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Human Rights “Greenwashing”:
Understanding the Impact of Fast Fashion on Labor Rights

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Table of Contents

Chapter 1: Corporate Social Responsibility and Human Rights Greenwashing

- 1. Introduction.....1
- 2. Theoretical Framework.....4
- 3. Methodology.....10

Chapter 2: Case Studies of Shein and Nike

- 1. Shein.....12
 - 1.1. Overview.....12
 - 1.2. Corporate Social Responsibility.....13
 - 1.3. Labor Conditions.....20
 - 1.4. Conclusions.....26
- 2. Nike.....27
 - 2.1. Overview.....27
 - 2.2. Corporate Social Responsibility.....29
 - 2.3. Labor Conditions.....34
 - 2.4. Conclusions.....38

Chapter 3: Impacts and Solutions to Human Rights Greenwashing

- 1. Discussion.....40
 - 1.1. Comparison.....40
 - 1.2. Impacts and Barriers42
 - 1.3. Future of Fashion.....45
- 2. Conclusion.....47

Abstract

In the age of fast fashion, companies are increasingly accused of unethical business practices. With rising pressure to be transparent in supply chain operations, brands are expected to report ongoing labor conditions in order to adhere to industry standards and keep up with growing pushes for social responsibility. However, due to a lack of adequate monitoring systems and methods of accountability, there is evidence of widespread deception occurring in the public facing reports of fashion brands. Using a comparison of corporate social responsibility practices and the testimony of workers within the supply chain, this work analyzes the accuracy in public reporting and statements within the fashion industry. By comparing the practices and accuracy of the brands Shein and Nike, this research seeks to take a human rights approach and bridge the gap in current understandings to determine that fashion brands are engaging in what will be called human rights greenwashing. It further analyzes the impacts of inaccuracy as well as potential avenues of change in order to promote both transparency and brand accountability within the fashion industry.

Chapter 1: Corporate Social Responsibility and Human Rights Greenwashing

1. Introduction

Apparel exists both as an important sociocultural symbol and as a produced material with the potential to have a physical impact.¹ As fashion brands promote the latest trends through runway performances and marketing campaigns, consumers are able to utilize clothing to fulfill a

¹ Susan B. Kaiser, and Denise Nicole Green. "Chapter 1: Fashion Studies and Cultural Studies." Essay. In *Fashion and Cultural Studies*. London: Bloomsbury Visual Arts, 2021.

utilitarian need and foster individual expression. The influence of the industry, however, goes far beyond the generated revenue and marketed creativity that facilitates the relationship between brands and consumers.² With an expansive and often fragmented supply chain spanning from the collection of raw material to the manufacturing of final products ready to be worn, there are real social, environmental, and human costs behind these products. Particularly in the age of fast fashion, it is through a lack of transparency, accuracy, and brand accountability that companies are able to deceive consumers about the ethical practices behind their product and continue to violate the rights of workers within the fashion industry.

By analyzing the practices of fast fashion companies, this work seeks to understand if brands are accurately reporting labor conditions when disclosing corporate social responsibility (CSR) action in their supply chain. As the production of apparel has quickened and incentives for companies to practice transparency has increased, without proper oversight fashion brands are able to falsely portray their ethical commitments through public facing reports without any guarantee of accuracy. With several prominent brands already exposed for deceiving consumers on environmental practices, previous research has largely focused on false claims of sustainability and what is referred to as greenwashing. Therefore, by using a direct analysis of CSR reporting as compared to first hand testimonials from apparel workers, this thesis seeks to bridge the gap in research and answer if brands are partaking in what will be coined as human rights greenwashing. Defined as a misrepresentation or exaggeration of ethical working conditions for the purpose of improving public perception, this seeks to understand accuracy using the context of labor rights in the fashion industry. Human rights will be brought into the larger discussion of brand deception in order to understand how consumers are being misled and analyze the consequent burden placed on workers in the age of fast fashion.

² Alexandra Harney. *The China price: The true cost of Chinese competitive advantage*. Penguin, 2008.

Fast fashion can be defined as a mass-manufacturing model which shifts away from standardized styles and adopts a system of production fueled by current trends.³ Shortening the time between design to final product and reducing the annual fashion cycle, the framework favors cheap, lower-quality lines produced at a rapid pace.⁴ Adopted by several prominent contemporary brands with varying sizes, price points, and manufacturing models, fast fashion promotes the high-volume production of inexpensive clothing items in order to accelerate product turnover and maximize profits. The fashion industry as a whole now creates over 100 billion articles of clothing each year, generating nearly two trillion USD total annual global revenue in the process.⁵ Combined with a 40% increase in overall apparel consumption, this manufacturing model has shifted consumer expectations by lowering prices, shortening order times, and consistently cycling through new styles.⁶

Under the fast fashion system of production, there has been an exacerbation of long-standing labor violations and poor working conditions found in the fashion supply chain.⁷ With suppliers striving to meet high order demands quickly and at low prices, workers endure long hours, unsafe work protocols, sweatshop-like conditions, and unlivable wages.⁸

³ Vertica Bhardwaj and Ann Fairhurst. "Fast Fashion: Response to Changes in the Fashion Industry." *The International Review of Retail, Distribution and Consumer Research* 20, no. 1 (2010): 165–73. <https://doi.org/10.1080/09593960903498300>.

⁴ Birte Freudenreich, and Stefan Schaltegger. "Developing Sufficiency-Oriented Offerings for Clothing Users: Business Approaches to Support Consumption Reduction." *Journal of Cleaner Production*, December 7, 2019. <https://www.sciencedirect.com/science/article/pii/S0959652619344592>.

⁵ Connell Hiller, Kim Y., and Joy M. Kozar. "Introduction to Special Issue on Sustainability and the Triple Bottom Line within the Global Clothing and Textiles Industry." *Fashion and Textiles* 4, no. 1 (2017). <https://doi.org/10.1186/s40691-017-0100-6>.

⁶ Małgorzata Koszewska. "Circular economy—Challenges for the textile and clothing industry." *Autex Research Journal* 18, no. 4 (2018): 337-347.

⁷ Helena Dahlbo, Kristiina Aalto, Hanna Eskelinen, and Hanna Salmenperä. "Increasing textile circulation—Consequences and requirements." *Sustainable production and consumption* 9 (2017): 44-57.

⁸ Shahzad Uddin, Shoaib Ahmed Md, and Shahadat Khandakar. "Supply chain accountability, COVID-19, and violations of workers' rights in the global clothing supply chain." *Supply Chain Management: An International Journal* (2023).

Jill Louise Esbenshade, *Monitoring sweatshops: Workers, consumers, and the global apparel industry*. Temple University Press, 2009.

⁸ Cecily Schenimann. "Corporate Outsourcing to Take Advantage of Cheap Labor in Developing Countries" (2018). *Senior Honors Theses*. 791. <https://digitalcommons.liberty.edu/honors/791>

Investigative journalism and first hand accounts have exposed the consistency of unjust labor practices across brand supply chains, highlighting the dangers associated with the production of fast fashion. As a result, awareness of these worsening conditions have changed public discourse and pushed companies towards transparency and social and environmental accountability. Brands have since adopted methods of CSR reporting and practices in order to maintain a positive brand image and address concerns over ethical production.⁹

Although increasing focus on CSR action and reporting may represent a step forward in understanding the full scope of the fashion industry and its impact, without adequate methods of monitoring or accountability there are no guarantees that companies are portraying an accurate picture of their labor practices. With instances of greenwashing becoming more frequent, the idea of portraying an exaggerated image of impacts or projects has brought into question the reliability of internal forms of public self-reporting. This idea of reporting accuracy has yet to be fully explored in the context of human rights or working conditions in the fashion industry. Therefore, this work will seek to bridge a gap in understanding in order to center labor rights in the conversation regarding accountability and analyze if brands are being accurate in their social impact claims or can be found to be partaking in human rights greenwashing.

2. *Theoretical Framework*

As a form of publicly available information, CSR reporting informs consumers and stakeholders on the social and environmental impacts found within a brand's manufacturing process and explains the ongoing efforts to mitigate harm.¹⁰ Seen as an essential strategy that

⁹ Kirsi Niinimäki, Greg Peters, Helena Dahlbo, Patsy Perry, Timo Rissanen, and Alison Gwilt. "The environmental price of fast fashion." *Nature Reviews Earth & Environment* 1, no. 4 (2020): 189-200.
Doroteja Mandarić, Anica Hunjet, and Dijana Vuković. "The impact of fashion brand sustainability on consumer purchasing decisions." *Journal of Risk and Financial Management* 15, no. 4 (2022): 176.
¹⁰ Jihye Min, Jiyoung Kim, and Kiseol Yang. "CSR attributions and the moderating effect of perceived CSR fit on consumer trust, identification, and loyalty." *Journal of Retailing and Consumer Services* 72 (2023): 103274.

responds to obligations for ethical business practices, under this framework companies are expected to voluntarily report on their operations at a multinational level.¹¹ Done in an attempt to maximize the long-term market benefits that come along with a positive public perception, CSR practices are largely developed for strategic purposes.¹² As an extended model of corporate governance, CSR methods hold companies responsible for their impact and calls for brands to fulfill their inherent social responsibility to stakeholders and employees within the industry.¹³

Operating under a perceived social contract and inherent human rights obligations, the framework behind CSR supposes that companies have more to contribute to society than simply their own profit.¹⁴ As the concept has continued to develop, CSR has become a necessary tool for understanding the connection between societal and economic progress and is an attempt to rectify the unbalanced corporate practices that have the potential to generate negative impacts.¹⁵ This framework of responsibility is supplemented by widespread human rights theory which claims it is the moral, legal, and inherent ethical duty of these corporations to adhere to and fulfill international standards regardless of culpability.¹⁶ The importance of social responsibility is now widely accepted within prominent industries such as fashion, and companies are expected to address the ethos of their business practices. With 80% brands both inside and out of the fashion industry putting together some form of report or statement, it is widely accepted that

¹¹ Paolo Popoli. "Linking CSR strategy and brand image: Different approaches in local and global markets." *Marketing Theory* 11, no. 4 (2011): 419-433.

¹² N. C. Smith, "Changes in corporate practices in response to public interest advocacy and actions." *Handbook of Marketing and Society*. (2001): 140-161.

¹³ Lorenzo Sacconi. "A social contract account for CSR as an extended model of corporate governance (I): Rational bargaining and justification." *Journal of Business Ethics* 68 (2006): 259-281.

¹⁴ Muhammad Tariq Khan, Naseer Ahmed Khan, Sheraz Ahmed, and Mehfooz Ali. "Corporate social responsibility (CSR)—definition, concepts and scope." *Universal Journal of Management and Social Sciences* 2, no. 7 (2012): 41-52.

¹⁵ Michael E Porter., and Mark R. Kramer. *Creating Shared Value* Harvard Business Review. (January–February 2011) (2011).

¹⁶ John Ruggie. "Protect, respect and remedy: A framework for business and human rights." *Innovations: Technology, Governance, Globalization* 3, no. 2 (2008): 189-212.

companies should attempt to achieve both their profit-making and ethical targets concurrently through what is often referred to as the double bottom line.¹⁷

These shifts in corporate responsibility have transformed the conversation surrounding company practices, creating pressure for brands to adhere to these standards and reporting expectations in order to maintain positive outward perception. On one end, companies are motivated to cater to a growing portion of consumers, shareholders, and civil society groups concerned with ethical and sustainable practices. Although price point is the primary factor used when making buying decisions, 77% of consumers now say they are concerned about the impact of their products and they are seeking increased methods of accountability.¹⁸ Additionally, 83% of individuals desire companies to increase their action for environmental, social, and governance (ESG) topics such as labor conditions.¹⁹ As these numbers continue to grow and market buying practices reflect an overall positive reception towards ethical practices, companies are incentivized to improve their consumer reception by focusing on improving CSR practices.²⁰ The inherent push for transparency and reporting motivates companies to improve their practices in order to avoid the subsequent public pressure, loss in revenue, or shaming that could stem from perceived malpractice.²¹

¹⁷ Hu Yuanyuan, Shouming Chen, Runshi Liu, and Yi Dai. "Managers' aspirations and quality of CSR reports: evidence from China." *Humanities and Social Sciences Communications* 10, no. 1 (2023): 1-10.

Chuanmin Mi, FangKai Chang, ChingTong Lin, and YuHsuan Chang. "The theory of reasoned action to CSR behavioral intentions: The role of CSR expected benefit, CSR expected effort and stakeholders." *Sustainability* 10, no. 12 (2018): 4462.

Wilburn, Kathleen, and Ralph Wilburn. "The double bottom line: Profit and social benefit." *Business Horizons* 57, no. 1 (2014): 11-20.

¹⁸ GreenPrint. "Business of Sustainability Index," GreenPrint. March 2021.

https://greenprint.eco/wp-content/uploads/2021/03/GreenPrint-Business-of-Sustainability-Index_3.2021.pdf

¹⁹ PricewaterhouseCoopers. "2021 Consumer Intelligence Series Survey on ESG." Pwc. Accessed March 24, 2023. <https://www.pwc.com/us/en/services/consulting/library/consumer-intelligence-series/consumer-and-employee-esg-expectations.html>.

²⁰ Ciara Flood. "Ethical Implications of the Fashion Industry." DigitalCommons@SHU. *Student thesis*. (2023). 38. <https://digitalcommons.sacredheart.edu/cgi/viewcontent.cgi?article=2232&context=acadfest>

²¹ Behnam Taebi, and Azar Safari. "On effectiveness and legitimacy of 'shaming' as a strategy for combating climate change." *Science and Engineering Ethics* 23 (2017): 1289-1306.

On top of a desire to respond to moral obligations and market desires, brands are motivated to hit CSR targets in order to keep pace with industry competitors and stay in compliance with the growing collection of regulations. International human rights standards as well as regional labor laws require that the rights of workers are respected, ensuring their safety and right to fair treatment.²² Growing calls for businesses to be held to human rights standards have also allowed for the development of several guidelines to be created which encourage transparency and ESG monitoring in order to adhere to the moral and legal frameworks behind CSR.²³ By following these principles, brands enhance their competitive advantage by reducing risks, investing in mutually beneficial practices, and maintaining relevance especially in highly competitive industries such as fashion.²⁴ With CSR practices becoming a staple in most business models, it is through these international standards and the inherent competition from other industry actors that brands are further pushed to continuously develop internal monitoring methods and external action to improve ethical development through increasing economic, social, and environmental protections.

Although this showcases a fundamental push towards CSR practices and the framework behind their inception, these same social, regulatory, and economic incentives also can act as motivation for deception. Under the current voluntary reporting system, companies are under no obligation to hold themselves accountable in providing helpful or accurate information.²⁵

Although methods of assurance give third parties a chance to verify reports and combat false

²² Ulrich Gilbert Dirk, and Kristin Huber. "Labour rights in global supply chains." *Corporate Responsibility, Second Edition*, Cambridge University Press, (2023).

²³ Janice R Bellace. "Hoisted on their own petard? Business and human rights." *Journal of Industrial Relations* 56, no. 3 (2014): 442-457.

²⁴ Huma Sarwar, Junaid Aftab, Muhammad Ishtiaq Ishaq, and Muhammad Atif. "Achieving business competitiveness through corporate social responsibility and dynamic capabilities: An empirical evidence from emerging economy." *Journal of Cleaner Production* 386 (2023): 135820.

²⁵ Anne Marie Gosselin, and Sylvie Berthelot. "Determinants of voluntary CSR reporting reliability—evidence from Canada." *Journal of Global Responsibility* 14, no. 2 (2023): 177-199.

reporting, barriers to transparency and ethical practices push companies to misrepresent their impact in order to ensure they are being perceived as a company which prioritizes social responsibility.²⁶ Some studies do show a correlation between CSR performance and a greater likelihood to assure reports externally and adopt accepted frameworks for accuracy such as the widely used Global Reporting Initiative (GRI).²⁷ However, with no set standard or tool to measure credibility and adherence to fair practices, these reports often do not reflect precise or reliable data.

Therefore, although outside pressures have been positively linked to an increase in overall transparency, the same factors can also impact businesses' strategies to gain consumer favor and adhere to international standards without sufficiently mitigating the harm within their supply chain.²⁸ Culminating in concepts such as greenwashing, what occurs is widespread attempts from companies to falsely portray certain products as environmentally conscious.²⁹ As a concept which has risen in popularity in recent years, an increasing number of brands have made sustainable goals or initiatives without adequately verifying claims.³⁰ As described by authors such as Julia Adamkiewicz, a lack of accuracy can ultimately negatively impact both the reliability of ethical practices and the ability of industries to address important aspects of

²⁶ Isabelle Martinez, Claire Gillet-Monjarret, and Géraldine Rivière-Giordano. "The role and effectiveness of corporate social responsibility assurance in a mandatory setting: Professional accountants' perceptions." *Management* 24, no. 1 (2021): 59-79.

²⁷ Abdullah S. Karaman, Nurlan Orazalin, Ali Uyar, and Muhammad Shahbaz. "CSR achievement, reporting, and assurance in the energy sector: Does economic development matter?." *Energy Policy* 149 (2021): 112007.

²⁸ Belen Fernandez-Feijoo, Silvia Romero, and Silvia Ruiz. "Effect of stakeholders' pressure on transparency of sustainability reports within the GRI framework." *Journal of Business Ethics* 122 (2014): 53-63.

Irina Lock, and Peter Seele. "Measuring credibility perceptions in CSR communication: A scale development to test readers' perceived credibility of CSR reports." *Management Communication Quarterly* 31, no. 4 (2017): 584-613.

²⁹ Seda Yildirim. "Greenwashing: a rapid escape from sustainability or a slow transition?." *LBS Journal of Management & Research* (2023).

³⁰ Sergio Braga Junior, Marta Pagán Martínez, Caroline Miranda Correa, Rosamaria Cox Moura-Leite, and Dirceu Da Silva. "Greenwashing Effect, Attitudes, and Beliefs in Green Consumption." *RAUSP Management Journal* 54, no. 2 (2019): 226-41. <https://doi.org/10.1108/rausp-08-2018-0070>.

sustainable implementation.³¹ Without enforced accountability, it is under this framework that companies are motivated to deceive consumers about the reality behind their impact and subsequently prevent relevant progress to occur within industries.

Some have already attempted to apply the idea of CSR reliability to the idea of social responsibility within some realms of fashion production. In particular, scholarly work by Noemi Sinkovics and Samia Ferdous Hoque has attempted to understand accuracy and responsibility in reporting in regions such as Bangladesh by addressing auditing concerns and accounting methods. Their study reveals that pressure for CSR compliance has allowed for companies to prioritize measurable outcomes instead of improving necessary social impact action and taking accountability.³² These pressures contribute to an increased demand on the labor force as companies decide to invest in production advancements to meet global expectations of social perception and put a greater pressure on skilled laborers to pick up the slack as a result. As methods of accountability continue to develop for companies within the U.S. and abroad, the concept of CSR reliability becomes even more prevalent and necessary for further research in order to avoid negative repercussions.

Overall, previous research into the framework behind CSR practices, the social and economic reasons to adhere to ethical expectations, and social pressure behind exaggerated brand impacts all provide a clear basis for this study. As motivations to adhere to sustainable and ethical product rise, without methods of accountability there is a clear motivation for brands to exaggerate their impact for better social perception and instances of deception have already been observed. Particularly in the age of fast fashion, it is through an analysis and comparison of two

³¹ Julia Adamkiewicz, Ewa Kochańska, Iwona Adamkiewicz, and Rafał M. Łukasik. "Greenwashing and sustainable fashion industry." *Current Opinion in Green and Sustainable Chemistry* 38 (2022): 100710.

³² Noemi Sinkovics, Samia Ferdous Hoque, and Rudolf R. Sinkovics. "Rana Plaza collapse aftermath: are CSR compliance and auditing pressures effective?." *Accounting, Auditing & Accountability Journal* (2016).

fashion brands with vastly different methods of production, price points, and practices that a clear image of CSR accuracy and its resulting impacts on the rights of workers in the fashion industry comes into view.

3. *Methodology*

This work will use a mixed method approach to gather qualitative data on accuracy within brand reporting in the fashion industry. Using a case study of two fast fashion companies, NIKE Inc. (Nike) and SHEIN (Shein), data will be collected on labor practices within suppliers located in mainland China. More specifically, research will focus on factories located in Guangdong Province and collect data from factories in the cities of Foshan, Guangzhou, Jiangmen, Qingyuan, Shenzhen, and Zhanjiang.³³ With years of investigative reporting documenting labor practices within the region, the cities serve as the perfect background for further study. Research will be additionally narrowed to Tier 1 apparel factories, defined as facilities that participate in the cutting, sewing, packaging, and preparing finished products to ship to a brand.³⁴ For the purpose of this study, apparel includes all clothing, accessories, shoes, and other footwear that are found in the fashion industry.

This thesis will analyze CSR reports from the selected brands in order to understand the public facing portrayal of working conditions within the apparel manufacturers of both supply chains. Data focused on testimonies and posts that occurred in the years 2022 and 2023 in order to directly compare working conditions recorded during the same reporting period as the most recent impact disclosure report and public statements. This will then compare consumer facing statements to the voices of workers from within the same supply chain to analyze if brands are

³³ Chong Gao, and Khun Eng Kuah-Pearce. "The Garment Industry in South China. Practising Relational Work." *China Perspectives* 2015, no. 2015/3 (2015): 25-32.

