LULULEMON’S CONUNDRUM
GOOD CORPORATE SOCIAL RESPONSIBILITY INITIATIVES AND THE PERSISTENCE OF FORCED LABOUR

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EXECUTIVE SUMMARY

Despite being recognized as an industry leader when it comes to disclosing information about their supply chains, policies, and actions taken to address forced labour, in 2020 Lululemon was accused of using cotton produced with forced labour from the Uyghur people who reside in the Xinjiang region in China. This report focusses on Lululemon’s corporate responsibility initiatives to eradicate forced labour in its supply chain. In addition to shedding light on Lululemon’s conundrum, the Report presents a baseline study of Lululemon’s initiatives before the Canadian government introduces a modern slavery law imposing disclosure requirements on large Canadian companies. Lululemon is covered by modern slavery laws in California, the UK, and Australia.

The Report provides a detailed mapping of Lululemon’s business and supply chain based on publicly available data. Lululemon does not own or operate any of its manufacturing or raw materials facilities. The company’s first-tier manufacturing vendors are in 17 countries. Little information is provided about Lululemon’s raw material suppliers. The available information indicates that Lululemon sources its product primarily in countries with a record of extensive labour rights abuses.

Lululemon has four policies aimed at preventing and addressing modern slavery and human trafficking in its supply chains. The different policies range in scope of coverage from Lululemon Directors to workers in vendors’ facilities and employment agencies used by vendors to hire migrant workers. Lululemon relies on local laws in the sourcing country to determine many worker standards including freedom of association, collective bargaining, and addressing worker grievances. This is a problem given that the company sources from countries notorious for low labour standards and lax enforcement of labour rights. When it comes to assessing the effectiveness of Lululemon’s forced labour policies, a significant challenge of doing so stems from the fact that suppliers (and their subcontractors) are mainly responsible for ensuring key aspects of the policies and codes are upheld. As these systems are not made public, it is difficult to identify the strengths and weaknesses of the policies.
Lululemon has a significant number of codes and policies in place for their vendors to ensure that workers’ rights are respected. However, the reliance on the local laws of the jurisdiction in which suppliers reside, the delegation of responsibility to implement and monitor initiatives to eradicate forced labour to suppliers, the failure to provide a complete list of suppliers below the first tier, and the absence of key critical information pertaining to either supplier compliance with measures to combat forced labour or Lululemon’s purchasing practices makes it impossible to assess the effectiveness of Lululemon’s policies for tackling forced labour in its business and supply chain.

The report raises serious concerns about the effectiveness of corporate social responsibility initiatives to offer effective protection to workers at risk of forced labour. It also calls into question the effectiveness of current transparency laws as an effective tool for combatting forced labour in supply chains. Specific information regarding suppliers and their practices lower down the chain must be provided by lead companies before it is possible to evaluate the effectiveness of their initiatives to combat forced labour.
Lululemon Athletica (Lululemon), founded in Vancouver, Canada in 1998, is a for-profit apparel company specialising in athletic sportswear and training outfits. The company which began as a studio specializing in the design and sale of yoga outfits, started publicly trading in 2007,[1] and is now a multinational corporation (MNC) with over 500 stores in 17 countries, generating $4.4 billion USD in revenue in 2020. In addition to being a global apparel retailer, Lululemon is on its way to becoming an iconic Canadian company; it was the Official Outfitter of Team Canada for the Olympic Games in September 2021 and will remain as Team Canada’s exclusive sportswear supplier in the Olympics until the 2028 Los Angeles Games.[2]

Lululemon also strives to be, and is recognized as, a leader in corporate social responsibility and sustainability initiatives. It was ranked first of 129 leading companies for its measures to address forced labour risks in its business and supply chains by KnowTheChain.[3] Using a methodology based on the UN Guiding Principles on Business and Human Rights, the 2020/2021 KnowtheChain Benchmark report praised Lululemon’s efforts in disclosing supplier information to the public, its implementation of responsible recruitment initiatives, and its efforts to improve

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worker freedom of association. It also commended Lululemon’s efforts to redress grievances through confidential worker interviews, dismissal of abusive supervisors, and training sessions for first and second-level suppliers on risks of forced labour.

Despite world-leading policies and initiatives to identify, redress, and eradicate forced labour in its supply chains, Lululemon has been accused of using cotton produced with forced labour from the Uyghur people who reside in the Xinjiang region in China in its athletic wear.\[4\] How can this be the case?\[5\] It is important to understand that a high score in its benchmark rankings does not mean that a company has “slavery-free” supply chains. KnowtheChain explains that a high score means that a company has publicly disclosed substantial efforts to address the forced labour risks in its supply chain. Indeed, it assumes that leading apparel and food processing firms employ forced labour in their supply chains.

This study of Lululemon’s corporate responsibility initiatives focuses on labour rights, especially the prohibition of forced labour and modern slavery. Our aim is to provide a baseline study of a leading Canadian corporation’s Corporate Social Responsibility (CSR) initiatives directed at eliminating forced labour and labour rights violations before the federal government introduces a mandatory disclosure or due diligence law requiring Canadian businesses either to disclose the efforts they have taken to rid their businesses and supply chains of forced labour, or to exercise due diligence to eradicate forced labour. We selected Lululemon in 2020, before KnowTheChain released its 2020/2021 Benchmark, because the company is required to submit modern slavery statements under the California, Australia Commonwealth, and UK Modern Slavery Acts as Lululemon operates in these jurisdictions and is thus covered by these laws.\[6\] Given that Lululemon is recognized as using best practices to combat forced labour in the high-risk apparel sector, our goal is to itemise and evaluate the policies and procedures the company has put in place.

We begin by setting out our methodology in section 2. In section 3, we provide the broader context for our focus on Lululemon, explain what CSR initiatives are, link them to the endeavour
of mapping supply chains, and identify the main criticism of such initiatives. Section 4 follows
with a narrative mapping of Lululemon’s business and supply chain based on publicly available
data, while section 5 discusses Lululemon’s Codes of Conduct, Vendor Codes of Ethics, and other
worker standards, focusing on the interaction between forced labour and effective labour standards.
The auditing and monitoring measures undertaken by Lululemon are briefly discussed in section 6
before concluding the discussion in section 7, which raises questions about the effectiveness of
transparency laws.

