

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133

By His Excellency

WILLIAM F. WELD
GOVERNOR

EXECUTIVE ORDER No. 359

ENCOURAGING A HEALTHY ECONOMY IN A MULTI-RACIAL DEMOCRACY
IN SOUTH AFRICA

WHEREAS, after decades of apartheid, the Republic of South Africa is entering a new era which presents an historic opportunity for a transition to a peaceful, stable and democratic government for all its people;

WHEREAS, South Africa will hold multi-racial elections on April 27, 1994;

WHEREAS, South Africa has established a Transitional Executive Council;

WHEREAS, South Africa has established independent Electoral and Media Commissions;

WHEREAS, South Africa has enacted the Transition to Democracy Act;

WHEREAS, the success of a democratic government in South Africa will depend in part on ensuring a healthy economy which can provide job and investment opportunities for all South Africans;

WHEREAS, expanding private enterprise and free market systems in South Africa would provide ownership and managerial opportunities, professional advancement, and employment for disadvantaged South Africans and respond to the historical inequities created under apartheid;

WHEREAS, representative leaders in South Africa, including Nelson Mandela of the African National Congress and The Most Rev. Desmond Tutu, have called for an end to all remaining measures limiting economic contacts with South Africa;

NOW THEREFORE, I, William F. Weld, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me as Supreme Executive Magistrate, do hereby revoke Executive Order 288 and do further order as follows:

ARTICLE I. Declaration of Policy

1.1 The Commonwealth of Massachusetts supports the efforts of South Africa to institute a democratic government for all its citizens.

1.2 The Commonwealth is committed to encouraging private sector investment in and trade with South Africa, in a responsible manner, in order to expand professional advancement, training, and employment for disadvantaged South Africans and rectify historical inequities created under apartheid.

1.3 The Commonwealth shall use the purchasing power of state government to ensure that it does business only with companies that comply with the principles set forth below.

ARTICLE II. Guiding Principles Regarding Employment Practices for Companies Doing Business with South Africa

2.1 Companies doing business in South Africa should uphold workers' rights, including the right to organize, to join employee organizations, to bargain collectively concerning the terms and conditions of employment, to strike, and to picket peacefully.

2.2. Companies shall eliminate all discrimination, including discrimination based on race, religion, gender, physical handicap, sexual orientation, or political opinion, and shall implement affirmative action programs.

2.3 Companies shall provide working conditions which are humane and fair and which reflect conditions provided for the companies' other employees.

ARTICLE III. Guiding Principles for Companies Investing in South Africa

3.1 Investment shall enhance the creation of jobs.

3.2 Investment shall incorporate environmentally sound and clean practices and technology .

3.3 Investment should enhance the productive capacities of South Africans, including, for example, instituting training and adult education programs for workers.

3.4 Where possible, companies should adopt business practices which enhance the development of Black businesses in South Africa.

ARTICLE IV. Implementation

4.1 The provisions of this Executive Order shall be implemented by regulations promulgated by the Secretary of Administration and Finance, through the Department of Procurement and General Services. Such regulations shall include a requirement for appropriate disclosure of relevant information and shall be effective on or before October 15, 1993. Regulation 802 CMR 5.00 is hereby rescinded.

4.2. The Purchasing Agent shall forward copies of the regulations to state authorities and public institutions of higher education, who are encouraged to adopt comparable policies and regulations.

4.3 The Secretary for Administration and Finance shall review the special and general laws of the Commonwealth and shall recommend on or before October 15, 1993 such legislation as is necessary to make all the laws of the Commonwealth consistent with this Order.

Given at the Executive Chamber in Boston this twenty-fourth day of September in the year one thousand nine hundred and ninety-three.

William F. Weld, Governor
Commonwealth of Massachusetts

Michael Joseph Connolly
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS