UW President’s Advisory Committee on Trademarks and Licensing (ACTL) Minutes  
November 19, 2020, 1pm – 2pm  
Remote meeting via Zoom

Attendees: Brian Bowsher (Intercollegiate Athletics), Bryan Daisley (UW Marketing & Communications), Kim England (Geography Faculty), Jasmine Fernandez (ASUW), Debra Glassman (Foster Business School Faculty), Mary Gresch (UW Marketing & Communications), Sam Harasen (UW Trademarks & Licensing), Rhonda Johnson (SEIU Local 925 President), Sebastian Lopez Vergara (GPSS), Paula Lukaszek (WFSE Local 1488 President), Michael McCann (Political Science Faculty, co-chair), Riddhi Mehta-Neugebauer (USAS, co-chair), Emma Wilson (ASUW)

**Relevant Acronyms**
- CLC – our licensing agent
- T&L – UW Trademarks and Licensing Department
- FLA – Fair Labor Association
- WRC – Workers Rights Consortium
- CSR – Corporate Social Responsibility
- XUAR – Xinjiang Uyghur Autonomous Region – an autonomous region in China

1. **Introductions**

The meeting was called to order at 1:03pm and the co-chairs welcomed everyone to the meeting virtually over zoom. Introductions were made for each attendee.

2. **Licensee Update**

In accordance with UW ACTL’s 2019 performance measurers, CLC has completed their factory disclosure database (to enhance transparency) which provides a central clearinghouse of licensee information for universities. Moreover, CLC has launched an online licensee renewal system. Notably, this system provides a licensee profile which gives a sense of how active they are with the FLA and it records the last time they updated their entry in the database. This online renewal process is saving the UW T&L staff lots of time. CLC is also working on better integrating diversity disclosure of licensees in the database. CLC has adopted supply chain reconciliation measures during audits to enhance accountability.

Also in accordance with our performance measurers, CLC is continuing to conduct staff training on human rights to improve their understanding of CSR.

In the first quarter of 2022, CLC is aiming to enhance their database by assigning CSR scores to every licensee. This score would be based on a CSR questionnaire that factors the licensee’s code of conduct alignment, factory compliance, financial data, and audit data. The CSR questionnaire will be tailored to the licensee’s industrial sector (promotional products; blank goods; direct). Each licensee will be required to upload supporting documents to the database, thereby reducing the need for T&L staff to gather this information from various partners. This centralization of information – or one-stop-shop - is another advantage of CLC’s CSR-related development.

CLC/WRC is monitoring the impacts of COVID-19 on the collegiate manufacturing supply chain. A significant number of factories are in dire financial constraints due to order cancellations and the lack of demand. The WRC will upload an update on this issue later this month. All licensees are encouraged to pay for all products that have already been produced to help mitigate financial losses. Factories in Bangladesh and Cambodia have been most affected by COVID-19.
The forced labor crisis in XUAR, China is a major concern for UW and our partners. Although the issues facing the Uyghur community are much bigger than those related to the global apparel industry, it is a major area of focus for UW and ACTL. The WRC has asked all licensees to remove any cotton that originates in XUAR from their supply chain by July 2021. WRC and CLC have issued guidelines and a webinar for how licensees can comply with this recommendation. UW is asking licensees to update the disclosure database for information about where their raw material is coming from. At this time, no additional action needs to be taken by ACTL on this issue, but there might be more opportunity in the coming summer.

CLC has also made a public commitment statement to CSR, which is something we pointed out was lacking earlier. With all the CSR-related growth and development at CLC, the upcoming winter and spring quarters present opportunities to review CLC’s adherence to our previously recommended performance measures. We should look into asking CLC to give us an updated overview of their database. In the past, we have learned a great deal from CLC and the growing symbiotic relationship we are developing with them is promising.

3. Environmental Update (Sam)
Currently, licensees that want to partner with UW are asked to complete Sumerra’s Sustainable Manufacturing Assessment Questionnaire (SMAQ), which has a few environmental impact questions at the licensee level. However, if we want a deeper understanding of the environmental impact through the supply chain, then we will have to request licensees complete Sumerra’s Ethical Supplier Engagement Program (ESEP). The ESEP conducts a one-day audit of a factory and provides a labor and a health, safety and environment (HSE) score. The environmental portion of the audit covers issues related to air quality, hazard and solid waste, and waste water, among other factors.

Both the SMAQ and ESEP are do not cost UW anything. But the SMAQ costs licensees $475, whereas the ESEP costs licensees $2530 per audit per factory, which might be a prohibitive or a deterrent to some licensees.