³⁴ Donna Marshall, Lucy McCarthy, Paul McGrath, and Fiona Harrigan. "What's your strategy for supply chain disclosure?" *MIT Sloan Management Review*, 2016.

being deceptive in their reporting. In order to get a sense of accuracy, this method will gather first-hand interviews, social media complaints, job recruitment posts, and publicly available information regarding working conditions. With a zoomed in look at both the reported and actual practices of notorious fast fashion giants, these case studies provide an updated picture of labor conditions while analyzing the accuracy and impact of CSR practices within the fashion industry.

Additionally, through a partnership with labor organization China Labor Watch (CLW) this study uses investigative techniques to secure testimonies from workers. CLW provided direct contact with an investigator who conducted in-person interviews with nine workers in a Nike apparel factory in Shenzhen. These interviews have been supplemented by a database of previous job advertisements collected by CLW as well as online research and social media investigations completed by myself, the primary researcher of this work. By collecting further information from various videos, comments, and job postings found online, this method allows for an understanding of labor conditions across a wider subsection of the chosen supply chains. Additional interviews were conducted with CSR professionals, civil society groups, and labor professionals to provide insight into the fashion industry. All personally identifiable information including locations and names will be omitted from this thesis.

Overall, the following research seeks to expand on an already lively discussion in CSR practices, the social contract for responsibility, assurance methods, and human rights accountability. Connecting these concepts to the widespread fashion industry, this will center labor rights in research surrounding social impacts in order to quantify reliability and accuracy in company reporting. It is essential to keep these companies accountable and ensure they take responsibility for their participation in a global system of exploitative labor practices. In lieu of

official guidelines, it will take public consideration and independent research in order to ensure companies are not greenwashing their human rights impact and partaking in consumer deception that ultimately perpetuates working conditions for vulnerable populations around the world.

Chapter 2: Case Studies of Shein and Nike

1. *Shein*

1.1. *Overview*

One of the most famous brands in the modern age of fashion is the online retailer Shein (希音). Founded in China in 2012 and now operating out of Singapore under the parent company Zoetop Business Co. Ltd., the e-commerce brand caters to international consumers of all ages, genders, sizes, and styles with its vast supply of products. With a wide selection of goods including clothing, beauty products, toys, and even electronics, the brand has quickly gained popularity with an online audience. The use of targeted social media advertising, influencer partnerships on video platforms such as *TikTok*, and the popular *SHEIN - Shopping Online* mobile app has allowed Shein to quickly gain notoriety as an affordable and trendy fashion brand. It is now considered one of the most popular brands worldwide, overtaking other fast fashion giants such as Zara and H&M and becoming both the number one searched brand and the most downloaded shopping app in 2022.³⁵

Known for its rapid cycling of products, Shein is categorized as a fast fashion brand due to its high-volume production and low price point. The brand operates under a unique business

³⁵ Salman Haqqi. "The Most Popular Fashion Brands Around the World." Money.co.uk, November 30, 2022. <https://www.money.co.uk/credit-cards/most-popular-fashion-brands-2022>.

John Koetsier. "10 Most Downloaded Apps of 2022: Facebook down, Spotify up, Tiktok Stable, Capcut Keeps Growing." Forbes, January 5, 2023. <https://www.forbes.com/sites/johnkoetsier/2023/01/04/top-10-most-downloaded-apps-of-2022-facebook-down-spotify-up-tiktok-stable-capcut-keeps-growing/?sh=28d1234721cc>.

model that aims to cut down the time from design to final product by analyzing ongoing trends through what is referred to as a digitally empowered and agile supply chain.³⁶ Brand software measures consumer demand and takes note of popular items, identifying purchasing preferences and subsequent trends with a, “...greater accuracy than traditional forecasting models.”³⁷ As a result, Shein uses on-demand production that releases merchandise in small batches of 100-200 pieces at a time in order to quickly test consumer response. Through this trend based model, Shein is able to upload between 2,000 to 10,000 new products daily and focus production on items that receive the most attention.³⁸

Shein also offers incredibly low pricing for these products, with the majority of their apparel being listed for under \$20. A large portion of these items are priced at \$10 or less and the cheapest products such as tank tops or bathing suits can be sold for as little as \$1. Due to these price points, consumers are able to purchase large quantities of new, trending pieces for extremely low costs. Combined with a fast order turnaround and expedited shipping direct to consumers in ten days or less, shoppers turn to Shein for its convenience and affordability. This model has catapulted Shein into international popularity and the brand now advertises and sells its products to over 150 countries worldwide.

1.2. Corporate Social Responsibility

Despite its success, Shein has found itself in the public eye for more than just its appealing prices. Its decentralized production chain utilizes thousands of third-party suppliers in order to create low cost products as quickly as possible. Their trend based cycle has brought both the environmental and social practices of Shein into question and many are quick to point out

³⁶ SHEIN.us. “Shein at a Glance” Shein.com, 2023. <https://us.shein.com/About-Us-a-117.html>.

³⁷ SHEIN Group. “About Us.” Sheingroup.com, 2023. <https://sheingroup.com/about-us/>.

³⁸ Astha Rajvanshi, Video by Jenna Caldwell, and Andrew D. Johnson. “Shein’s Fast Fashion Domination Comes at a High Cost.” Time. January 17, 2023. <https://time.com/6247732/shein-climate-change-labor-fashion/>.

that low manufacturing costs would be necessary for the company to turn a profit. As a result, Shein has been accused of utilizing cheaply sourced materials, sweatshop-like working conditions, and an overall ignorance of human rights in their supply chain in order to sustain its business.³⁹

Although these accusations were largely speculative at first, an investigative report from the research organization Public Eye released in 2021 confirmed these growing concerns. After conducting undercover research into several factories, the report found that Shein suppliers used crowded workspaces, lacked safety protocols, operated with extreme overtime hours, and provided low wages.⁴⁰ Findings from the investigation were further confirmed by a documentary released by Channel 4 in 2022 titled *Untold: Inside The Shein Machine*. Sending cameras into factories within Shein’s supply chain, the series uncovered arbitrary wage deductions, workers being granted one day off a month, and shifts lasting thirteen hours or more in order to fulfill order quotas.⁴¹ Many were outraged by these findings and Shein received enormous backlash for its complicity with these conditions. The head of Shein’s global ESG, Adam Whinston, responded by claiming that Shein suppliers paid above the minimum wage required in the area of production and that accusations of wage withholding were simply untrue.⁴²

Despite the brand continuously denying production malpractice, Shein’s public facing statements and CSR reporting increased significantly following these investigative reports. With a growing reputation of corruption and exploitation, Shein has since attempted to shift public

³⁹ Katelyn Payne. “The Slow Burn of Fast Fashion: Unsustainable Practices within the Industry’s Supply Chain.” University of South Florida, *Student Thesis*. 2022.

⁴⁰ Timo Kollbrunner, “Toiling Away for Shein.” Public Eye, November 19, 2021. <https://stories.publiceye.ch/en/shein/>.

⁴¹ Channel 4. *Inside the Shein Machine: UNTOLD*. Channel 4, 2022.

<https://www.channel4.com/programmes/inside-the-shein-machine-untold>.

⁴² PA Media. “Shein Admits Working Hour Breaches and Pledges £12m to Improve Sites.” The Guardian, December 5, 2022

<https://www.theguardian.com/business/2022/dec/05/shein-admits-working-hour-breaches-and-pledges-12m-to-improve-sites>

perception in order to present itself as a progressive brand that prioritizes sustainability and social commitments. With accusations of unsafe working conditions often being at the center of criticism, Shein has highlighted its commitment to fair working standards and has since promised to increase brand accountability as well as develop effective labor rights frameworks. The first *Shein Sustainability and Social Impact Report* was released in 2021 and marked an initial effort to highlight increasing transparency, workplace safety, and environmental and social awareness. Since then, Shein has continued to regularly update their website, media accounts, and shopping platforms in order to reflect its commitment to reducing the company's impact and portray itself as a business that puts the wellbeing of workers at the center of its activities.

Shein's portrayal of working conditions can be divided into two categories, public facing reports and media content. The bulk of the reporting, statements, and documents can be found on the SHEIN Group website and additional breakdowns of activities are provided on webpages specific to the country of sale. On these sites, links to impact guides direct visitors to the sustainability and governance practices of the organization. What can be found are extensive documents listing their *Code of Ethics*, *Human Rights Policy*, *Supply Chain Transparency Statements*, and *Workplace Health and Safety Statements*, all which reaffirm Shein's commitments to labor protections. Additionally, the website promotes the most recent *Sustainability and Social Impact Report* from 2022, laying out clear action plans and ongoing efforts to promote workplace safety.⁴³ Ultimately, Shein claims to work with suppliers in various countries including China who share a commitment to ethical practices and states that the strict requirements reflect both the brand's adherence to international labor standards and responsibility to provide a healthy, safe, and dignified working environment.

⁴³ SHEIN Group. "Our Impact." Sheingroup.com, November 10, 2023. <https://sheingroup.com/our-impact/#people>.

Shein's overall goals are summarized in an action plan titled *OUR evoluSHEIN ROADMAP*. The roadmap's pillar of "Equitable Empowerment" gives insight into promises for labor rights and supply chain monitoring. One major part of this is titled "Improving Lives in the Communities We Reach," which shares how suppliers are obligated to agree to the *SHEIN Supplier Code of Conduct (CoC)* in order to work with the company. According to these standards, Shein requires that suppliers arrange reasonable working hours, set the minimum employment age above sixteen, pay fair wages in accordance with the local minimum wage, provide payments on time, generate a safe and healthy work environment, and prohibit arbitrary wage deductions. The CoC further requires that all supplier practices remain in accordance with the labor laws of the region or country of production, so long as those regulations meet or exceed the standards set by Shein itself.⁴⁴ All potential suppliers are claimed to be vetted through these standards and are subject to audits in accordance with internal policies and procedures.

As an expansion of the requirements included in the CoC, the *SHEIN Responsible Sourcing Policy* and the *SHEIN Supplier Responsibility Standards* make up the SRS management system and act as an important supplier standard that regulates compliance and audit measures. Rankings are assigned to all observed suppliers based on the result of SRS evaluations initiated by the brand and general statistics on compliance are shared through annual impact reports. This in theory allows Shein to provide insight into the conditions present at partner facilities and hold itself accountable for violations of brand standards. The assessment team consists of, "...accredited internal assessors and/or auditors of third-party audit agencies authorized by SHEIN."⁴⁵ Notably, although Shein lists audit partners such as OpenView and SGA, the vague

⁴⁴ SHEIN Group. "Supplier Code of Conduct." Sheingroup.com August 14, 2023. <https://sheingroup.com/pdfs/supplier-code-of-conduct/>.