2. METHODOLOGY

We offer a qualitative case study of the measures taken by Lululemon to rid its business and
supply chains of forced labour. Since many key business and corporate documents are
confidential, the report is based exclusively on Lululemon’s documents in the public domain.[7]

Key publicly available Lululemon documents are the Vendor Code of Ethics and Benchmark, the Global Code of Conduct and Business Ethics, the Foreign Migrant Worker Standard, supplier lists, and modern slavery statements required under the UK Modern Slavery Act and the California Transparency in Supply Chains Act.[8] Lululemon’s supplier codes of conduct are available in the public domain, and other key data is available on Lululemon’s website and in public press releases. We reviewed these documents in concert with academic and grey literature (such as reports by social auditors and newspapers) to paint as complete a picture as possible of the initiatives taken by Lululemon to tackle forced labour in its supply chain.
3. CORPORATE SOCIAL RESPONSIBILITY (CSR) AND SUPPLY CHAIN MAPPING

To evaluate Lululemon’s efforts and policies to combat forced labour in its business and supply chains, it is important to place them in the context of CSR initiatives, to explain the process of corporate mapping and how it relates to CSR, and to identify some of the key criticism of labour-related CSR initiatives.

Beginning in the 1980s, MNCs, primarily located in developed countries in the Global North, moved away from vertical integration, in which production was organised in one firm, to sourcing production through a chain of subsidiaries and suppliers in developing countries with weak labour and human rights laws, weak law enforcement mechanisms, or both. Global supply chains (also known as “value chains”) transcend national borders and offshore production and supply by carefully choosing venues based on direct economic costs and the local legal regimes. Production and distribution are “disaggregated, geographically dispersed and contractually coordinated” through a chain of suppliers, contractors, and subsidiaries.[9]

MNCs have constructed complex supply chains by taking advantage of the differences in costs, the availability of low-cost labour, and state policies in different places around the world. [10] Since different participants in the chain are interdependent and suppliers depend on access to the chain, large buyer firms have extraordinary bargaining power over suppliers and states. The geographic flexibility of multinational corporations at the top of the chain enables them to engage in regulatory arbitrage and to extract large markups at the expense of consumers, suppliers, and workers in the Global North and South.[11] The two key features of supply chains – the fragmentation of production and its geographic dispersion – distance lead firms from legal liability for the violations of the rights of workers employed further down the chain. These strategies enable lead firms to escape the regulatory reach of territorially based legal jurisdiction.
International public law, on the other hand, does not provide for effective regulation of MNCs and their supply chains. Although the International Labour Organization’s (ILO) and United Nations’ (UN) conventions provide strong normative foundations for human and labour rights, the associated enforcement mechanisms are weak. Moreover, international human and labour rights do not apply directly to private corporate actors.[12]

The combination of territorially based labour laws and the weak enforcement mechanisms of international labour and human rights law has resulted in what is known as a governance gap.[13] During the 1990s, MNCs developed Corporate Social Responsibility (CSR) initiatives, a form of private self-regulation, as a way of bridging the governance gap by linking seemingly private corporate norms to public international law, especially international human and labour rights.[14] These “soft laws,” which include corporate codes of conduct for suppliers, social auditing, reporting, and certification programs, have proliferated and expanded over time. The goal of these CSR initiatives is to mobilise market forces in their attempt to hold MNCs accountable for upstream supply chains’ social and environmental harms.[15]
In 2008, the United Nations (UN) Human Rights Council embraced the “Protect, Respect and Remedy” Framework. This framework emphasized corporate responsibility to respect human rights, which means acting with due diligence to avoid infringing on the rights of others and to address adverse impacts that occur.[16] In 2011, the UN Human Rights Council endorsed the “Guiding Principles on Business and Human Rights” (UNGPs), which introduced the first global standard for “due diligence.” The UNGPs also provided a non-binding framework for corporate undertakings and to put their responsibility to respect human rights into practice.[17]

Under the UNGPs, a company’s due diligence obligations extend to the entirety of its supply chains.[18] This means that it is necessary for companies to map their supply chains in order to meet their due diligence obligations. Companies do map their suppliers, vendors, and subcontractors to ensure that their chains are resilient and competitive.[19] Thus, many companies treat supply chain information as proprietary.[20] Additionally, many companies outsource their supply chain mapping and management to not-for-profit and for-profit consulting companies such as Sourcemap, Vector, Aavenir and Sedex.[21] Hence, it comes as no surprise that some companies are unaware of their suppliers beyond the second tier.

Researchers and activists also rely on supply chain maps to trace the sourcing practices of companies to see if these practices can be linked to workers’ rights violations further down the chain. Researchers face a challenge in accessing information that companies consider to be confidential. Moreover, the process of identifying supplier networks and the actual mapping process is complicated, as there is no universally accepted set of conventions or procedures for mapping supply chains.[22] Thus, complexity of the mapping process and lack of public information about supply chain tiers contribute to the lack of accountability for labour standards violations in corporate supply chains.

However, there have been efforts by organizations such as Trase and Transparentem,[23] and researchers, to map corporate supply chains and enhance transparency to improve worker conditions and ensure ecological sustainability. In the apparel sector, WageIndicator Foundation
created a database of the supply chains of leading brands, from publicly disclosed data about their factories, in an effort to establish some degree of transparency regarding wages and working conditions in supply chains.[24] Researchers have developed supply chain maps based on specific in-depth case studies examining the interaction of value chains with actors in the chain.[25] Although there are examples of supply chains being drawn out for specific sectors based on in-depth case studies, it is a tedious and often impossible task to fully map the supply chain of individual corporations that have not publicly disclosed data regarding their factories, warehouses, suppliers and subcontractors.