To improve our understanding of the environmental impacts within our supply chain one promising avenue is to work with the CLC’s efforts to develop a new CSR questionnaire for their database. CLC wants to hear from universities about which questions matter to us. This is an important opportunity to engage with CLC on molding questions related to environmental impact. Furthermore, the CSR questionnaire will give us a good snapshot of the licensee’s overall operations. If the score that CLC assigns a licensee is below some minimum, we can refer the licensee to ESEP for further auditing.

Michael suggested that we spend some time developing relevant environmental impact questions to ask licensees. We have had some preliminary conversations with a few UW faculty experts about this issue so we should follow-up with them to see if/how they can engage on these issues further.

ACTL also established a working group to investigate how to improve our environmental impact licensee oversight. If ACTL members are interested in being involved, they should send an email to the co-chairs. In the meantime, Sam will share a bit more about Sumerra’s SMAQ and ESEP standards with the Committee.

Michael also mentioned the likely need to review UW Trademarks and Licensing’s Code of Conduct as any mention of the environment is focused on occupational health and safety, and not necessarily on climate change/sustainability issues. This can be a project we adopt once we have a better sense of what our goals related to environmental oversight actually are. Broadening the scope of what is meant by “environment” in our Code for licensees is a small step, compared to broadening the scope of ACTL to include procurement (see prison labor update below).
4. **Prison Labor Update (Michael)**

Recognizing the growing concerns around mass incarceration, UW students, faculty, and staff have made various efforts to improve working conditions for incarcerated individuals. However, this issue moves ACTL beyond licensing, and into the realm of procurement. The UW spends $7-10 million annually to acquire products manufactured in prisons. The working conditions for incarcerated individuals are terrible, wages are degradingly low, and the labor is not voluntary. Paula mentioned that incarcerated laborers are doing the work of some WFSE 1488 members (e.g., moving furniture into university dormitories). These individuals are poorly paid and have no labor protections. Yet, prison labor does provide opportunities for incarcerated individuals to learn new skills and generate income. Thus, rather than abolishing prison labor, ACTL is interested in reviewing how the UW can use its consumer power to improve working conditions for incarcerated individuals.

USAS (who is in touch with incarcerated individuals) and WFSE 1488 are a couple of the UW organizations interested in working on this issue. WRC thinks that ACTL working to improve prison labor conditions is a valuable goal, but recognizes that there are no examples of successful efforts to build from. By embarking on this project, we are in many ways, breaking new ground. We could also work with peer ACTL-like organizations at other universities to advance a collective effort.

President Cauce has stated her desire to hear from incarcerated individuals about what they would like us to advocate for. However, COVID-19 has limited communication with incarcerated individuals.

ACTL agreed to create a working group that would work independently, but alongside ACTL to explore these issues and develop resources we can employ around improving prison labor conditions. If the working group finds that it would be advisable to amend ACTL’s charter to expand the scope from trademarks and licensing to include procurement, President Cauce would be amenable to it. But at the moment, it does not make sense to reconstitute ACTL’s charter. President Cauce recognizes the value of prison labor, but is also interested in improving wages for incarcerated individuals. Again, interested members should email ACTL co-chairs.

5. **ACTL Website Review (Riddhi)**

UW ACTL’s website is now updated to reflect our history, as well as current/ongoing projects, membership, licensees, and external partners.

6. **ACTL Budget – (Bryan/Mary)**

Bryan Daisley mentioned that ACTL is no longer facing a deficit and has an annual budget of $2,000. This is more of a guideline budget, so as to enable us to accomplish the goals of ACTL. In the past, ACTL’s budget has been spent on hosting conferences and supporting research assistants. We may find need for research assistants moving forward, particularly in our working groups (e.g., hiring USAS students or Bridges Center affiliated students to solicit ideas from campus experts and conduct additional research).

**Next Steps**

- Share Sumerra’s SMAC and ESEP information – by the end of the November 2020
- Share WRC/CLC XUAR video with ACTL – by the end of the November 2020
- Meet with CLC about disclosure database and CSR survey – Winter 2021
- Consider updating UW T&L Code of Conduct to include environmental/climate change measures – Spring 2021 (or later).
- Ask Liz Kennedy from University of California to provide an overview of their experience with EcoVadis – Winter 2021?
- Work with UW experts or other university allies to identify environmental impact questions to ask within our supply chain. Present these questions to CLC – ongoing
- Prison Labor Working group identifies goals for the coming year - ongoing