⁴⁵ SHEIN Group. "Accelerating the Evolution 2022 Sustainability and Social Impact Report ." Sheingroup.com, June 2023. https://sheingroup.com/wp-content/uploads/2023/06/2022_SHEIN_SustainabilitySocialImpactReport.pdf.

language used to describe audit procedures do not require that audits are verified by outside parties and additionally do not mention methods of assurance.⁴⁶ Although Shein explicitly states that suppliers must be transparent during audits, the current SRS system creates a potential gap in accuracy.

Under this model Shein claims to have conducted 2,425 SRS audits covering 1,941 Tier 1 contract manufacturers in 2022, accounting for up to 84% of all products associated with the brand.⁴⁷ The resulting grades for participating facilities range from letters A to D and are assigned based on the number of “major risks” to the social responsibilities and operational sustainability of Shein that are discovered in evaluations or audits. Exact standards for what constitutes a major risk is not clarified in materials such as the 2022 impact report, however details on what is considered a critical violation (CV) can be found in the SRS policy. A CV is referred to as a violation to the standards set forth in the CoC and includes, but is not limited to, serious violations of salary payment requirements, endangerment of people’s lives, or serious injuries.⁴⁸ The misalignment of terms and unclear standards upheld in Shein’s reporting leaves supplier evaluations ambiguous, creating no set definition of what is considered a risk beyond the assumption of a breach of contract. Therefore under the reported statistics, 18% of observed suppliers received a score of A or B meaning they contained minor flaws. Around 47% of their

⁴⁶Assurance in this context refers to the verification of information or the assessing data reliability, accuracy, and completeness.

J. Chen. "The impact and value of information system audit enterprises risk management influencing quality assurance and system optimization—a touch from supply chain domains." *Journal of Information Systems Engineering and Management* 8, no. 2 (2023): 22289.

⁴⁷ Shein defines contract manufacturers as Tier 1 suppliers of finished goods (such as apparel, shoes, bags, accessories, and beauty products) holding direct procurement contracts with the Group.

SHEIN Group. “Accelerating the Evolution 2022 Sustainability and Social Impact Report.” 29

⁴⁸ SHEIN Group. “Shein Responsible Sourcing Policy.” Sheingroup.com, September 1, 2023.

<https://sheingroup.com/wp-content/uploads/2023/09/SHEIN-Responsible-Sourcing-Policy.pdf>.

SHEIN Group. “Shein Supplier Responsibility Standards.” Sheingroup.com, August 2023.

<https://www.sheingroup.com/wp-content/uploads/2023/09/SHEIN-Supplier-Responsibility-Standards.pdf>.

monitored suppliers were found to have a grade of C, meaning one to three major risks. Meanwhile, 24% were found to have above three risks receiving a grade of D.⁴⁹

The SRS assessment model further defines what Zero Tolerance Violations (ZTVs) are according to Shein's policy. The public impact report includes exact parameters on what constitutes ZTVs, stating that it includes the payment salaries below the minimum wage standards, instances of forced labor, use of child labor, and other risks to workplace safety such as blocked exits or open fires. Any factory found to receive two consecutive scores of D or a critical ZTV without rectification are subject to evaluation, are required to undergo training or, in some cases, are no longer eligible to receive Shein orders until the violation is corrected. There is a grace period allotted to remedy ZTVs before action is escalated or there is a termination of contract. As per these standards, 11% of evaluated Shein contract suppliers were found to have ZTVs. The impact report further states that all identified ZTVs during this time period have been terminated or remediated through case-by-case investment and training.⁵⁰

Beyond these standards for suppliers, Shein also advertises its efforts to improve working conditions through direct community engagement. Both the website and the social impact report include descriptions of initiatives such as the *Supplier Community Empowerment Program* through which Shein committed \$70 million dedicated to material improvements in supplier factories and surrounding communities. Shein further reported providing \$1.3 million in 2022 intended to upgrade workspaces in 29 facilities and even highlighted a \$5 million grant submitted to The Or Foundation dedicated to remediation efforts for communities impacted by textile production.⁵¹ More recently, the company has advertised initiatives that provide funding directly to workers in their production chain such as the *SHEIN Spotlight Program* or the

⁴⁹ SHEIN Group. "Accelerating the Evolution 2022 Sustainability and Social Impact Report." 30

⁵⁰ SHEIN Group. "Accelerating the Evolution 2022 Sustainability and Social Impact Report." 31.

⁵¹ SHEIN Group. "Accelerating the Evolution 2022 Sustainability and Social Impact Report." 13.

AcceleraSHEIN initiative which provide suppliers with resources to incorporate training and other financial support benefits.⁵² All of these programs are highlighted by Shein throughout their impact reporting, website materials, and promotional activities. Although not directly a part of their reporting structure or monitoring efforts, these showcase additional ways in which Shein uses its online platforms to promote ethical activities and highlight their impact in order to cater to a more socially conscious audience.

The structure outlined on the website provides a baseline for Shein’s public facing reports and resources, however social media is another important tool for sharing brand sustainability and social responsibility activities to a wider audience. On the media platform X, formerly known as Twitter, both the @shein_official account and @shein_news promote content directly relating to responsible manufacturing, sustainable product innovation, and breakdowns for supplier safety practices. The more active Instagram account @sheinofficial also relies heavily on promoting CSR activities and advertising Shein as a socially responsible brand. Several posts directly relate to Shein’s ethical practices and a story infographic titled “Shein 101” is pinned to the top of the brand’s page. Largely citing the material present on its website, the post highlights the SRS standards, Shein’s adherence to the International Labour Organization (ILO) conventions, and local regulations in place that ensure workers are treated fairly. These stories also advertises a \$2 million investment into supplier monitoring, promotes the completion of 2,600 audits, and emphasizes that Shein workers earn “2x the local minimum wage.” These posts serve to reassure consumers of Shein’s commitments to ethical and sustainable goals and acts as another avenue of the brand’s public portrayal of human rights practices.

⁵² SHEIN Group. “Improving Lives in the Communities We Reach.” Sheingroup.com, November 8, 2023. <https://sheingroup.com/our-impact/people/improving-lives-in-the-communities-we-reach/>.

Based on Shein's policies, procedures, and statements regarding labor conditions, there is a clear gap in the reporting structure. The overall theory of change behind Shein seeks to establish frameworks such as the CoC and SRS in order institute audits and monitoring, increase transparency, and report the information to the executive management and ESG team. Management teams will then be able to strengthen policies, implement repercussions, and monitor third-party suppliers and ensure that conditions improve. This method of change is further cemented through media and website promotions, highlighting Shein's positive impact and strides in improving conditions. Despite this structure, the ambiguous language present in reporting and unclear standards allow Shein to publish public reports and conduct internal evaluations of supplier practices without verification of accuracy. This creates a space in which certain aspects of supplier relations have the potential to be downplayed or falsified, creating an unclear picture of what labor conditions truly are within Shein's supply chain and allowing for potential human rights greenwashing.

1.3. *Labor Conditions*

Information was collected on twenty-five factories and warehouses operating under an estimated twenty separate owners in the cities of Foshan, Guangzhou, and Jiangmen that directly participated in the manufacturing or sorting of finished apparel for Shein. Relevant data includes job recruitment posts, worker video testimonies, media comments, and factory advertisements found on Chinese social media such as *WeChat* and *Douyin*.⁵³ Sources were collected by the primary researcher of this work and used additional factory recruitment information consolidated by the partner organization CLW. Through this research and a comparison to the brand's public

⁵³ Douyin is the mainland Chinese counterpart of Tiktok (Chinese: 抖音)

reporting, there were several instances of deception or misrepresentation of labor conditions found within Shein's supply chain.

One notable discrepancy came through the portrayal of wages. The calculation of salaries for Shein employees can be broken down into three systems: hourly, monthly, and per-piece rates, with some overlap existing between the structures.⁵⁴ When analyzing Shein's overall portrayal of these wage systems, there were clear instances of reporting deception. First, three job posts spanning across two different suppliers in Guangzhou advertised positions that paid less than the minimum hourly wage of ¥22.5 (\$3.11), with the lowest observed hourly rate equaling ¥16 (\$2.26) per hour.⁵⁵ Payment below local minimum pay standards is considered to be a ZTV under Shein's standards, qualifying as a severe breach of the SRS management systems and a practice supposedly prohibited by Shein. The impact report further claims that in 2022 all identified ZTVs had been remedied or faced a termination of contract within the required timeline. With Shein seeking to portray its internal practices as effective for holding suppliers responsible for severe labor violations, the multiple observed instances of severe wage violations represent as a clearcut example of deception. Although there is ambiguity whether or not these facilities have been reached by Shein's auditing system, through its reports Shein claims that only 2.3% of suppliers were found to be paying below the minimum wage. On the contrary, this research found the issue present in at least 12% of the sample of suppliers observed, showing at the very least that it is a more prominent issue in suppliers than Shein claims.

⁵⁴ Under a piece rate system, workers are paid per article of clothing and their overall wage depends on the total number of unit outputs they manage to produce.

Keith A. Bender, Colin P. Green, and John S. Heywood. "Piece rates and workplace injury: Does survey evidence support Adam Smith?." *Journal of Population Economics* 25 (2012): 569-590.

⁵⁵ Minimum wage in China is broken down into separate figures for monthly and hourly rates which vary depending on the province and city.

China Briefing, Qian Zhou. "Minimum Wages in China 2023: A Complete Guide." China Briefing News, November 7, 2023. <https://www.china-briefing.com/news/minimum-wages-china/>.

Shein also misrepresented the caliber of its salary. At least three of the identified factories paid ¥6,000 or less per month (\$826.39), with one salary being observed as ¥4,000 (\$552.21). Additionally, the lowest monthly base wage fell around ¥2,100 (\$294.67). These wages meet the legally required minimum wage of ¥2,300 (\$317.64), ¥1,900 (\$262.40), and ¥1,720 (\$241.35) in factory locations in Guangzhou, Foshan, and Jiangmen respectively, technically remaining in accordance with Shein’s internal requirements. However, given that Shein openly promotes its wages as reaching two times the local average, it tactfully omits the conditions necessary for employees to obtain these salaries.⁵⁶ As found in ten separate facilities in this research, Shein manufacturers often rely on the use of piece rates in order to meet these claimed salaries. Referring to compensation provided based on the number of items produced, piece rates are often low and require workers to take on long working hours in order to obtain these promised wage standards.⁵⁷ Statements from several workers confirm that Shein suppliers operate with extremely low rates, commenting, “Xiyin’s [Shein] unit price [piece rate] is low... it’s tiring to be a Xiyin [Shein] employee.”⁵⁸ Noticeably, Shein does prohibit exploitative piece rates in the SRS standards when stating, “Suppliers shall not set production quotas or piecework assignments that require employees to work beyond their regular working hours to earn the legal minimum wage or the prevailing industry wage.”⁵⁹ With this in mind, Shein openly promoting its wages as fair and going above and beyond other company standards is deceptive, not taking into account the reality of wage structures and the difficulties to obtain high salaries under suppliers.

On a similar note, Shein also misreports the reality of working hours amongst suppliers.

Although Shein statements claim that fair working hours are maintained in their supply chain,

⁵⁶ China Briefing, Qian Zhou. “Minimum Wages in China 2023: A Complete Guide.”

⁵⁷ Alexandra L Bernard. "The Hidden Costs behind Cheap Clothing: Addressing Fast Fashion's Environmental and Humanitarian Impact." *Vand. J. Ent. & Tech. L.* 25 (2023): 541.

⁵⁸ Xiyin (希音): pinyin Mandarin for Shein/Zhoutian Business.

⁵⁹ SHEIN Group. “Shein Supplier Responsibility Standards.” 3.

reality shows that most workers have to take on long hours in order to maintain fair levels of compensation due to these exploitative pay structures. The observed factories were found to contain extremely long working hours, with five facilities directly advertising work days lasting over ten hours. Two of these further stated that their shifts amounted to twelve hours or above. This does not take into account factories in which job hours were not openly discussed, but comments from previous workers seem to reveal similar layouts for working hours across multiple other facilities. From the details provided, standard shifts under these suppliers begin at 8 a.m. and end at 9 p.m. the earliest, with several posts stating working periods lasting until 10:30 p.m. or more. Even when considering breaks, workers are undertaking fifty to seventy hours per week at a minimum, even more if facilities do not adhere to national requirements for days off. The total hours equals an estimated forty overtime hours a month at the minimum, spanning up to ninety-six hours or more in facilities with the longest reported workdays.⁶⁰ The uncovered overtime hours go well beyond China's national monthly maximum of thirty-six hours, meaning that Shein suppliers are in direct contradiction with both the local labor law and the evaluation standards present in Shein's CoC.⁶¹ With Shein further stating in its SRS documents that workers cannot exceed sixty hour workweeks, Shein is claiming to uphold fair working hours while simultaneously allowing suppliers to utilize extreme long shifts on a regular basis.

Multiple of these factories additionally violated the time-off regulations as set by national labor laws as well as Shein's CoC, again showing disconnect with Shein's reporting of working standards. According to Chinese labor standards, it is required that workers have at least one day

⁶⁰ Under Chinese national law, a normal work week consists of forty-four hours for a five day workweek. For the purpose of this study, anything above this is considered overtime.

People's Republic of China. *Labour Law of the People's Republic of China*, 2023. Article 36. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/37357/108026/>.

⁶¹ People's Republic of China. *Labour Law of the People's Republic of China*.

off per week. Requiring individuals to work no more than six days a week and rest four days off a month, this is considered the minimum obligation for fair working standards. Despite this requirement, four of the Shein facilities within this study were found to have less than three days off per month, with two of these facilities advertising only one day of rest. Under Shein's standards, employees are required to receive at least one day off within a seven day period except in emergency or "unusual" situations.⁶² On multiple places on their website including the impact report and *Workplace Health & Safety Statement*, Shein claims to safeguard employee's rights under the laws of the country of operation.⁶³ This shows a direct contradiction with reality as several identified suppliers are utilizing inhumane working conditions and exploiting their workers through illegal labor practices.

Shein suppliers were also found to be partaking in wage deception in recruitment, showing a direct contradiction to the brand's internal policies and public statements. As described by comments and video accounts by current and previous workers, several advertisements by third party labor brokers as well as factory recruiters were found to promise high wages that were unachievable unless workers take on working hours even greater than those discussed previously and maintain an unsustainable work pace. Although posted salaries reached up to ¥10,000 or more for basic line positions, accounts from workers revealed that the average salary reaches closer to ¥6,000 or less. Under advertisements for high paying positions, workers post that it is, "Impossible to earn more than ¥10,000," and, "...the salary is only 5,000 to 6,000 yuan...isn't the listing salary [¥]10,000?" Others state, "The 10-11 hours of sorting and collectively counting pieces are only about 200 a day." The use of deceptive recruitment methods

⁶² SHEIN Group. "Supplier Code of Conduct." 6.

⁶³ SHEIN Group. "Workplace Health and Safety Statement." Sheingroup.com, October 27, 2023. <https://www.sheingroup.com/workplace-health-safety-statement/#:~:text=Suppliers%20must%20comply%20with%20all,risks%20and%20take%20necessary%20measures.>

is explicitly mentioned in Shein's SRS standards which claims that suppliers must prevent, "...recruiting through deceptive promises." This shows a direct contradiction in brand claims versus real practice as at least two suppliers were found to be actively deceiving potential employees through higher promised wages.

Several workers also reported that Shein suppliers have unsafe or poor working conditions that places workers at risk. Video diaries on media platforms showcase piles of Shein clothes blocking walkways, creating dangerous environments, and adding to accusations of suppliers not maintaining required safety protocols. Comments under job posts reveal stressful environments, cruel management, and even potential unsafe or unclean spaces. One commenter recounts how they became constantly sick while working in the facility, stating, "'I signed a one-month contract and worked hard, but there were so many viruses that I caught a cold, fever, and allergies as soon as I got to work.'" Others comment on the poor working environment, showing videos of the mayhem that supplying Shein can create. Given that Shein advertises providing a safe and healthy working environment for their employees in compliance with multiple labor law standards, the reality behind these facilities does not align with public portrayal. Especially given the statements made on both the CSR reports and public statements by global managers, Shein attempts to portray its suppliers as being in compliance with clean, safe, and monitored working environments despite the evidence from this research showing otherwise.

1.4. Conclusions

From the data obtained, it is clear that Shein is misrepresenting labor conditions in their suppliers. When comparing worker testimonies and real life examples, the current layout of brand reporting does not accurately reflect the issues going on within the supply chain and

exaggerates positive impacts to create an overall more positive image of supplier practices. With a misrepresentation of fair wage structures, extreme working hours blatantly in contradiction with local law, violation of time-off requirements, and lack of adherence to safety protocols, there are clear and consistent instances of labor violations occurring within Shein manufacturers. Therefore, it can be concluded that Shein is misrepresenting labor conditions in its apparel suppliers.

Although this small scale study cannot gather a complete image of Shein's labor practices, it can conclude that a large majority of suppliers are operating with unjust working conditions that are in direct violation of local laws and in contradiction with Shein's public claims. Although it can be argued that the observed manufacturers may have not been audited by Shein or that the brand does reveal to a certain degree that suppliers contain risks, overall Shein seeks to portray itself as a sustainable and ethically conscious brand that is improving working conditions through its statements, reports, and public claims. However, there is an undeniable and consistent theme of exploitative labor practices used within Shein suppliers that are in direct opposition with the desired brand image. Combined with Shein's tactful omission of key details such as wage dynamics or exaggeration of benefits for employees, Shein's portrayal of ethical manufacturing is false and the reality behind Shein suppliers still remains consistently bad.

Although there seems to be efforts geared towards CSR action in recent years, the deception observed in the study highlights some of the flaws within Shein's internal system. First, the standards set by the CoC and SRS program are vague in some aspects and leave room for suppliers to still be in compliance despite having strenuous labor conditions. Given that major risks and CVs are left undefined, assurance methods are not mentioned, and several aspects of the SRS are not in compliance with local regulations, many of the current labor

practices within Shein's supply chain will be reported as compliant while simultaneously remaining unjust. Further, without direct disclosure of facility and supplier information, it is difficult to verify if information is accurately reported on a more specific basis. Finally, without third party verification or clearly laid out standards for violations, Shein is able to continuously undersell its impact on workers.

Overall, with the data revealing most of the observed suppliers still operating with stressful, high intensity, low paid, and long hour positions, it is clear that Shein's promises and reporting on labor conditions are not accurate. Whether it is due to a lack of enforcement of internal mechanisms or deliberate deception, it is clear that Shein is exaggerating its portrayal of labor conditions in its supply chain and is partaking in human rights greenwashing.

2. *Nike*

2.1. *Overview*

Another recognizable name in clothing production is Nike (耐克). Founded in 1964 under the name Blue Ribbon Sports, the international fashion giant headquartered from the United States is well known for its athletic apparel, sports equipment, and popular shoes such as Air Jordan. Marketing itself as the brand made for athletes, Nike is known for its infamous slogan "Just Do It," and promotes a company wide mission to, "...create a future of continual progress for athletes, sport and our world."⁶⁴ Ranked as one of the most popular fashion brands in the world, Nike generates an estimated annual revenue of nearly \$51.2 billion and competes with some of the largest names in fashion such as LVMH (Louis Vuitton).⁶⁵ Coming in second

⁶⁴ NIKE Inc. "Our Mission." About.nike.com, 2023. <https://about.nike.com/en/company>.

⁶⁵ NIKE Inc. "Nike, Inc.. Reports Fiscal 2023 Fourth Quarter and Full Year Results." investors.nike.com, June 29, 2023. <https://investors.nike.com/investors/news-events-and-reports/investor-news/investor-news-details/2023/NIKE-Inc.-Reports-Fiscal-2023-Fourth-Quarter-and-Full-Year-Results/default.aspx>.

place as the most visited shopping website in 2023, Nike is only outranked in web popularity by Shein in recent years.⁶⁶ With sales reaching hundreds of countries around the globe, the international brand is known as the world's largest athletic footwear and apparel company.⁶⁷

Nike in itself does not operate under the same production model as other fast fashion brands. However, given its history of unsustainable and unethical practices that generate a similar low cost, high-production dynamic, it can be categorized as a second example of the same type of industry. Its focus on traditional athletic wear allows it to produce under a standardized trend projection system, utilizing a lengthy and somewhat slower design process which seeks to predict trends and cater to forecasted market demands. Despite using a more traditional structure, Nike's rapid release of new lines and outsourcing of manufacturing allows for its products to be readily available for its customers. As a result, hundreds of millions of products are manufactured each year and Nike works with over 500 suppliers spanning 38 countries.⁶⁸ Focusing on marketing and partnerships with popular sports teams and athletes, Nike generates hype for its products and the resulting explosion of consumer demand allows the brand to produce new items under a quick and often inexpensive model of production.

Given the increase of brand popularity seen within recent years and its acquisition of other popular companies such as Converse, Nike offers a vast supply of products ranging from its popular shoes to athletic gear. The price points for Nike products vary, with clothing being listed for around \$30 and prices for shoes sitting around \$110 or more. With stores all around the globe and an average shipping time of under a week, Nikes ready made products are accessible to millions and have launched the brand into international fame.