The supply chain transparency acts such as the UK Modern Slavery Act and California Act on Transparency in Supply Chains have opened avenues for the public to access more information regarding suppliers and the measures taken by the corporations to tackle forced labour since companies are urged to report on the structure of their business and supply chains. The problem is that the company reports published under these laws often provide overly generalised data that are devoid of key information on their sourcing and labour practices making it non-verifiable.[26]

Concerned that the voluntary and private codes are neither independent nor strong enough to hold MNCs and their suppliers accountable for labour abuses,[27] civil society groups, such as Above Ground and the Canadian Network for Corporate Accountability, have pushed for third-party standards enforced by civil society coalitions. These Multi-Stakeholder Initiatives, which include the Ethical Trading Initiative and Fair Labor Association, are a second-generation of CSR, but they have not lived up to their promise of advancing rights holder protection against business-related abuses.[28]
4. CORPORATE MAPPING OF LULULEMON

Lululemon Athletica Inc ("Lululemon") was established in 1998 and is headquartered in Vancouver, British Columbia, Canada and incorporated in Delaware, USA. Lululemon is the parent company of Lululemon Athletica UK Ltd., Lululemon USA Inc., and Lululemon Athletica Australia Holding Pty. Ltd. and is therefore governed by the UK Modern Slavery Act,[29] the California Transparency in Supply Chains Act,[30] and the Australia Commonwealth Modern Slavery Act.[31] Lululemon operates over 500 stores in 17 countries with 86% of its net revenue coming from North America.[32]

**Figure 1. Lululemon’s financial status by end of 2020.**

In 2020, Lululemon received $37.1 million in various government COVID-related subsidy programs with funding from the Canadian and US governments being the most significant.[33] Meanwhile, in the same year, Lululemon’s total revenue grew by 11% to $4.4 billion and the company ended its fiscal year with $1.2 billion in cash, and debt free.[34]
Lululemon does not own or operate any of its manufacturing or raw materials facilities.[35] The company publicises a supplier list which discloses the names, locations, approximate size, and gender composition of its tier-one (finished goods) and tier-two (fabric mills) suppliers. The list also includes details of subcontractors used by Lululemon’s top-ten finished goods suppliers (whose services include printing, washing, laundry, and pleating). However, the list is only partial, making it difficult for researchers and advocates to fully map Lululemon’s supply chain. In addition to only publicising the names of some of its finished goods subcontractors, only 80% of its fabric mills are identified and information about its raw materials suppliers is absent.[36] Little information is publicly available about Lululemon’s raw materials suppliers.[37] This lack of transparency is concerning given that workers below the first tier may be at a higher risk of forced labour, especially when suppliers are pressured to meet buyers’ demands for low prices.[38]

Figure 2. The three tiers in the supply chain of Lululemon

Figure 3. The tier one supplier countries of Lululemon according to the supplier list published by the company in December 2021. The number of facilities in each country and the Global Rights Index (GRI) rating of the country follow the country’s name respectively in parenthesis.
According to Lululemon’s December 2021 supplier list and as depicted in the map in Figure 3, the company’s first-tier manufacturing vendors are located in 17 countries.[39] Figure 3. also shows the number of first-tier facilities in each of the supplier countries and their Global Rights Index (GRI) rating, created by the International Trade Union Confederation (ITUC) which measures the worst countries in which to work (with a rating of 5 being the worst).[40] The largest number of workers in this tier are found in Vietnam, Indonesia, and Cambodia. As depicted in Figure 4, Lululemon’s three single largest manufacturing vendors are in Indonesia (with 90% of workers being women), Vietnam (with 80% of workers being women) and Bangladesh (with 65% of workers being women). When it comes to tier two (fabric mills), Lululemon works with suppliers from at least seven countries, with the single largest facility found in Guangdong, China employing 3,001- to 3,500 workers (see Table 2 in Appendix).

Comparing the list of countries in which Lululemon’s products are made with the list of the worst countries for workers’ rights as measured by the Global Rights Index (GRI) shows that Lululemon works with suppliers in five out of the top-ten worst countries for workers’ rights violations (Figure 5.). This list includes Bangladesh, Colombia, Egypt, the Philippines, and Turkey.[41] These are countries with known state violence, restricted civil liberties, and outright
hostility and violence against trade unionists. According to the ITUC’s report, twenty-two trade union leaders were assassinated in Colombia between 2020-2021.[42] In Bangladesh, where one of Lululemon’s largest manufacturing vendors is located, police attacked garment workers in Dhaka who were protesting for unpaid wages and allowances in 2020.[43] Moreover, in 2020, the ITUC found Bangladesh labour courts had a three-year backlog with 18,000 worker complaints in the queue, a delay which undermines the enforcement of labour rights.[44] Finally, Vietnam, home to the largest number of Lululemon’s vendor facilities (26), has a workers rights ranking of four out of five (five being the worst) for having systemic violations of workers’ rights.[41] While Lululemon discloses a list of the majority of its tier-one and tier-two suppliers and subcontractors, going beyond what many garment companies do, the list is incomplete, which obstructs full supply chain accountability.

Finally, while Lululemon’s supplier list discloses the gender breakdown of the workforce, data on the proportion of migrant workers, or contract and temporary workers working in vendors’ facilities is not disclosed. The absence of such information makes assessing aspects of the company’s policies, particularly those relating to the use of temporary and contract work, impossible.
Lululemon has adopted a zero-tolerance stance towards forced labour in its supply chain. Its Code of Conduct proclaims:

We will not use forced or involuntary labor, child labor, or engage in human trafficking—nor will we tolerate any other individual or organization who engages in such practices. We are committed to a responsible supply chain, and all vendors must agree to uphold our ethical standards of production and adhere to our Vendor Code of Ethics.”[46]

Lululemon’s Code of Conduct is one of four policies aimed at preventing and addressing modern slavery and human trafficking in its supply chains. The different policies range in scope of coverage from Lululemon Directors to workers in vendors’ facilities and employment agencies used by vendors to hire migrant workers (see Figure 6.). We begin by summarizing the substance of the policies, followed by a brief review of how each policy is enforced. It is important to note the common limitation across all policies: each policy contains provisions that rely on local labour laws and standards in the country the vendor operates within which, as previously noted, is a shortcoming of most CSR initiatives since these standards may be inadequate for providing decent working conditions for workers. Moreover, relying on local enforcement of labour standards may be a problem. In fact, according to Lululemon, 26% of its initial assessments of vendors found labour violations related to hours of work, overtime, breaks, not providing contracts in workers’ languages, and lack of benefits and social insurance payments.[47]
Who is Covered: The Scope of Lululemon's Forced Labour Policies

- Directors/Officers
- Employees
- Contractors

Global Code of Conduct and Business Ethics (CoC)

Foreign Migrant Worker Standard (FMW Standard)
- Vendors
- Recruitment agencies/third parties used by vendors
- Migrant workers

Vendor Code of Ethics & Benchmarks (VCoE)
- Vendors
- Workers (including migrant, temporary, contingent, contract workers)
  - Prohibits use of homeworkers
- Subcontractors used by vendors
- Upstream suppliers
- Worker dormitories
- Employment agencies/intermediaries used by vendors

Figure 6. Who is covered under Lululemon’s policies against forced labour?
5.1. Global Code of Conduct and Business Ethics (CoC)

Lululemon’s Global Code of Conduct (CoC) sets out several expectations employees (including contractors as well as Lululemon directors and officers) are to follow. Lululemon describes its CoC as being its “highest ethical policy and sets out our zero-tolerance approach to practices of forced or involuntary labour, child labour, and human trafficking of any kind within our operations and supply chain.”[48] The policy outlines the expectation that Lululemon employees and vendors adhere to labour and employment standards in countries in which they operate.

