

Order SO 2021-10

October 29, 2020

FOLLOWING COMMITTEE REFERRAL & REVIEW
ON BEHALF OF THE COMMITTEE ON THE CONSTITUTION

Thomas Davis, *Parliamentarian*

Ricardo Pozas Garza, *Club Coordination Council President*

Patrick O. Lee, *Stanford Hall Senator*

Niels Caspersen, *Fisher Hall Senator*

Madison Nemeth, *Johnson Family Hall Senator*

**AN ORDER TO AMEND THE CONSTITUTION OF THE UNDERGRADUATE
STUDENT BODY TO PROHIBIT STUDENT UNION
CONSUMPTION OF FORCED AND PRISON LABOR**

Whereas, Article XVIII of the *Constitution of the Undergraduate Student Body of the University of Notre Dame du Lac* establishes fiscal policies for the Student Union;

Whereas, Article XVIII, Section 2(a) of the Constitution establishes regulations for Student Activities Fees;

Whereas, Article XVIII, Section 10 of the Constitution establishes fiscal policies specific to the Student Union Endowment;

Whereas, Article XVIII, Section 11 of the Constitution establishes fiscal policies for the Shirt Charity Endowment;

Whereas, Article XVIII, Section 12 of the Constitution, establishes fiscal policies for the Shirt Student Enrichment Endowment;

Whereas, Article I, Section 7(a) of this Constitution “recognizes the God-granted dignity of all persons”;

Whereas, the Church recognizes, as stated in Paragraph 2434 of the Catechism of the Catholic Church, that “[a] *just wage* is the legitimate fruit of work. To refuse or withhold it can be a grave injustice”;

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Whereas, the Church recognizes, as stated in Paragraph 2428 of the Catechism of the Catholic Church, that “[e]veryone should be able to draw from work the means of providing for his life and that of his family, and of serving the human community”;

Whereas, the Constitution recognizes the rights of certain workers to a just wage and fair working conditions, as Article XVIII, Section 4(e) thereof prohibits the use of “sweatshops” in the manufacturing of The Shirt;

Whereas, the rights of workers to receive a just wage and fair working conditions is not limited to those workers involved in the manufacturing of clothing;

Whereas, the Constitution, as written, does not contain any prohibition on investments in companies, via the various endowments of the Student Union, that use forced labor in the provision of their goods and services to the market;

Whereas, the Constitution, as written, does not contain a general prohibition on the use of student activities fees to purchase products from companies that are made using forced labor;

Whereas, it is the position of the Undergraduate Student Body that the Student Union should not profit from forced labor, nor from those companies who deny workers a just wage or fair working conditions; therefore, be it

Ordered by the Student Senate of the University of Notre Dame du Lac,

That the Constitution of the Undergraduate Student Body, pursuant to Section I (5) of the same, is hereby amended as follows:

I. The following subclauses (f-i) be inserted to Article XVIII Section 4:

- (f) No Student Union Organization, Special Interest Group, nor any other student group that receives a monetary allocation from any Student Union Organization shall be permitted to purchase goods or services from any business entity that directly utilizes forced labor and/or labor performed in any prison, foreign or domestic, in the creation of such goods or the provision of such services to such student group.

- (g) No Student Union Organization, Special Interest Group, nor any other student group that receives a monetary allocation from any Student Union Organization shall allocate any funding to any other student group that knowingly purchases goods or services from any business entity that directly utilizes forced labor and/or labor performed in any prison, foreign or domestic, in the creation of such goods or the provision of such services to such student group.
- (h) The Club Coordination Council shall have the power to determine and levy fiscal penalties, including but not limited to allocationary and reallocationary penalties, and to recommend that the FMB freeze a club account for up to a semester, should it deem a club to be in non-compliance with any of the restrictions on the use of allocated funds contained in this Article and/or the Bylaws of the Club Coordination Council. The Club Coordination Council shall have the power to execute its discretion to discontinue advertisement or networking assistance to clubs that violate such statutes, in a manner consistent with the extent of the club's non-compliance.
- (i) For all Student Union officials and Student Union Organizations, knowingly and deliberately violating these special limitations regarding the allocation of funds and/or the use of such allocated funds shall constitute willful mismanagement of undergraduate student funds.

It is so ordered and approved.

Rachel Ingal
Student Body President