Companiesmarketcap.com. "Largest Clothing Companies by Market Cap." CompaniesMarketCap.com, 2023. <https://companiesmarketcap.com/clothing/largest-clothing-companies-by-market-cap/>.

⁶⁶ Similarweb.com "Top Fashion and Apparel Websites Ranking in September 2023 - Similarweb." Similarweb.com, November 2023. <https://www.similarweb.com/top-websites/lifestyle/fashion-and-apparel/>.

⁶⁷ NIKE Inc. "Nike. Just Do It." Nike.com, 2023. <https://www.nike.com/?geoselection=true>.

⁶⁸ NIKE Inc. "Nike Sustainability - Interactive Map." Nikeinc.com, 2023. <https://manufacturingmap.nikeinc.com/>.

2.2. Corporate Social Responsibility

Despite its popularity, Nike has endured years of accusations and speculation regarding its labor practices. Criticism largely began after a report was published in 1991 by labor activist Jeffrey Ballinger in which Nike suppliers in Indonesia were found to be paying their employees only fourteen cents per hour.⁶⁹ As awareness of globalized working conditions continued to grow throughout the 1990s, increased access to information began what would be known as the anti-sweatshop movement.⁷⁰ As reporters, researchers, and civil society groups continued to investigate the use of low wages and unsafe conditions in Nike's production, campaigns against the brand pointed out its complicity in labor violations and pushed it to the forefront of global backlash. With many pointing out Nike's high price points as compared to their low production costs, Nike quickly gained a reputation as a brand using sweatshop labor in order to maximize profit.⁷¹ It was not until 1998 when CEO Philip Knight committed to raising the working age amongst Nike suppliers and joined the Fair Labor Association (FLA) the following year that the company image shifted to what is known as today.⁷²

Since then, Nike has made significant strides to move away from these accusations and cultivate a brand image more conducive to their stated mission of sustainable solutions and equitable development.⁷³ This has led to a strong focus on CSR practices, sustainable marketing, and the expansion of various projects that seek to address and remedy the negative impacts of

⁶⁹ Jeffrey Ballinger. "The New Free-Trade Heel: Nike Profits Jump on the Backs of Asian Workers." *Harper's Magazine*, August 1992. <http://archive.harpers.org/1992/08/pdf/HarpersMagazine-1992-08-0000971.pdf>.

⁷⁰ Benjamin Powell, and Linan Peng. "Sweatshop Boycotts: Can't Live With Them, Can't Live Without Them." *Free Market Institute Research Paper* (2023).

⁷¹ Bette Jean Bullert. "Progressive public relations, sweatshops, and the net." *Political Communication* 17, no. 4 (2000): 403-407.

⁷² John H Cushman. "Nike Pledges to End Child Labor and Apply U.S. Rules Abroad." *The New York Times*, May 13, 1998. <https://www.nytimes.com/1998/05/13/business/international-business-nike-pledges-to-end-child-labor-and-apply-us-rules-abroad.html>.

Fair Labor Association. "Nike Inc." Fair Labor Association, May 16, 2022. <https://www.fairlabor.org/member/nike/>.

⁷³ NIKE Inc. "Impact Moving Forward." About.nike.com, 2023. <https://about.nike.com/en/impact>.

Nike products on workers. In order to shift company focus, Nike promotes most of its activities and standards related to sustainable business practices on its website. Additional aspects of the company's image are displayed through advertisements, social media posts, and other forms of market focused statements which promotes Nike as a conscious and ethical choice for consumers.

On its website, Nike prominently displays a section titled "Impact Moving Forward." Through the link, visitors are directed to a catalog of different resources and commitment statements. The most relevant of these resources can be found under the "Responsible Sourcing," tab which details Nike's supply chain monitoring and efforts for transparency. Through this, Nike showcases important documents such as their *Human Rights and Labor Compliance Standards*, *Supply Chain Industry Collaboration*, *Strategic Compensation In The Supply Chain*, *Sustainability Commitments*, and *FLA Re-accreditation*.⁷⁴ It also promotes tools catered towards transparency such as the *Nike Manufacturing Map*, a comprehensive list of all identified suppliers and breakdowns of factory names, employees, and product type.⁷⁵ Finally, on its website Nike promotes the most recent *2022 Nike Impact Report*, their fourteenth responsibility report which details their ongoing efforts to monitor their supply chain and improve conditions within partner suppliers.⁷⁶

Labor guidelines can be found under the *Nike Code of Conduct (Code)*. The Code details standards used for supplier compliance which require a safe working environment, fire safety protocols, a minimum working age of sixteen, voluntary employment, working hour requirements, and more. Notable aspects of the Code highlight that regular work weeks should

⁷⁴ NIKE Inc. "Nike Responsible Sourcing." About.nike.com, 2023.
<https://about.nike.com/en/impact/focus-areas/responsible-sourcing>.

⁷⁵ NIKE Inc. "Nike Sustainability - Interactive Map", 2023.

⁷⁶ NIKE Inc. "Nike FY22 Impact Report ." About.nike.com, 2023.
<https://about.nike.com/en/newsroom/reports/fy22-nike-inc-impact-report>.

be forty-eight hours and not exceed sixty hours with overtime, compensation has to be sufficient enough to meet workers' needs, and the freedom of association and collective bargaining must be respected.⁷⁷ Details for implementation of the Code can be found in *Nike's Code Leadership Standards (CLS)* which details exact guidelines, risk assessments, policies and procedures, training, and requirements for suppliers to remain in compliance.⁷⁸ This document acts as a more detailed guide for the Code and appears as an internal mechanism for understanding supplier obligations.

The impact report in particular describes how Nike monitors its supply chain, using the Code and CLS to determine violations to labor standards. Measuring what they call, “foundational labor, health, safety and environmental expectations,” Nike utilizes verified third-party assessment tools in order to measure supplier compliance.⁷⁹ Notably different to Shein, Nike lists exact parameters for auditing and even reports that 97% of evaluated suppliers used at least one industry tool verified by the Social & Labor the Convergence Program (SLCP), a system used to capture data on global supply chains.⁸⁰ Listing auditing verification methods such as the Higg Facility Environmental Module (Higg FEM) a tool which seeks to standardize how facilities measure and evaluate their performance, Nike claims to regularly assess suppliers and states that the Code is an essential aspect to the brand’s sourcing strategy.

Based on these standards, Nike ranks suppliers based on compliance and manufacturing standards. Suppliers are scored on a scale from Gold to Bronze, with the addition of separate categories for Red and Zero Tolerance (ZT) violations. Gold ranking means world-leading practices that go above and beyond standards, Silver implies industry-leading innovations,

⁷⁷ NIKE Inc. “Our Code of Conduct for Suppliers.” About.nike.com, 2023. <https://about.nike.com/en/impact/initiatives/our-code-of-conduct-for-suppliers>.

⁷⁸ NIKE.Inc. “Code Leadership Standards.” About.nike.com, 2023. <https://about.nike.com/en/newsroom/resources/nike-code-leadership-standards-translations-2>.

⁷⁹ NIKE Inc. “Nike FY22 Impact Report.” 80

⁸⁰ SLCP. “Social and Labor Convergence Program.” slconvergence.org, 2023. <https://slconvergence.org/>.

Bronze means in compliance with average standards, and Red implies serious issues resulting in failed compliance. Furthermore, the ZT category is reserved for suppliers who are described as having critical issues that require immediate remediation or termination of supplier contract.⁸¹

In 2022, Nike found that the majority of suppliers fell into the Bronze category, with 370 reportedly meeting the baseline standards of the Code. They further reported that 186 fell into the Red category, and 34 were found to be in the Zero Tolerance category. No companies were ranked Gold and only fourteen were categorized as Silver. They further report that 60% of suppliers were in compliance with foundational expectations as determined by completed audits amongst a total of 862 first tier suppliers.⁸² There was a noticeable downturn in compliance as compared to 2021, but Nike states in the impact report that this is due to an expansion of the scope of these audits and are therefore an expected side effect of the system reaching a wider number of manufacturers.

Both on its website and reports, Nike promotes several programs beyond supplier monitoring systems which aim to directly increase efforts towards improving working conditions. Showcasing initiatives such as the *Women's Leadership Accelerator pilot program*, *Engagement and Wellbeing (EWB) Survey* for feedback from workers, collaborations with civil society groups aimed at improving workplace conditions such as the *Better Buying* and and the *ZDHC Foundation Supplier to Zero* program, Nike seeks to promote an image of increase engagement with members of its supply chain.⁸³ These various collaborations are further discussed on a page titled, "Supply Chain Industry Collaboration," which relays different partners that Nike works with to strengthen laws, support suppliers, and improve data collection

⁸¹ NIKE Inc. "Nike FY22 Impact Report ." 83

⁸² NIKE Inc. "Nike FY22 Impact Report ." 80-83

⁸³ NIKE Inc. "Nike Responsible Sourcing." 82.

and auditing techniques.⁸⁴ As a part of initiatives seeking to develop a unified and effective way to assess labor, health and safety conditions in factories, this aspect of Nike's long term activities shows yet another way in which the brand is seeking to encourage a more positive impact and perception.

Unlike Shein, Nike does not highlight its CSR activities as prominently on social media accounts. Both its Twitter and Instagram accounts under the handle @Nike predominately showcase inspirational stories of athletic sponsorships or promote the latest upcoming collection and only minimal posts were found to reference environmental or ethical goals. Despite this, Nike has a unique feature on their website called the "Newsroom" where interested consumers can browse the latest stories and reports.⁸⁵ It is through these reports that Nike is able to promote ongoing activities and goals for the brand as it showcases announcements, resources, reports, and media assets. These stories highlight Nike giving back to the community, manufacturing in humane ways, and even has a strong emphasis on gender equality on all levels of Nike operations.

Ultimately these practices portray a clear picture of Nike's commitments to ethical production, but it does not mean the fashion giant is without fault. Using both the Code and CLS standards, the theory of change behind Nike's CSR practices aims at identifying violations and monitoring suppliers throughout a large majority of its supply chain in order to put action plans in place for improvements. Important elements to Nike's reporting structure is its ability to back its claims with credible third-party auditing sources and clearly defined standards as compared to the ambiguity seen with Shein. Despite these positive improvements, there are still elements of change which make Nike complicit in human rights greenwashing as well.

⁸⁴ NIKE Inc. "Supply Chain Industry Collaboration." About.nike.com, 2023. <https://about.nike.com/en/newsroom/resources/supply-chain-industry-collaboration>.

⁸⁵ NIKE Inc. "Nike Newsroom." About.nike.com, 2023. <https://about.nike.com/en/newsroom>.

