

York University - Code of Conduct for Licensees

York University wishes its names and marks to be associated with products produced under legal and fair labour conditions. Therefore, York University requires its licensees to manufacture or imprint merchandise which has been produced under these conditions. Licensees are required by agreement to exercise due diligence in ensuring such practices both in their own and in their contractors and suppliers' workplaces, and shall comply, and cause their contractors and suppliers to comply, with this Code of Conduct.

I. Scope and Application

This Code of Conduct applies to all licensees of York University's names and marks.

II. Definitions

The following terms have the meanings as set out below:

"licensee" means a person or entity which has entered a written licensing agreement with York University to manufacture products bearing the name, mark or image of York University and includes each contractor of such person or entity;

"contractor" includes a sub-contractor, vendor, and manufacturer which is engaged in a manufacturing process that results in a finished product for the consumer.

III. Standards

1. Compliance with Laws

Licensees shall comply, at a minimum, with all applicable legal requirements of the country in which products are manufactured. Where this Code of Conduct and the applicable laws of the country of manufacture conflict or differ, the higher standard prevails.

2. Ethical Principles

Licensees shall commit to conduct their business according to generally accepted ethical principles including but not limited to honesty, integrity, trustworthiness and respect of each human being.

3. Forced Labour

Licensees shall not use forced labour including forced prison labour, indentured labour, bonded labour or other forced labour.

4. Child Labour

Licensees shall not employ any person who is younger than 15 (or 14 where the law of the country of manufacture allows) or younger than the age for completing compulsory education in the country of manufacture where such age is higher than 15.

5. Harassment and Discrimination

- (a) Licensees shall exhibit a commitment to human rights, and, in particular, to the principle that every employee has a right to equitable treatment without harassment or discrimination on the grounds of race, creed, colour, ethnic origin, citizenship, age, sex, sexual orientation, marital status, family status, nationality, ancestry, place of origin, handicap and record of offenses as prohibited under the Ontario Human Rights Code.
- (b) Harassment and discrimination includes termination or disciplinary action of an employee due to pregnancy, maternity leave, or refusal to use contraceptives.
- (c) Licensees shall not use or tolerate any form of corporal punishment.

6. Health and Safety

Licensees shall provide workers with a safe and healthy work environment including any residential facilities provided to workers, and must, at a minimum, comply with local and national health and safety laws and any conventions ratified and adopted by the country in which the work environment is located.

7. Freedom of Association and Collective Bargaining

Licensees shall recognize and respect the right of employees to freedom of association and collective bargaining with the bargaining representatives of their own choice. Licensees shall not harass, intimidate or retaliate against any employee for exercising that right.

8. Wages and Benefits

Licensees acknowledge that wages are essential to meeting employees' basic needs. Licensees shall pay employees at least the minimum wage required by local law, the prevailing industry wage or living wage, whichever is higher, and shall provide legally mandated benefits.

9. Hours of Work

Licensees shall not require hourly and quota-based wage employees to work more than the lesser of (a) 48 hours per week or (b) the limits on regular hours allowed by the law of the country of manufacture. Licensees shall provide employees with at least one day off in every seven day period, as well as holidays and vacations.

10. Overtime Compensation

Licensees shall compensate employees for overtime hours in addition to compensation for regular work hours at such premium rate as required by the law of the country of manufacture or in those countries where such laws do not exist, at a rate at least equal to their regular hourly compensation rate.

IV. Remediation

1. If a licensee has failed to self-correct a violation of this Code of Conduct, York University shall consult with the licensee to determine appropriate corrective action. The remedy, at a minimum, shall include requiring the licensee to take all steps necessary to correct such violations including, without limitation: paying all applicable back wages found due to workers who manufactured the licensed articles, and reinstatement of any worker found to have been unlawfully dismissed.
2. If agreement or corrective action is not reached or the action does not result in correction of the violation within a specified reasonable time period, York University reserves the right to require that the licensee terminate its relationship with any contractor, subcontractor, or manufacturer that continues to conduct its business in violation of the Code of Conduct, or terminate its relationship with any licensee that continues to conduct its business in violation of the Code of Conduct. In either event, York University shall provide the licensee with thirty (30) days written notice of termination.

V. Disclosure and Reporting

1. Information about licensees including but not limited to names, names and addresses of officers and directors, contact information, and nature of business association of contractors shall be made publicly available by York University.
2. Licensees shall report immediately to York University any changes in its business operations which materially affect the application of this Code of Conduct, such as the selection of a new factory and this information is to be publicly available.

VI. Verification

1. Licensees shall provide written assurances that they have adhered to this Code of Conduct and the summary of the steps taken or difficulties encountered during the preceding year in implementing and enforcing this Code of Conduct.
2. York University and its licensees shall undertake efforts to determine and clearly define the obligations associated with the development of adequate methods and training for independent external monitoring, as guided by this Code of Conduct.

VII. Amendment

This Code of Conduct is subject to amendment to reflect any subsequently developed standards either by York University or another licensing or monitoring organization whose code York University chooses to adopt.

VIII. Transition

1. Licensees shall adhere to this Code of Conduct within six (6) months of notification and as may be required in applicable license agreements.
2. In countries where law or practice conflicts with the standards of this Code of Conduct, licensees shall consult with governmental, human rights, labour and business organizations, and take effective actions as evaluated by York University, to achieve full compliance with each of these standards.
3. Licensees shall take reasonable steps to minimize the negative impact on any employee released from employment as a result of implementation or enforcement of this Code of Conduct.