5.2. Vendor Code of Ethics (VCoE) and Benchmarks

The Vendor Code of Ethics and its accompanying Benchmarks policy (hereinafter referred to as the “VCoE”) establishes zero tolerance for all forms of forced labour such as indentured and bonded labour, involuntary overtime, and prison labour.[49] The VCoE and its due diligence processes are used to assess the suppliers before including them in the company’s supply chain. This mandatory assessment is used by Lululemon to keep track of their supply chains. They establish long-term relationships with suppliers and have measures in place for regular VCoE assessments. Lululemon’s VCoE was modelled after several international standards and guidelines, including the ILO’s Declaration of Fundamental Principles and Rights at Work, the OECD Due Diligence Guidance for Responsible Supply Chain in the Garment and Footwear Sectors, and others.[50] The VCoE applies to Lululemon vendors, upstream suppliers, worker dormitories, and vendors’ subcontractors; however, it is the responsibility of vendors to ensure subcontractors are compliant.
The VCoE outlines the rules Lululemon vendors and subcontractors are to follow, including not engaging in employment discrimination, following minimum employment and health and safety standards, respecting employees’ rights to collective bargaining and organizing, and additional matters that shape employment conditions. Under a section of the policy named “Employment is Freely Chosen,” Lululemon outlines the following practices expected of vendors and subcontractors:[51]

- **Freedom in Employment:** outlines a worker’s right to i) enter into and end employment freely, ii) enter into employment terms freely, and iii) prohibits vendors from withholding wages as a form of penalty or punishment, etc.
- **Debt/ Bonded Labour:** prohibits vendors from requiring workers to pay a deposit for employment or continuing employment (also extends to employment agencies or intermediaries used by Lululemon vendors).
- **Freedom of Movement:** prohibits vendors from preventing workers from leaving the workplace. “No terms imposed by the employer or any employment agency or intermediaries shall confine or restrict employees’ freedom of movement or free transit.”
- **Vendor Controlled Residence**: vendors cannot require workers to live in residences that they own or control as a condition of recruitment, continued employment, or to get the same employment treatment as other workers in the same position.

- **Threat of Penalty**: prohibits vendors from using employment agencies or intermediaries that require workers to provide a deposit or pay for obtaining employment, recruit workers using false job information, threaten workers (mentally or physically), provide precarious working conditions, or other practices that restrict freedom of movement and undermine one’s ability to end their employment.

The VCoE also regulates the hiring and use of specific categories of workers who may be especially vulnerable. First, vendors are prohibited from employing homeworkers altogether.[52] Second, when it comes to temporary, contract, or contingent workers, using employment agencies for hiring such workers instead of permanent workers is supposed to be a last resort, only when orders require special expertise, when order volumes are higher than normal, or when delays in completing orders will lead to financial loss.[53] When vendors do hire contract, contingent, or temporary workers, in addition to following all applicable national laws, vendors must: provide workers with an employment contract in their own language (and for migrant workers do so before they depart for the position); give workers priority when hiring additional permanent employees in the future; and when hiring through an employment agency, only use licensed agencies. Contracts with such agencies are supposed to use language that gives “power to Vendors to directly pay wages to migrant/ contract/ contingent/ temporary workers and ensures equality of compensation and workplace standards as set under the Lululemon VCoE, the FLA Workplace Code, and national laws and regulations.”[54] Lastly, any subcontractors used by vendors must have pre-approval by Lululemon.

The VCoE also sets out the rules vendors are to follow when employing young workers. Vendors are prohibited from hiring workers under the age of 15 or older if local labour laws have a higher work start age. When vendors do hire young workers, the policy stipulates that “any
workers under 18 shall be protected from working overtime, night shifts, hazardous work, and their tasks shall respect boundaries set out by legal requirements and best practices.”[55] Moreover, vendors are responsible for getting parental consent to hire young workers (when required by law), identifying young workers, and gathering documents that demonstrate proof of age.

5.3. Foreign Migrant Worker Standard (FMW Standard)

Lululemon’s Foreign Migrant Worker Standard (FMW Standard) sets minimum requirements for the recruitment, selection, hiring, and employment of foreign migrant workers. [56] It applies to Lululemon vendors, including raw materials vendors and recruitment agencies or other third parties used to hire migrant workers. Some practices outlined within the FMW Standard overlap with content found in the VCoE (for example, providing contracts to migrant workers written in their native language, and providing pay equity for migrant workers), but the FMW Standard is more thorough and sets out important conditions for the employment relationship.

The policy outlines that, when using third parties to hire migrant workers, vendors must be the legal employer of the workers (a condition that must be reflected in workers’ employment contract) and vendors are to use licensed recruiters only. Moreover, the FMW standard prohibits vendors (and the third parties they use) from charging fees for recruitment/employment placement, transportation, visas/ work permits, medical exams, and training or employment skills testing.[57] Lululemon also outlines minimum requirements for what suppliers are supposed to include in employment contracts when hiring migrant workers (see Table 3 in Appendix). Within the FMW standard is a provision enabling vendors to charge a penalty to migrant workers who quit employment without providing required advance notice. As the policy reads, “If a foreign migrant worker does not give required notice the vendor may charge a penalty as per local law,”[58] and while vendors are encouraged to waive such penalties in the event of a family emergency or unforeseen event, they are not required by the policy to do so. In practice, this may limit a
worker’s ability to freely terminate their employment when they cannot afford to pay the penalty.

