Haitian law, as outlined in Article 42, or of factory regulations.

In the days following the workers’ dismissals, the union filed complaints with the Haitian Ministry of Labor and Social Affairs (MAST), the Haitian Textile Ombudsperson’s Office (BMST), and the International Labour Organization-International Finance Corporation Better Work factory monitoring program in Haiti (“Better Work Haiti”). On April 25, 2023, MAST officials issued a report citing the company for having violated workers’ right to freedom of association.

While MAST’s report stated that SOTA-BO should not have included the name of the four workers who later informed management that they did not want to be part of the union on the document that the labor federation sent to the company, this government office clearly stated in its report that MBI Haiti fired the remaining six workers without any legitimate reason to do so. In its report, MAST recommended that MBI Haiti reinstate all six workers. On May 25, 2023, BMST sent a communication to MBI Haiti affirming that the factory was required to comply with MAST’s recommendation.⁵

⁴ Article 42 allows for the no-fault dismissal of an employee when he or she has engaged in assault against a co-worker, used threatening language, caused serious disruption or interruption of work, destroyed company property, compromised workplace safety, failed to provide justification for absence, falsely represented him or herself, been sentenced to jail time, or failed to hold up his or her obligations per the Labor Code.

⁵ MBI Haiti has reported to have appealed the decision issued by BMST.

Haitian law guarantees workers the right to form a union⁶ and prohibits employers from terminating employees for union activities.⁷ These rights are also enshrined in international labor standards which have been ratified by Haiti.⁸ Additionally, for cases of staff reduction, the Haitian Ministry of Labor has issued guidance to private sector employers stating that, in accordance with ILO conventions, priority for continued employment should be given to union representatives.⁹

Therefore, given that all six of the remaining leaders of the SOTA-BO Executive Committee were fired only 11 days after they notified management of the formation of the union at the factory, and given that MBI Haiti provided insufficient evidence to the WRC that these workers engaged in any behavior meriting dismissal in accordance with Article 42 of the Labor Code, *and* given that the Ministry of Labor has stated that union representatives should be given priority during staff reductions, the WRC found that the factory violated these workers' right to freedom of association when it dismissed the union leaders on April 14, 2023. The WRC's finding of this violation was supported by the findings issued by the Haitian Ministry of Labor and the BMST Ombudsman's office of Haiti.

Through documents shared by MBI Haiti, the WRC learned that the ILO Better Work Haiti factory monitoring program also found that the dismissal of the six workers to be a violation of these six workers' right to freedom of association. MBI Haiti shared communications demonstrating that representatives of the Bureau of International Labor Affairs of the U.S. Department of Labor (US DOL ILAB) contacted the factory regarding Better Work Haiti's finding. US DOL ILAB informed the WRC that it conducted a formal review of the dismissals and, in line with the findings of Better Work, Ministry of Labor, and the Ombudsperson's Office, US DOL ILAB recommended that MBI reinstate the six workers.

Representatives of US DOL ILAB reported to the WRC that, in February 2024, MBI management committed to rehiring the workers. In 2024 communications shared with the WRC by MBI Haiti, the factory informed US DOL ILAB officials that MBI Haiti was temporarily closed due to unrest in Haiti and confirmed that, as soon as the factory resumed operations, it would remedy the violations. The factory informed US DOL ILAB that it returned to operations after the temporary closure in April.

Representatives of the SOTA-BO union told the WRC that a meeting was held between MBI Haiti, the union, and the Labor Ombudsperson's Office on May 13, 2024. At this meeting, MBI Haiti informed the union that it would hire the workers as new employees but would not reinstate them with their seniority or make any payment of back wages to the workers for the more than one year that they had been unemployed following their dismissals. Furthermore, MBI Haiti reportedly informed the workers that, as a condition of their reinstatement, they would be

⁶ Labor Code of Haiti, Article 225, <https://webapps.ilo.org/dyn/travail/docs/609/Labour%20Code%20of%20Haiti.pdf>.

⁷ Labor Code, Article 50.

⁸ International Labour Organization (ILO), Convention on Freedom of Association and Protection of the Right to Organise (Co87), ratified by Haiti in 1979, https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::p12100_instrument_id:312232.

⁹ Letter issued by Haitian Ministry of Labor to private sector employees, citing specifically the text of ILO Recommendation 143 on Workers' Representatives, May 4, 2017 (copy on file with the WRC).

required to discontinue their membership in the SOTA-BO union, which represented a further violation of the workers' associational rights.

The workers informed the WRC that they did not accept this offer as they rightly noted that it did not fully remedy the violations of their rights that MBI committed. As noted below, adequate remediation of unlawful firings requires unconditional reinstatement of the workers to their former positions, with seniority to the original date of hire, and with payment of back wages from the dates of the workers' dismissals to the date that they receive an offer of reinstatement.

While the workers did ultimately return to the factory, MBI Haiti only paid them a portion of the back wages they were owed for the period between their termination and their reinstatement. The WRC found, therefore, that, under Haitian and international labor law and, by extension, the City of Los Angeles' and City of San Francisco's "Sweat Free Procurement" Ordinances, both MBI Haiti's dismissal of the six worker union leaders and its subsequent refusal to adequately correct these firings represented violations of these workers' right to freedom of association.

B. Illegal dismissal of workers leaders for attending GOSTTRA union meetings

The WRC's investigation at MBI Haiti also found that factory management conducted mass retaliatory firings in the month of April 2023 of worker leaders of a plant-level union in Haiti known as GOSTTRA (in English, the Textile Export Workers' Association).

A few days prior to dismissing the worker leaders, a factory manager reprimanded one of these plant-level union leaders for wearing a union polo shirt to work. The worker reported to the WRC that she wore this shirt because she would be attending an offsite labor rights training later the same day as a representative of the union.

A few days after this incident, the same worker leader organized a meeting in the factory's break area, during the daily lunch break, with seven other workers who were members of the GOSTTRA leadership committee at MBI Haiti. The workers reported that, while they were holding this meeting, a factory manager stood near them and filmed the participants on a cell phone camera.

Several days later, MBI Haiti dismissed six workers from the GOSTTRA union's seven-member leadership committee who attended the meeting. The dismissals were part a layoff affecting 53 employees, out of a total factory workforce of approximately 1,500 employees.

The WRC consulted with a professional statistician who indicated that the probability that a layoff affecting less than 4% of the factory's total workforce (53 out of 1,500 employees) would naturally result in the dismissal of six out of seven (86%) of the workers who made up the union's leadership committee is less than one in 10,000 (0.01%).

When confronted with the WRC's preliminary findings, MBI Haiti claimed that, when it decided to dismiss these workers, it had no idea that any of the factory's employees were affiliated with the GOSTTRA union. However, the WRC reviewed documentary evidence indicating this claim was false, including that:

- The factory workers' affiliation with this union has been publicly reported since 2017; and
- In 2020, the factory management had already dealt with the GOSTTRA union in relation to a previous attempt by the factory to terminate *the same worker leader* who subsequently was fired in 2023, after being reprimanded by a manager for wearing a union shirt and organizing a lunchtime union meeting.

The dismissals of the GOSTTRA union leaders occurred in the same month that the factory fired the workers leaders from the SOTA-BO union, as detailed in Section III.A of this report.

Given the totality of the evidence above, the WRC found that MBI Haiti's claim that it was not aware that the workers were leaders of the GOSTTRA union when it selected them for layoff, and its denial that it targeted these workers for firing *en masse*, lacked credibility, and, therefore, that their firing violated these workers' associational rights.

As outlined above, Haitian law protects the right of workers to freedom of association and prohibits employers from terminating employees for their union activities.¹⁰ Furthermore, Haiti has ratified ILO conventions that protect these fundamental worker rights.¹¹ The Haitian government has also issued guidance for employers as to how to comply with ILO Conventions in the case of staff reductions establishing that union leaders have preference for continued employment.¹²

MBI Haiti violated these standards when it discriminatorily targeted for termination the worker leaders of the GOSTTRA union at the factory. Moreover, the factory's subsequent refusal to remedy these violations, by reinstating the workers and providing them with backpay for the period since their terminations, contravened the City of Los Angeles' and the City of San Francisco's Ordinances.

IV. Corrective Action and Current Status

The WRC recommended to MBI Haiti and to the factory's buyers that the following remedial actions were required in order to fully comply with Haitian law, international labor standards, the buyers' codes of conduct, and the cities' ordinances:

- 1) Full payment of all outstanding back wages to the members of the SOTA-BO union who were fired in April 2023 and then reinstated in May 2024, but only with partial payment of back wages.
- 2) Reinstatement to each of the six fired GOSTTRA worker union leaders to positions that are equivalent to those that they held at the factory prior to their dismissals, with their seniority restored to their original date of hire and full payment of back wages from the date of the dismissals to the date of an offer of reinstatement.

¹⁰ Labor Code, Article 50.

¹¹ ILO Convention 87, ratified by Haiti in 1979.

¹² Letter issued by Haitian Ministry of Labor to private sector employees, citing specifically the text of ILO Recommendation 143 on Workers' Representatives, May 4, 2017 (copy on file with the WRC).

In October 2024, following extensive engagement between the WRC and Cintas Corporation (which, as noted, is a buyer of apparel from the factory that is not covered by the Ordinances) MBI Haiti made full payments of the outstanding back wages owed to the SOTA-BO union leaders, thereby fully remedying the violations that were committed against this group of workers.

However, to date, and despite extensive engagement by the WRC with City contractors and subcontractors, with Cintas Corporation, and with MBI Haiti, itself, the factory has made no commitment to remedy the violations that occurred with regard to the GOSTTRA union leaders. There has been no offer of reinstatement or payment of back wages for these six workers.

In August 2025, Workwear Outfitters, which had supplied apparel made at MBI Haiti to the City of Los Angeles's vendor, Galls, LLC, and to the City of San Francisco's vendor, Banner Uniform Company, informed the WRC, through Benner Uniforms, that it had ceased sourcing from MBI Haiti.

Cintas Corporation, for its part, has not indicated that it has ceased sourcing apparel from MBI Haiti, and has refused to require the factory to correct the termination of, and failure to pay back wages to, the fired members of the GOSTTRA union. The WRC continues to call on Cintas Corporation to correct these violations of Haitian law, international labor standards and its own supplier code of conduct.