



Students & Scholars Against Corporate Misbehaviour

Telephone: (852) 2392 5464 Fax: (852) 2392 5463

Email: sacom@sacom.hk Website: www.sacom.hk

Mailing Address: P.O. Box No. 79583, Mongkok Post Office, HONG KONG

Mr. Tim Cook
CEO
Apple
1 Infinite Loop
Cupertino, CA 95014
United States of America

Dear Mr. Tim Cook,

We the undersigned students and scholars categorically demand Apple to ensure decent working conditions at Apple suppliers.

When confronted with escalating criticism of Apple's unethical labour practices, you responded, "We care about every worker in our worldwide supply chain. Any accident is deeply troubling, and any issue with working conditions is cause for concern." But promises without action are merely empty rhetoric. Apple's code of conduct clearly states, "Apple suppliers must uphold the human rights of workers, to treat them with dignity and respect as understood by the international community." The investigative reports of Students & Scholars Against Corporate Misbehaviour (SACOM) reveal that Apple suppliers are not complying with this code of conduct. In 2010-2011, SACOM issued 5 research reports¹ that documented labour rights violations at Apple suppliers in China, including Foxconn and Wintek. These violations are systemic problems, not isolated or unrelated incidents. We are frustrated with Apple's continued failure to implement institutional reforms to protect the human rights of workers.

Involuntary Labour

Owing to harsh management practices, the turnover rate at Foxconn is extremely high. To maintain the stability of the workforce and to meet production demands during the peak season, Foxconn hires tens of thousands student workers with the support of the local governments.

Vocational school students majoring in subjects such as tourism, language, and journalism, end up doing "internships" at Foxconn for 3-12 months. According to the reports in *China Daily*, an English newspaper published in China, the Henan government has scheduled 100,000 students to work at Foxconn as "interns" in 2010.² And this year, the government intends to recruit 100,000

¹ *Apple Owes Workers and Public a Response over the Poisonings* (May 2010); *Workers as Machines: Military Management in Foxconn* (Oct 2010); *More Workers are Poisoned by Apple* (Oct 2010); *Foxconn and Apple Fail to Fulfill Promises: Predicaments of Workers after the Suicides* (May 2011); and *iSlave behind the iPhone: Foxconn Workers in Central China* (Sep 2011). The reports are downloadable at Students & Scholars Against Corporate Misbehaviour's website at www.sacom.hk.

² Hu Yinan and Wang Yu, "Foxconn mulls move northward", *China Daily*, 29 June 2010.

new workers for Foxconn and has contacted 100 vocational schools.³ The so-called “internship” is a sham as it has no relevance to the students’ studies. Furthermore, it is not voluntary. Foxconn even requests school teachers stationed at the factory compound to monitor the attendance of the students. Some students even complain that if they refuse the “internship” at Foxconn, they will be forced to drop out of school.⁴ It is evident that this use of student workers is a form of involuntary labour, which is supposedly prohibited by Apple. Disappointingly, in Apple’s Supplier Responsibility Report, the use of student workers is not mentioned at all.

Exposure to Hazardous Environments

Over 137 workers at Wintek were poisoned in 2009 by n-hexane, a chemical used for cleaning the touchscreens of iPhones. Some of the victims were hospitalized for over 9 months due to nerve damage. When they were discharged from the hospitals, they still suffered from weak limbs. Apple eventually acknowledged the case in early 2011 in its Supplier Responsibility Report but ignored the demands from the victims. The Wintek case reveals the threat of occupational diseases at Apple suppliers. Furthermore, when SACOM conducted offsite interviews with Foxconn workers, nearly all the respondents had no knowledge of what kind of chemical they were using or what the potential harm to them might be. Some workers complained of skin allergies or headaches as a result of the working with the chemical, but they could only choose between enduring the problem or resigning.