Despite Lululemon’s ‘no-fees’ approach to migrant worker recruitment, the company has found and disclosed instances of migrant workers not being reimbursed for airfare costs.[59] Lululemon identified one supplier that stalled in implementing the FMW Standards, and responded by reducing the quantity of its order from the supplier.[60] In 2018, Lululemon began its FMW Standard Program to assist its Taiwanese vendors with implementing the FMW Standard (including eradicating recruitment related fees). The program is mandatory and is described as a “capacity building” program that provides training, tools (e.g., checklists) and a staff position based in Taiwan to help vendors put the FMW Standard requirements into practice.[61] Vendors in Taiwan were targeted because of the high number of migrant workers working in facilities based in the country, primarily in fabric mills.[62] Lululemon plans to expand the FMW Standard Program to other countries.

6. ENFORCEMENT

Policies to address forced labour will only be as good as the enforcement mechanisms that uphold them. Each of Lululemon’s policy enforcement systems are reviewed. When it comes to assessing the effectiveness of Lululemon’s forced labour policies, a significant challenge of doing so stems from the fact that suppliers (and their subcontractors) are mainly responsible for ensuring key aspects of the policies and codes are upheld. As these systems are not made public, it is difficult to identify the strengths and weaknesses of the policies.

6.1. Code of Conduct

The enforcement of Lululemon’s CoC is largely complaint driven. The policy includes a statement on non-retaliation for those who “in good faith” report possible violations and lists the following as potential consequences for those who violate the CoC: termination, loss of employment-related benefits, and criminal or civil proceedings. Employees are encouraged to
report code violations by using pathways internal to Lululemon or by using complaint tools provided by a third party (see Figure 7). Lululemon contracts a third party to operate a 24/7 international “Integrity Line” to provide anonymity to employees wanting to report a complaint. All reports made to the Integrity Line are given to Lululemon’s Legal Department and the Chair of the Audit Committee. Lululemon also contracts a third party to operate a multilingual online reporting system that also provides the option for a confidential complaint.[63] While third party complaint avenues may be intended to mitigate the fears associated with filing a complaint to one’s employer, these options come with their own challenges, including requiring access to technology (telephone or internet access), trusting an unknown third party, and filing a complaint in a manner vague enough for the complainant to remain anonymous but detailed enough to highlight problems faced by workers.

6.2. Vendor Code of Ethics (VCoE) and Benchmarks

Responsibility for enforcing Lululemon’s VcoE policy is divided between Lululemon, vendors and third-party auditors (see Figure 8.). Prior to working with new vendors, Lululemon has vendors sign a Vendor Code of Ethics Certificate of Compliance (a document internal to Lululemon) and Lululemon (or a third party) assesses the facility guided by their VCoE
assessment tool. Lululemon’s policy is to reassess facilities on-site at least every 18 months or annually. If a vendor (including a prospective vendor) is found violating any of Lululemon’s “zero-tolerance criteria” and minimum requirements,[64] Lululemon can still begin work with the vendor. When this is the case, Lululemon’s next step is to develop what is called a “corrective and preventative action plan” (CAPA plan), rather than end the business relationship with the vendor. CAPA plans include “agreed-upon solutions, a timeframe for implementation and key responsibilities” that, according to Lululemon, “helps create change and rewards suppliers who improve conditions at their facilities.”[65]

Lululemon makes vendors responsible for key aspects of VCoE enforcement. For instance, vendors must create grievance and disciplinary systems for Code violations, train workers on the content of the VCoE, and post the policy in workplaces and worker dorms and respond to workers’ concerns. However, given that vendors’ grievance mechanisms and information about workers’ complaints and appeals are not made public, it is difficult to assess their efficacy.

**Vendor Code of Ethics and Benchmarks Enforcement (VCoE)**

*Figure 8. The enforcement of Vendor Code of Ethics and Benchmarks is divided between Lululemon and its vendors.*
Lululemon delegates the responsibility for implementing and assessing subcontractors’ adherence to the VCoE to vendors. Lululemon suppliers wanting to use subcontractors must complete a “Subcontractor Request Form” which requires suppliers to review and educate potential subcontractors on the requirements contained in Lululemon’s VCoE. It is also the vendor who is responsible for conducting a VCoE assessment of the subcontractor. The vendor is also supposed to provide their assessment to Lululemon’s Partner Sustainability Team. Ultimately, vendors are the ones tasked with ensuring Lululemon’s requirements are being followed.

6.3. Foreign Migrant Worker Standard (FMW Standard)

As with the VCoE, the FMW Standard tasks Lululemon vendors with ensuring the FMW Standard is followed. As the policy reads, “Vendors are responsible for ensuring that both the Lululemon Code of Ethics and these Foreign Migrant Worker standards are fully implemented and fulfilled by its company, its subcontractors, and its recruiting agents.”[66] Vendors are tasked with vetting recruitment agencies (which must be licensed) and other third parties used to hire migrant workers and training recruitment agencies on the content of the FMW Standard. Vendors are also responsible for creating grievance systems that protect workers from retaliation, allow for anonymous complaints, and include an appeal process. As with the VCoE, because vendors are the ones creating and implementing these processes, which are not made public, it is not possible to assess their effectiveness, especially from a worker’s perspective.

6.4. Ongoing Monitoring and Audits

As previously mentioned, prior to starting business with a new vendor, Lululemon assesses the vendor using the VCoE and reassesses every 18 months or sooner. While Lululemon can legally conduct unannounced assessments, this is rarely done. Only 1% of monitoring assessments from 2019 were unannounced.[67] Lululemon also works with third-party auditors[68] when required, for independence, or for language or geographical considerations, and in 2019, 20% of all assessments were conducted by a third-party.[69] However, third-party assessments can be
problematic since the third-party auditors rely on their clients like Lululemon to stay in business, raising questions about the authenticity of auditing reports.[70]

7. DISCUSSION AND CONCLUSION

Lululemon is lauded as an industry leader when it comes to disclosing information about its supply chains, policies, and actions taken to address forced labour. It is also accused of using cotton produced by forced labour of the Uyghur people in Xinjiang. This study of Lululemon’s private regulatory initiatives helps to shed light on this apparent conundrum. It also contributes to attempts to assess the efficiency of corporate codes in securing supply chains that are free of forced labour. We found that despite being governed by three modern slavery laws and adhering to disclosure requirements, important information needed to evaluate the effectiveness of Lululemon’s initiatives to address forced labour remains unavailable to researchers, the public and workers.

