



International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations
Unión internacional de trabajadores de la alimentación, agrícolas, hoteles, restaurantes, tabaco y afines
Union internationale des travailleurs de l'alimentation, de l'agriculture, de l'hôtellerie-restauration, du tabac et des branches connexes
Internationale Union der Lebensmittel-, Landwirtschafts-, Hotel-, Restaurant-, Café- und Genussmittelarbeiter-Gewerkschaften
Internationella unionen för livsmedels-, njujtningsmedels- och lantarbetareförbund samt förbund inom hotell- och restaurangbranschen

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Geneva, August 31, 2011

Dear Mr. Bilbey,

The IUF, whose affiliate BCTGM represents unionized Hershey employees, and our entire international membership are outraged to learn of the flagrant abuses of vulnerable J-1 visa workers at the Palmyra, Pennsylvania packing and warehouse facility, abuses which have understandably received growing media attention in the US.

There is no question that the squalid employment practices at this facility, where young people were packing Hershey-branded products, stand in clear violation of US and international law (which forbid the charging of fees for agency work as well as for compulsory company housing, transport and other "services" etc.), of the OECD Guidelines for Multinational Enterprises, of the United Nations' Guiding Principles on Business and Human Rights (which clearly set out supply chain and wider business operations responsibilities and required courses of action) as well as common decency and ethics.

Hershey's attempts to distance the company from ultimate responsibility for massive abuses executed through a multi-layered series of subcontractors holds no credibility with either the IUF or the wider public. The Palmyra situation is the consequence of a longstanding pattern of union-avoidance strategies and of subcontracting responsibility in order to drive down employment conditions, frustrate workers' right to union representation and evade legal responsibility. The end result is a sordid tale of trafficking and theft.

Clearly neither a visit to the Hershey Museum nor improvised efforts to offer the J-1 workers a “deal” (as reported in the local press) can resolve the deeper issues concerning past, present and future workers at this facility or, indeed, of employment at Hershey more generally. The workers, through the National Guestworkers Alliance, are demanding that they be made whole through the return of their fees and stolen wages. They have also seen through the J-1 swindle, and realize that these “educational” jobs are merely a device for denying US workers access to this work, under decent conditions. They are also demanding that the BCTGM reclaim the work that was once done by union workers, and that positions at the facility be filled by Hershey workers that have lost their jobs and by the local unemployed.

We support these demands, and believe that the only way to resolve the situation is through direct negotiations between corporate management, the National Guestworkers Alliance and the BCTGM. We urge you to enter into such negotiations immediately in order to avoid further damage to these young people who have been swindled and shamelessly exploited, to future workers at the facility and to your company’s reputation.

Our worldwide membership has been informed of the situation and we will provide them with regular updates. I look forward to swift action on your part.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ron Oswald', with a long horizontal line extending to the right.

Ron Oswald
General Secretary

cc: Chairman James Nevels

LeRoy S. Zimmerman, Chairman, Hershey Trust