Besides occupational diseases, industrial injuries at Apple suppliers are equally appalling. In May 2011, a deadly explosion occurred in the polishing department at Foxconn’s plant in Chengdu, killing 4 workers and injuring 18. Seven months later, another blast occurred at Riteng Computer Accessory in Shanghai. 59 workers were injured. Both explosions were triggered by the combustible dust of the shop floor. Although Apple claims, “Suppliers must be committed to creating safe working conditions and a healthy work environment for all of their workers,” the reality is that workers at Apple suppliers are constantly exposed to unsafe working environments, at risk of being poisoned or injured due to Apple’s negligence in ensuring compliance with its own standards.

Harsh Management Methods

In 2010, at least 18 Foxconn workers attempted to commit suicide, 14 of whom died. In May 2010 alone, there were 7 cases of suicide attempts at Foxconn’s factories in Shenzhen. Reports of these suicide attempts led the public to begin questioning what made these workers want to end their lives. Many Foxconn workers shared that they feel like machines and are continually insulted by the management. They reported that they are sometimes required to write confession letters and to copy quotes from the CEO, Terry Gou. Workers at the new Foxconn factory in Chengdu were forced to undergo “military training”⁵. Workers believed it was a means to indoctrinate them into a system of absolute obedience. Some supervisors yelled at the new workers, “If you cannot endure this little hardship, then you can leave Foxconn immediately!” Although Apple’s code of conduct stresses that workers should be treated with respect and dignity, that has not been the experience of employees at Foxconn’s factories.

³ Victoria Ruan, “City to aid in Foxconn’s recruiting”, *China Daily Hong Kong Edition*, 26 December 2011.

⁴ Hu Yinan, “Students ‘forced’ to work at Foxconn”, *China Daily*, 26 June 2010.

⁵ According to the interviewees, new workers have to line up and follow commands from the supervisors to turn right, turn left, and chant slogans. Workers have to stand all day outdoors during the training.

Excessive and Forced Overtime

During the peak season, the work shift for Foxconn workers is 10 hours per day, 6-7 days per week. Sometimes, workers have to skip the second meal break in order to reach the factory's production target. Workers reported that overtime work is mandatory. When a worker does not show up for one of the overtime shifts, without the permission of the supervisor, it is regarded as work stoppage. The worker will then not be allocated any overtime work for a month. This means that the worker will only be able to earn the base salary, which is not enough for basic survival. Chinese Labour Law limits monthly overtime work to 36 hours. But when there is an influx of orders, overtime work can increase up to 100 hours per month, almost 3 times the legal standard. The majority of the workers have to stand while at work and grow weary from their long shifts. Some workers reported that they feel so exhausted at the end of their shifts, they don't even want to talk to or interact with their peers.

Company Union

Hotline and care centre, set up by Foxconn in the aftermath of the suicides to provide counseling services to workers, are not meaningful substitutes for a genuine union to resolve labour disputes. There is an official trade union at Foxconn, but most of the workers do not know about the role of the union. Those who have heard about the union do not trust it, because they perceive that the union serves the company rather than the workers. None of the workers know how the union is formed or how its representatives are selected. Apple states that it respects freedom of association, but the failure to facilitate the formation of unions whose representatives are selected by the workers is the major obstacle of freedom of association. If Apple is sincere in its professed respect for freedom of association, it must facilitate democratic elections in the unions at its suppliers.

We are greatly disconcerted by the inhumane working conditions at Apple suppliers. With all its success in the global marketplace, Apple undoubtedly has ability to rectify these problems. It is simply a matter of commitment. We strongly demand that Apple:

1. end the use of student workers;
2. provide a living wage for all the workers so they do not have to work excessive overtime hours;
3. conduct labour rights training for workers, including training on occupational health and safety;
4. facilitate the formation of a genuine trade union through democratic election; and
5. compensate the victims if there is non-compliance with the Apple code of conduct.

We look forward to the public statement by Apple in response to our demands by 30 March 2012!

Thank you!

Yours sincerely,