Lululemon has a significant number of codes and policies in place for its vendors to ensure that workers’ rights are respected. However, there are some key limitations in its CSR policies when it comes to workers’ rights. These findings reinforce the concerns raised by researchers about the effectiveness of CSR. CSR initiatives are based on voluntary commitments in which MNCs design their own codes and have no external monitoring mechanisms or penalties for non-implementation.[71] First, CSR initiatives that peg supplier behaviour to local labour standards pose a problem since suppliers are often located in jurisdictions where labour standards are very low.[72] Lululemon relies on local laws in the sourcing country to determine many worker standards including freedom of association, collective bargaining, and addressing worker grievances. Moreover, as discussed in section 4, it sources from countries notorious for low labour standards and lax enforcement of labour rights. Second, it is evident from the documents available to the public that Lululemon makes suppliers responsible for key aspects of implementing its
policies and codes (such as educating workers, creating grievance mechanisms, and ensuring subcontractors comply with the policies). Industry-led initiatives tend to limit the responsibility of lead firms for detecting labour rights violations to their tier-one suppliers when research has identified the risk of labour violations as likely to occur at the lower levels of the chain.[73] Third, it is very challenging to assess the effectiveness of Lululemon’s codes, since important components of the implementation process, including the Corrective and Preventative Action Plans for suppliers, suppliers’ ratings against code requirements, vendor applications to use subcontractors, and vendor assessments of subcontractors are private and not available for review. Fourth, Lululemon does not disclose critical information concerning its suppliers’ workers, such as whether they are hired on temporary contracts or on temporary visas, employment statuses which are associated with increased vulnerability to labour exploitation. Fifth, the company does not provide information about workers’ grievance mechanisms (that vendors are required to establish) or information about workers’ complaints. This information is necessary for Lululemon

![Image of an iceberg with disclosed and not disclosed sections]

**Figure 9.** The documents and information disclosed by Lululemon in accordance with the three supply chain transparency acts which mandate disclosure statements are only a tip of the iceberg of the information needed to evaluate the company’s commitment and accountability to eradicate forced labour in its supply chains.
and its vendors to effectively monitor and enforce the codes. Finally, Lululemon does not disclose its vendor assessment or supplier factory audit reports, or recommendations put forward by the third-party auditors.

Our mapping of Lululemon’s supply chain based on publicly available documents has revealed gaps in the information the company provides. The supplier list provided by Lululemon is partial and the company does not disclose details of supplier information for tier-three (raw material) suppliers. Despite the best efforts of Lululemon to assess the forced labour risk in its cotton supply chain, to track and map the specific areas of the chain with projected risk, and its claims of not sourcing from the Xinjiang region in China,[74] cotton produced in the Xinjiang region appears to have entered the company’s supply chain. Extensive subcontracting makes it very difficult to map and track goods produced through supply chains. When combined with evasive practices by countries competing for foreign investment, extensive subcontracting by MNCs make it very difficult to trace raw materials used in production processes.[75]

Given these information gaps and the weaknesses of Lululemon’s CSR policies, there are many unanswered questions that limit our ability to assess Lululemon’s practices for addressing forced labour in its supply chain. For instance, what do Lululemon’s purchasing practices entail? Aside from a publicly available (partial) supplier list, we do not have access to documents that would shed light on Lululemon’s purchasing practices (such as contracts with suppliers or CAPA plans). Since the specifics of purchasing, including how much lead time suppliers are given for orders and paying suppliers on time, are essential for preventing forced labour, this information gap makes it impossible to assess the effectiveness of Lululemon’s initiatives to combat forced labour.[76] Another unanswered question is how workers navigate (successfully or unsuccessfully) Lululemon’s forced labour policies, specifically the grievance mechanisms discussed in section 6.1. Lululemon is governed by three modern slavery disclosure laws and yet we are unable to answer this critical question using the information the company discloses. Not only is this a limitation of our study, but it is a limitation of the modern slavery laws by which Lululemon is
governed. It is almost impossible to assess the impact of Lululemon’s forced labour initiatives on workers.

The KnowTheChain Benchmark report evaluated a total of 129 companies spread across the three sectors of apparel and footwear, food and beverage, and information and communication technology. The theme of worker voice,[77] which includes freedom of voice, engagement and collective bargaining opportunities for supply chain workers, was the lowest scoring theme in all the three sectors, followed by the theme of responsible purchasing practices and sourcing of raw materials.[78] Only two of the 37 apparel and footwear companies evaluated were able to disclose evidence of their efforts to support freedom of association in the supply chain.

Lululemon was no exception to this pattern, as its lowest score (64 out of 100) was worker voice, with its lowest scoring sub-theme being freedom of association (50 out of 100).[79] Regarding the prevalence of forced labour in Xinjiang, KnowtheChain reported that none of the companies it assessed publicly disclosed how risks across supply chain tiers and raw material sourcing were addressed. When a company has chosen to source from countries that are known to offer insufficient protection for workers’ rights and does not provide information on what the suppliers in those countries do to protect workers’ rights, questions arise regarding the company’s commitment to protecting the rights of workers.

Our study raises serious concerns with the effectiveness of CSR initiatives to offer effective protection to at-risk workers.[80] It also calls into question the effectiveness of current transparency laws as an effective tool for combatting forced labour in supply chains. Specific information regarding suppliers and their practices lower down the chain must be provided by lead companies before it is possible to evaluate the effectiveness of their initiatives to combat forced labour.
NOTES


3. KnowTheChain, a partnership between Humanity United, the Business & Human Rights Resource Centre, Sustainalytics, and Verite, is a resource for companies and investors to understand and address forced labour risks within their global supply chains. The KnowTheChain Benchmark evaluates the companies’ efforts, based on reports, to address forced labour risks in their supply chain against a rigorous matrix based on UN Guiding Principles on Business and Human Rights and ILO core labour standards.


5. Under the Canada-United States-Mexico Agreement (CUSMA) Agreement the importation of products made with forced labour is prohibited and, in response, Canada amended the Customs Tariff Act to make it illegal for a Canadian firm to import goods “mined, manufactured or produced wholly or in part by forced labour.” (See Canada Border Services Agency, “Goods Manufactured or Produced by Prison or Forced Labour.” Government of Canada, Ottawa, Memorandum D9-1-6, May 2021 [Online]. Available: https://www.cbsa-asfc.gc.ca/publications/dm-md/d9/d9-1-6-1-eng.html). In January 2021, the Canadian government announced new measures to help address the risk of Canadian companies being complicit in forced labour in Xinjiang, China. Companies engaging with the Trade Commissioner Service must sign the Xinjiang Integrity Declaration if they are (1) sourcing directly or indirectly from Xinjiang or from entities relying on Uyghur labour, (2) established in Xinjiang, or (3) seeking to engage in the Xinjiang market. (See Government of Canada, Study of Supply Chain Risks related to Xinjiang forced labour, https://www.international.gc.ca/transparency-transparence/study_forced_labour-etude_travail_force.aspx?lang=eng).