2.3. Labor Conditions

Research analyzed a total of ten Nike factories in the cities of Guangzhou, Qingyuan, Shenzhen, and Zhanjiang operated under an estimated eight different owners. Data collection targeted warehouses or factories that directly participated in the creation or sorting of finished apparel for Nike. In-person interviews were first conducted through the partner organization CLW in which questions were asked to nine workers from one Nike factory located in Shenzhen. All other information was collected by the primary researcher using social media searches for job advertisements, video diaries, comments, and posts on Chinese social media such as *Douyin* and *Toutiao*. Through the collected information and a comparison to the brand's public statements, there were several instances of deception or misrepresentation of labor conditions found within Nike's supply chain.

Nike was first found to be deceptive in its portrayal of wages. Suppliers were again found to pay on a monthly, hourly, or piece rate system with some intermixing of structures. Of these, four facilities were found to be paying below the hourly minimum wage required. With the lowest wage found to be at an hourly rate of ¥17 (\$2.39), a pay which is lower than the minimum standard of ¥22.2 (\$3.12) for the corresponding city of Guangzhou.⁸⁶ Nike's CLS states that employers must supply at least the minimum wage for all hours worked and must provide overtime compensation according to premium rates.⁸⁷ The observed practices are therefore in direct contradiction with the supplier standards that are supposedly being upheld. Further, Nike's impact report claims that in the same year only 3.3% of the 862 Tier 1 audits found non-compliance with wage and benefits obligations.⁸⁸ In the sampling of only ten factories, 40% of facilities were seen to partake in what would be considered a ZT according to Nike's

⁸⁶ China Briefing, Qian Zhou. "Minimum Wages in China 2023: A Complete Guide."

⁸⁷ NIKE, Inc. "Code Leadership Standards." 22.

⁸⁸ NIKE Inc. "Nike FY22 Impact Report ." 173.

standards. These findings seem to imply that wage violations are more prominent in Nike's supply chain than what is being portrayed, showing an instance of misrepresentation.

Another noticeable discrepancy is through Nike's promises of providing a living wage and the subsequent use of piece rates. At least four of the identified factories operated with piece rates, with most having low accompanying salaries. In these instances, workers reported receiving a wage totaling around ¥5,000 (\$702.46) to ¥6,000 (\$842.95) per month, with the lowest being identified as ¥3,000 (\$421.47). Additionally, several job advertisements revealed piece rates to be around ¥20 (\$2.74) or less per item. The pricing system in itself is not prohibited under Nike's Code, however, according to Nike's stated practices employees must be paid a salary that meets their basic needs.⁸⁹ On its website Nike promotes its collaboration with the Global Living Wage Coalition (GLWC) and claims that, "On average... [Nike supplier factories] 53% pay above applicable living wage benchmark(s)."⁹⁰ Despite promising these high wages that go above minimum standards, this does not take into account how piece rates systems require long working hours and strenuous conditions in order to match the reported salaries. With Nike omitting that these salaries come as a result of piece rate systems, it is falsely portraying the reality of the labor conditions required in order to achieve these promised wage targets.

Similar deception in working hours was found in Nike's reporting. Although shifts seemingly do not last as long as hours for brands such as Shein, there are noticeable long hours that are reported by many workers. Some shifts reportedly lasted from 8 a.m. to 10 p.m., equally 12 hours without accounting for breaks. Most of the in-person interviews with workers describe experiencing similar work hours for both daytime and nighttime work. Other factories reported working 10 hours or more daily, with some workers discussing the exhausting nature of these

⁸⁹ NIKE, Inc. "Code Leadership Standards." 122.

⁹⁰ NIKE Inc. "Strategic Compensation in the Supply Chain." About.nike.com, 2023.
<https://about.nike.com/es/newsroom/resources/strategic-compensation-in-the-supply-chain>.

positions by stating, “ I’m so tired. I didn’t come back [home from] dawn until midnight.” The workers also report working a total of 26 days per month, meaning that there is at least one day off each week. With workers reporting at least two hours of overtime daily, the reported hours are equivalent to a monthly total of forty-eight to sixty-four extra hours. Going beyond the national limit of thirty-six hours per month, several of the suppliers were found to be in violation with local labor laws. Despite this, Nike’s own standards permit sixty hour work weeks, putting itself in direct contradiction with local standards. As a result, Nike is falsely portraying its facilities as adhering to fair working hours meanwhile misrepresenting its current hour structure,

Further insight into supplier practices reveal forms of recruitment deception. Some job posts claim salaries reaching up to ¥10,000 a month, but a quick check of video comments reveals that these are unrealistic numbers. Most report salaries at much lower rates, equalizing between ¥4,000 (\$563.42) to ¥6,000 (\$845.13) on average. Workers state that salaries of that caliber only occur for those who work long and hard, with one commenter even stating, “I have made clothes. There is not such a high salary.” According to Nike’s Code of Ethics (CoE) and CLS, recruitment is required to be fair and without deception. With strong statements against any form of forced or coerced labor, Nike claims that suppliers remain in accordance with commitments for fair supplier practices. Therefore under the current system, the misrepresentation of recruitment tactics can be considered a form of deception as Nike’s promises do not reflect the reality of supplier practices.

Another major discovery from these interviews was the use of wage deductions. Mostly found through in person discussion with workers, there were reports of arbitrary wage deductions occurring for absenteeism, tardiness, or low performance. Workers report that absence for one day risks deductions equaling three days worth of wages. These workers further stated that wage

adjustments will occur based on performance and tardiness, with one worker reporting ¥20 (2.82) to ¥30 (4.23) deduction. Under the standards of the Code, Nike claims that “Deductions from wages will not be made for disciplinary purposes, nor will any deductions not provided for by local law be permitted without the express written permission of the worker concerned.”⁹¹ With these deductions occurring at a facility that Nike publicly promotes on its supplier map, this is a clear example of Nike not enforcing its regulations. It claims to prohibit practices, but with several workers reporting that these wage deductions are common it is another example of misrepresentation of workplace conditions.

Some additional observations concluded other forms of CSR deception. An important note from several of the in-person interviews determined that Nike workers have limited awareness of unions. Although a worker union existed in the facility, workers recount that these organizations are not promoted to workers and are often not used. None of those interviewed state that they are a part of the union and some even report not being aware or interested in participating, however others lament on the ineffectiveness of these organizations within these factories and associate them. Although this is commonplace across factories in China due to the lack of permitted independent unions, this still shows slight discrepancies in how Nike portrays its facilities. Throughout its website and standards set in the Code and CLS, Nike promotes its commitment to protecting the right to what they call freedom of association. Despite distinct reverence on its importance, it is clear that union building efforts are exaggerated in some cases and not given important cultural context. Therefore, the unions seem to be largely for show and can be considered a tool for Nike to promote a better public perception.

⁹¹ NIKE.Inc. “Code Leadership Standards.” 123.

2.4. *Conclusions*

From these findings, it is clear that although Nike has put significant attention to improving its working conditions there is still evidence of deception. Overall, working conditions were generally positive within several of the studied factories. Managers are reportedly civilized and there were no reports of discrimination, abusive behavior, or coercion. Factories were clean and well regulated, workers did not report any use of child labor beyond the legal use of student interns, dormitories were considered to be acceptable, and several workers verified the use of yearly safety training. These statements largely align with Nike's reported practices, however there were several aspects of company practice which falsely represent the conditions present in targeted facilities. With pay below minimum wage standards, piece rates being utilized to meet target salaries, long working hours, recruitment deception, wage deductions, and lack of union representation, there are still practices within Nike suppliers which are misrepresented in their public reporting structure. Therefore, the observed practices showcase large gaps in brand accuracy and participation in human rights greenwashing.

From these observations, there are aspects of Nike's current practices which leave gaps in accuracy and are in need of reform. The regulations in the Code leave standards noticeably vague. This means that factories can have inactive unions, pay rates below promised living wage standards, and have sixty hour long work weeks without being docked points in Nike's evaluation standards. As a result, several of the factories are portrayed as containing adequate working conditions despite still relying on stressful working environments. Additionally, although Nike does provide factory names and locations they do not connect each facility with an audit score or particularities about conditions. Therefore, it is difficult to understand the accuracy of their reports and serves to showcase areas of current practice which lack

transparency. As a result, several aspects of their working conditions as reported in CSR statements exaggerate the level of supply chain knowledge. Despite this, based on the research results it is clear that there is some merit to the increased attention Nike pays to labor standards and transparency.

Overall, Nike's vague standards and lack of transparency leave ample room for deception. As Nike continues to promote its action as beneficial to workers and claims to operate on increasing standards, reality reflects that several aspects of their supplier practices still perpetuate poor labor conditions. The highlighting of positive statistics and improvements while simultaneously not addressing inadequate labor standards makes Nike complicit in exaggerating their positive impact. Overall, although Nike has a distinct focus on improving labor conditions and shows potential for increasing transparency, there is evidence that the brand is participating in human rights greenwashing.

Chapter 3: Impacts and Solutions to Human Rights Greenwashing

1. Discussion

1.1. Comparison

From observations of the thirty-five facilities spanning across the supply chains of Shein and Nike, ultimately it can be concluded that there is evidence of exaggeration or misrepresentation present in the public reporting of both brands. When comparing CSR reports and statements to current labor conditions, both companies were found to be falsifying some aspects of their human rights practices and overemphasizing parts of their ethical commitments. Although each brand did show heightened attention to social responsibility as compared to previous years, increased focus did not necessarily correlate to greater accuracy. Instead, each

brand used public facing reports as a tool for improving public perception while still maintaining relationships with suppliers actively violating labor standards. Therefore, through the findings of this study it can be suggested that human rights greenwashing may present an issue to the fashion industry. Furthermore, implications from these findings suggest that fast fashion plays a dominant role in the perpetuation of inaccurate reporting and has the potential to worsen human rights impacts as a whole.

Despite the commonality of deception observed in both brands, there are marked differences between the operations and the transparent structure behind Shein and Nike which may provide insight into CSR accuracy, its human rights impact, and potential avenues for change. Through a comparison of the collected data, there were notably more instances of labor violations and reporting deception found in Shein as compared to Nike. Although both companies had facilities with conditions below reported standards, the violations and subsequent misrepresentation found in Nike facilities were concentrated into a few suppliers while the malpractices in Shein manufacturers were more severe and widespread. Additionally, analysis of reports and public facing information revealed that Nike is arguably more transparent than Shein. Comparably more upfront about its challenges and shortcomings, Nike provides detailed information on verification strategies and partnerships with outside organizations that ensure accountability in data collection. Furthermore, its internal authentication strategies are more robust. Requiring external verification and methods of assurance, although Nike is not exempt from inaccuracy it presents itself as more accountable as compared to Shein.