6. According to section 54(2) of the UK Modern Slavery Act 2015, any commercial organisation that supplies goods or services and has a total turnover more than the amount prescribed by the Secretary of State is liable to disclose stipulated information regarding their supply chain. Modern Slavery Act, UK Public General Acts 2015, c.30; The California Transparency in Supply Chains Act of 2012 is applicable to all retail sellers or manufacturers who are doing business in the State of California with annual worldwide gross receipts in excess of $100,000,000. See the California Transparency in Supply Chains Act of 2012, State of California Department of Justice.


8. UK Modern Slavery Act, 2015, c. 30, s. 54.4-7.; California Civil Code 2012, § 1714.43 (a) (1).


12. See *Nevsun Resources Ltd v Araya*, 2020 SCC 113 in which a Supreme Court of Canada majority held that it was time to make corporations directly liable for violations of international customary law, including for violating the prohibition against forced labour and slavery.


18. However, the UNGPs note that when businesses have many entities in their value chains, it may be difficult to conduct due diligence across them all and thus they should “identify general areas where the risk of adverse human rights impacts is most significant, whether due to certain suppliers’ or clients’ operating context, the particular operations, products, or services involved, or other relevant considerations and prioritize these for human rights due diligence. Office of the High Commissioner for Human Rights Guiding Principles for Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework, UN Report, 2011, 19.


offers solutions for a variety of supply-chain management-related challenges; Aavenir is also a for-profit private company that offers sourcing, vendor, contract, and other management solutions; Sedex is a non-profit company that is working on supply chain transparency and sustainable and responsible business solutions for member companies.


23. Trase is a data-driven transparency initiative that uses the supply chain approach to link the consumer market’s trade and finance to deforestation taking place worldwide. Javier Godar, “Supply Chain Mapping in Trase: Summary of Data and Methods” (Transparency for Sustainable Economies (Trase), 2018); Transparentem uses in-depth investigations and engagement with companies to address worksite issues where the companies source its raw materials.


27. Researchers have challenged the widespread assumption that CSR initiatives benefit workers. They argue that there is very little evidence to suggest that CSR initiatives have made companies more committed to living wages and other pressing worker issues. Researchers argue that CSR merely deflects our attention from their extractive core model that relies on unequal value distribution in supply chains. Genevieve LeBaron, Remi Edwards, Tom Hunt, Charline Sempéré & Penelope Kyritsis, “The Ineffectiveness of CSR: Understanding Garment Company Commitments to Living Wages in Global Supply Chains”, *New Political Economy* 27, no.1(2020): 99-115.


36. There is a discrepancy between the supplier list that is published on Lululemon’s website and Lululemon’s disclosure report for KnowTheChain. The supplier list on the Lululemon website refers to its tier-two fabric suppliers as raw material suppliers, however, the disclosure report for KnowTheChain states that “tier 2 suppliers are listed on our website as “raw material suppliers”.” Esther Speck (VP of Sustainable Business and Impact), “KnowTheChain Apparel and Footwear Benchmark” disclosure report, June 2020-updated February 2021, 13. https://pnimages.lululemon.com/content/dam/lululemon/www-images/Footer/Sustainability/lululemonKnowTheChainDisclosure_20210302.pdf.
37. What we were able to find out about tier-three of Lululemon’s supply chain is that the company’s raw materials are mostly synthetic (e.g., nylon, polyester, and elastane) and less than 15% of Lululemon’s raw materials are natural. Cotton represents the greatest proportion of the company’s raw materials inputs at 10%. In addition, Lululemon claims to source Better Cotton Initiative (BCI) cotton when possible and 50% of its cotton is from Peru and the U.S. A small portion of Lululemon’s cotton is from China and the company has claimed to not source from the XUAR region in China, though this claim was made prior to the company being publicly accused of using forced labour from the Uyghur people in Xinjiang. Esther Speck, “KnowTheChain Apparel and Footwear Benchmark” disclosure report, June 2020-updated February 2021, 12-13, 17.
47. Esther Speck, “KnowTheChain Apparel and Footwear Benchmark” disclosure report, 40.
50. According to Lululemon, its VCoE is also influenced by the Universal Declaration of Human Rights, the United Nations Global Compact and Guiding Principles, the OECD Due Diligence Guidance for Responsible Supply Chain in
the Garment and Footwear Sectors, and guidelines of the Fair Labor Association (of which Lululemon is a participating company).


57. Lululemon, *Foreign Migrant Worker Standard 2.0*, 58.


59. Esther Speck, “KnowTheChain Apparel and Footwear Benchmark” disclosure report, 40. According to Lululemon, they responded to the violations as follows: “We developed a Corrective Action Plan for the suppliers, and regularly assessed progress against the CAPA until the issue was remedied and the foreign migrant workers were reimbursed. This was confirmed by a verification at the end of the process.”

60. Esther Speck, “KnowTheChain Apparel and Footwear Benchmark” disclosure report, 19.


68. Lululemon uses the following compliance auditors: Elevate, BSI, Better Work, Verite, and Impact.


70. Kuruvilla discusses the occurrences of audit coaching and fixing that takes place in companies to train workers to provide appropriate answers to auditors. He also points out the misalignment of auditing and sourcing practices which results in a mismatch in intent and execution of CSR initiatives. Sarosh Kuruvilla, Private Regulation of Labor Standards in Global Supply Chains: Problems, Progress, and Prospects. (NY: Cornell University Press, 2021), 17-47. Additionally, LeBaron argues that social audits and ethical certifications are superficial and selectively evaluates suppliers in tier one. Genevieve LeBaron, Combatting modern slavery: Why labour governance is failing and what we


72. LeBaron points out that the evasion and manipulation of local laws is a form of regulatory evasion to save costs for businesses. Genevieve LeBaron, *Combatting modern slavery*, 100.

73. LeBaron establishes that CSR mechanisms do not reach the most vulnerable workers employed at the lowest levels of the chain who are susceptible to fraud, exploitative contracts due to language differences, and minimal wages. Genevieve LeBaron, *Combatting modern slavery*, 59.


**APPENDIX**

**Table 1. Lululemon’s manufacturing vendors by location, size and Global Rights Index (GRI) rating.**

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of facilities</th>
<th>Number of workers</th>
<th>Global Rights Index rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vietnam</td>
<td>26</td>
<td>86,006-101,200</td>
<td>4</td>
</tr>
<tr>
<td>Indonesia</td>
<td>5</td>
<td>31,505-34,000</td>
<td>5</td>
</tr>
<tr>
<td>Cambodia</td>
<td>9</td>
<td>23,109-27,500</td>
<td>5</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>11</td>
<td>18,511-24,000</td>
<td>4</td>
</tr>
<tr>
<td>China</td>
<td>17</td>
<td>11,567-19,100</td>
<td>5</td>
</tr>
<tr>
<td>Bangladesh*</td>
<td>2</td>
<td>11,501-12,000</td>
<td>5</td>
</tr>
<tr>
<td>Peru</td>
<td>4</td>
<td>4,204-6,000</td>
<td>4</td>
</tr>
<tr>
<td>Philippines</td>
<td>3</td>
<td>3,103-4,500</td>
<td>5</td>
</tr>
<tr>
<td>Egypt</td>
<td>1</td>
<td>2,001-2,500</td>
<td>5</td>
</tr>
<tr>
<td>Haiti</td>
<td>1</td>
<td>1,501-2,000</td>
<td>5</td>
</tr>
<tr>
<td>Thailand</td>
<td>1</td>
<td>1,501-2,000</td>
<td>5</td>
</tr>
<tr>
<td>El Salvador</td>
<td>1</td>
<td>1,500-2,000</td>
<td>4</td>
</tr>
<tr>
<td>Colombia</td>
<td>1</td>
<td>1,001-1,500</td>
<td>5</td>
</tr>
<tr>
<td>Mexico</td>
<td>1</td>
<td>1,001-1,500</td>
<td>3</td>
</tr>
<tr>
<td>Turkey</td>
<td>2</td>
<td>602-1,500</td>
<td>5</td>
</tr>
<tr>
<td>Taiwan</td>
<td>3</td>
<td>153-650</td>
<td>2</td>
</tr>
<tr>
<td>USA</td>
<td>2</td>
<td>2 to 100</td>
<td>4</td>
</tr>
</tbody>
</table>

*Lululemon’s supplier list is missing the number of workers for one of the two facilities based in Bangladesh. The number of workers working in Bangladesh facilities is likely much greater than reported here.

**Table 2. Lululemon’s Fabric Mills Suppliers by Location, Size and Global Rights Index (GRI) Rating**

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of facilities</th>
<th>Number of workers</th>
<th>Global Rights Index rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>China</td>
<td>5</td>
<td>5,105-7,049</td>
<td>5</td>
</tr>
<tr>
<td>Taiwan</td>
<td>9</td>
<td>2,607-5,700</td>
<td>2</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>1</td>
<td>501-1,000</td>
<td>4</td>
</tr>
<tr>
<td>Vietnam</td>
<td>1</td>
<td>501-1,000</td>
<td>4</td>
</tr>
<tr>
<td>Indonesia</td>
<td>1</td>
<td>50-100</td>
<td>5</td>
</tr>
<tr>
<td>Japan</td>
<td>1</td>
<td>50-100</td>
<td>2</td>
</tr>
<tr>
<td>South Korea</td>
<td>1</td>
<td>1-49</td>
<td>(no ranking)</td>
</tr>
</tbody>
</table>

*Note: The data only reflects 80% of Lululemon’s fabric mills*
Table 3. Lululemon’s terms for employing migrant workers

<table>
<thead>
<tr>
<th>Lululemon Terms for Employing Migrant Workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Name and address of the vendor (the employer)</td>
</tr>
<tr>
<td>• Worker’s full name</td>
</tr>
<tr>
<td>• Worker’s date of birth</td>
</tr>
<tr>
<td>• Work start date and duration of contract</td>
</tr>
<tr>
<td>• Contract termination requirements including notice period not to exceed 1 month, or less per local law</td>
</tr>
<tr>
<td>• Contract renewal provisions</td>
</tr>
<tr>
<td>• Description of the location and nature of work to be performed</td>
</tr>
<tr>
<td>• Regular wage rate</td>
</tr>
<tr>
<td>• Overtime and holiday rates</td>
</tr>
<tr>
<td>• Regular work hours and shifts</td>
</tr>
<tr>
<td>• Anticipated overtime hours with total working hours not to exceed 60 hours per week or local law, whichever is lower</td>
</tr>
<tr>
<td>• Estimated minimum net pay per month</td>
</tr>
<tr>
<td>• Method and frequency of wage payment</td>
</tr>
<tr>
<td>• Any bonuses and conditions for earning them</td>
</tr>
<tr>
<td>• Any allowances</td>
</tr>
<tr>
<td>• Full listing of any and all deductions including specifications of the type and amount of each deduction and which, if any, are optional</td>
</tr>
<tr>
<td>• Description of additional benefits including medical insurance coverage, accident/injury insurance, holidays, annual leave, sick leave, and/or any other applicable benefits (some details may be included in employee handbook or other policy documents)</td>
</tr>
<tr>
<td>• Detailed description of living conditions and breakdown of any deductions for accommodations, meals, transportation or other services provided or offered by the vendor</td>
</tr>
<tr>
<td>• Description of repatriation process and details of the costs to be borne by the vendor and the foreign migrant worker</td>
</tr>
<tr>
<td>• Any other facility specific requirements as required</td>
</tr>
<tr>
<td>• Any other terms required by applicable laws and regulations, including those related to prohibition on trafficking in persons</td>
</tr>
<tr>
<td>• Clear prohibition on charging of recruitment or placement fees</td>
</tr>
<tr>
<td>• No terms restricting a worker’s rights to freedom of association and collective bargaining consistent with local law</td>
</tr>
</tbody>
</table>

Note: This list is found in Lululemon’s Foreign Migrant Worker Standard Policy. Lululemon, Foreign Migrant Worker Standard 2.0, 58-59.