There are several reasons as to why this may be the case. First, although both brands participate in the fast fashion production model, Shein's ultra-rapid and decentralized method of production represents some of the worst manufacturing practices in fashion production. With

suppliers spanning across the globe creating thousands of new items daily, the current business model of Shein is unsustainable and prevents meaningful transparency from occurring. In comparison, Nike utilizes a relatively slower model of production with fewer suppliers and less products. As a process which is more conducive to understanding the reality behind working conditions, it appears that a slower model of production can provide some benefits to both accuracy and overall labor conditions. Although both are complicit in the system of fast fashion, by focusing on a smaller number of suppliers companies are able to be more accurate in reporting and create more meaningful and achievable goals.

Another potential cause of the observed discrepancy in accuracy may be due to Nike's stronger approach to CSR. Nike has been focusing on ethical and sustainable production for longer than Shein, with early versions of social responsibility reports going as far back as 2001.⁹² As a result of sustained action, Nike has had the time and resources to develop more comprehensive tools and strategies that increase accuracy and mitigate harms seen within the supply chain. Additionally, Nike's internal strategies seem to foster a more direct, transparent, and long lasting relationship with suppliers. Nike claims that 90% of suppliers have been working with the brand for over 15 years.⁹³ Increased supplier relations in itself has the potential for positive impacts. Factories that are directly linked to regular auditing, brand oversight, and promoted on public facing tools such as Nike's manufacturing map showcase greater adherence to brand standards as they are exposed to outside verification and monitoring. By maintaining closer ties with suppliers, brands may be more likely to go beyond minimum requirements and work directly with suppliers to understand, mitigate, and report specific harms associated with

⁹² NIKE Inc. "NIKE, Inc. Impact Report Archive." About.nike.com, March 9, 2022. <https://about.nike.com/en/newsroom/reports/nike-inc-impact-report-archive>.

⁹³ NIKE Inc. "Our Approach to Sourcing." About.nike.com, May 2, 2019. <https://about.nike.com/en/newsroom/resources/supplier-relationships>.

each facility. On the contrary, Shein's model allows decentralized suppliers to remain anonymous to both the general public and the brand itself. Without an unmanageable number of suppliers and unsustainable business model, Shein's practices perpetuate instances of both labor violations and inaccuracy at a greater frequency.

1.2. Impacts and Barriers

Ultimately through a comparison of accuracy in these fashion brands, we can come to several conclusions regarding the impact of fast fashion and human rights greenwashing. First, it is clear that a lack of accuracy in reporting is heavily linked to the perpetuation of negative human rights impacts within the fashion industry. When fashion brands do not have a clear idea of their chain of production or the labor that is involved, there is ambiguity within reporting and leads to inaccuracy and a lack of awareness of ongoing labor conditions. Although most companies are moving in the direction of understanding their labor practices, the importance of supply chain mapping, supplier contact, and understanding of supplier conditions is essential for brands to adhere to set standards and allow for necessary awareness. The gap between the consumer knowledge and actual conditions as reported by individuals within the supply chain is vast, meaning the average buyer does not know the reality behind their clothing. The gap should be filled in order to increase awareness and workplace protections. As observed within this study, although human rights greenwashing can occur within any supply chain, the modes of production inherent to fast fashion are conducive to deception and therefore are able to perpetuate unethical practices without restriction.

On top of this, fast fashion also prevents necessary change from occurring within the industry. Complete transparency alone is not enough to protect apparel workers, however, it is an important first step to securing adequate working conditions and establishing a baseline of

accountability within the industry. Consequently, forms of human rights greenwashing not only provide a false sense of security that ethical practices are being utilized, but they also contribute to the continuation of poor standards. Without verification of accuracy, avenues of change for consumers and other stakeholders will be blocked and will ultimately prevent brands from being held responsible for their complicity in labor violations. Under the current system, companies will likely continue to only meet the bare minimum standards without motivation or accountability to improve malpractices.

Although these impacts present an argument for increased efforts of accountability and accuracy from fashion brands, it is important to understand that the fashion industry is complex and there may be barriers to accuracy beyond what has been discussed. The conversation surrounding accountability for supplier practices can be complicated as brands themselves do not always bear the burden for misrepresentation or perpetuation of poor labor standards. One such barrier is the lack of access to suppliers and knowledge of ongoing conditions. Particularly true for suppliers further down the production chain, the fashion supply chain is vast and can include a wide variety of actors. As a result, brands may struggle to understand where the full scope of production and significant time and resources will be necessary to ensure there is accurate and complete information.

Additionally, discussions with CSR professionals in the fashion industry reveal that other aspects of regional specific labor practices creates difficulties in accuracy. One prominent example is the use of subcontracting. A common practice in countries such as China, the idea of subcontracting occurs when suppliers either cannot meet order requirements in a given timeframe or do not want to take on an order. Often happening without the knowledge of brands, these suppliers then subcontract the labor out to outside facilities which are often unmonitored

and therefore have worse conditions. This then ties brands to facilities without their knowledge, making it difficult to maintain completely accurate images for the entirety of their supplies.

Finally, there is the obvious barrier of deception coming from suppliers themselves. With many suppliers motivated to maintain partnerships and steady orders from these popular brands, there are incentives on the manufacturing level to not be transparent about true practices. Arguable something that is out of the control of brands, however there are methods for remediating these ongoing barriers.

Despite this, it is ultimately still the responsibility of fashion brands to understand their own production methods and create the necessary avenues of change. Without transparency, accuracy, or accountability within the industry coming from the company itself, it is unlikely that necessary changes will be implemented. Therefore, although there may be challenges to accuracy that provide context for some instances of CSR deception, ultimately it is necessary to overcome these barriers in order to improve human rights conditions in fashion production as a whole.

1.3. Future of Fashion

Although this discussion brings up the complicity of different actors in ongoing labor conditions in the fashion industry and the responsibility of corporations to respect human rights, without enforced accuracy brands will be able to continue to present an image of ethical manufacturing through selective reporting. As a result, there are several changes to the current reporting structures and systematic labor practices that are necessary for decreasing these instances of reporting deception. Targeted reform to company practices, monitoring, and enforcement is needed in order to create change within the industry and create a brighter future for both accuracy and labor practices within the industry. Although there are several actors that are essential for strengthening labor protections and methods of accountability, targeted action at

the industry level is necessary to ensure accuracy, compliance, and the safety of apparel workers that span across the entirety of a supply chain.

One of the most important next steps for the fashion industry is the introduction of reformed auditing and assurance methods. There is little standardization amongst auditing techniques, with no universal standard to compare results to. Although third-party auditors often partner with companies to ensure conditions are monitored, this is not required for fashion brands and therefore leaves a large potential gap in accuracy. Additionally, a lack of centralized oversight systems creates what can be referred to as “auditing fatigue,” hindering the effectiveness and accuracy of the entire process. Discussions between the primary researcher and CSR managers within the fashion industry flagged the overuse of audits as a major concern, with professionals stating how the current system demotivates accuracy and prevents companies from collectively analyzing methods for change with shared suppliers.

On top of this, a more effective system may also require a turn to third party monitoring or centralized guidelines as a requirement to verify information. Without adequate third party verification or methods of accuracy and accountability, human rights greenwashing will continue to occur. A lack of proper incentives to ensure compliance will likely allow these deceptive labor practices to continue. Especially when considering the ambiguity of lower tiers of the fashion industry, lack of accuracy in suppliers closer to the direct brand is a clear indicator that the issue will persist as supply chain knowledge grows. At present, the gap in accuracy and transparency of the industry can be filled by third party actors and other organizations with the awareness and training to understand the full impact of current labor conditions. Whether through human rights groups, local organizations, or coalitions, there is a need for outside actors who promote fair working conditions at the brand level with regional context and necessary understandings of the

needs in the industry. It is evident that fashion brands are not capable of self regulation and need intervention in order to ensure compliance with adequate working conditions. Therefore, it is essential that brands are held accountable for inaccuracies by third party involvement.

Another essential step to reform needs to come in the form of regulation. Regulations provide financial, regulatory, or even legal incentives for brands to push for better standards and removes the guessing game of self-accountability. Largely as a response to growing public demand for accuracy, recent domestic and international legislation have attempted to curtail labor violations by requiring transparency and due diligence methods within global supply chains and creating financial culpability for brands that do not adhere to accurate reporting obligations. Successes such as the International Safety Accords showcase the ability for legislation to create concrete changes to safety standards⁹⁴ As a result of their work, there are mandatory building inspections, safety training, and complaint mechanisms for workers in high risk countries such as Bangladesh and Pakistan. Most recently, the New York Fashion Act was proposed, a regulation which would require transparent reporting on all tiers of the supply chain, reduction of carbon emissions, fair labor standards, and even wage liability all targeted at the brand level. With financial penalties for non-compliance and state regulated monitoring parties, the act presents itself as the biggest step forward for the idea of brand accountability. in the fashion industry. Though it has not passed yet, it is a unique way to address the largest issues present in the fashion industry by targeting the center of malpractice.⁹⁵

⁹⁴ Following the disaster of Rana Plaza in 2013 and the death of over 1,000 workers, the International Accord for Health and Safety in the Textile and Garment Industry came together to push for increased safety standards. International Accord. "International Accord for Health and Safety in the Textile and Garment Industry." internationalaccord.org, November 17, 2023. <https://internationalaccord.org/>.

⁹⁵ New York Fashion Act. "The Fashion Act: Read the Bill." Thefashionact.org, 2023. <https://www.thefashionact.org/>.

2. *Conclusion*

Ultimately, the comparison of reporting accuracy and social responsibility in two prominent fast fashion brands represent a small glimpse into the current gaps in accountability within the fashion industry and its subsequent impact on human rights. With a lack of monitoring mechanisms, third-party involvement, inadequate auditing systems, and substandard labor practices, the system at large is conducive to inaccurate reporting. Although some evidence points to positive improvements as a result of CSR practices, there is a lack of true transparency and accountability within the supply chains of Shein and Nike which can point to a larger system-wide issue in the fashion industry. Therefore, CSR accuracy in the context of human rights is an issue in need of immediate action in order to mitigate the ongoing harms to transparency, accountability, and workplace conditions.

This thesis seeks to provide a dive into CSR methods, labor condition reporting, and supply chain knowledge in the fashion industry in order to bring human rights into the discussion of greenwashing. Given the limited scope of resources, further study is required at a larger scale to understand accuracy across the entirety of the industry and understand the most effective avenues for change. Despite the limitations of this study, it ultimately presents a pathway to bring human rights into the conversation of greenwashing. By centering the voices of workers in the conversation, it is for the betterment of consumer understanding, brand accountability, and the protection of human rights that change is sought out within the industry.

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