



Warner Legal Corner

AUTOMOTIVE LEGAL TOPICS
Volume Eight, September 2022

ATTORNEY SPOTLIGHT

Zainab Hazimi

What the UFLPA Means for Automotive Suppliers When Sourcing Product From Xinjiang

Nearly unanimously passed by Congress and signed into law by President Joe Biden, the Uyghur Forced Labor Prevention Act (UFLPA) went into effect on June 21, 2022, aimed at curbing forced labor in China's Xinjiang region. The Act will require importers to be responsible for proving that imported goods from Xinjiang are not the product of forced labor. Automotive importers beware.

While finished automotive parts are rarely sourced from this region, raw materials and components integrated into automotive parts are – thus importers must ensure no part of any material imported from Xinjiang is the result of forced labor. Failure to disprove the force labor presumption could result in goods being detained, seized by and/or forfeited to U.S. Customs and Border Protection at the port.

To avoid these losses, here are some steps to consider:

- **Determine your forced labor risk profile.** Develop a policy for mapping out the supply chain to effectively trace the source of each part, material and/or component being imported. Can you say for sure that no part of your supply chain is sourced from Xinjiang?
- **Implement supply chain management and mitigation measures.** If your supply chain includes at-risk suppliers (i.e., suppliers located in the region or sourcing from the region), does your supply chain mapping go beyond identifying the names of suppliers and sub-suppliers? Does it also include accounts of the working conditions at each step in the sourcing process?
- **Update your supply contracts.** Importers should consider whether their supplier contracts require compliance with all U.S. federal laws and the UFLPA specifically. Other relevant contractual provisions might include a requirement that suppliers and sub-suppliers avoid sourcing from the Xinjiang region or otherwise implement codes of conduct that prohibit forced labor and other human rights violations.

For more information from Warner's Automotive Industry Group, visit their [webpage](#) or log onto www.wnj.com.

Warner attorney Zainab Hazimi is a litigator who focuses on employment, supply chain and other commercial litigation. Her experience spans state, federal and appellate courts and private arbitration.



Zainab has a proven track record in court and tenaciously defends her clients' rights from start to finish. She won a \$32 million judgment on behalf of an automotive supplier that was cut out of their own supply chain. The case included tortious interference and breach of contract claims. She also obtained \$4 million in preliminary injunctive relief on behalf of an automotive supplier who was on the brink of insolvency. This sort of relief is extraordinary, and not commonly afforded to parties by the courts.

Currently, Zainab is steadily focused on helping suppliers through temporary restraining orders (TROs) and preliminary injunctions. Many suppliers are being forced into price increases without a choice – something that is wreaking havoc across the automotive industry. Having worked in the automotive supply chain sector for years and eagerly learning the supply chain process unique to each client – from sourcing parts to the manufacturing process – Zainab applies this practical knowledge to each and every case. Clients rely upon Zainab for her attention to detail, industry acumen and fierce advocacy.

In addition to her automotive supply chain practice, she frequently counsels and represents employers in various labor and employment disputes, namely discrimination, retaliation and harassment claims.

Prior to Warner, Zainab was a law clerk for U.S. District Judge Sean F. Cox in the Eastern District of Michigan, where she gained significant courtroom experience and valuable insight into the inner workings of a federal courthouse – something she brings to her writing and oral arguments.

Zainab is recognized among the *Best Lawyers*® Detroit Commercial and Employment Litigation "Ones to Watch" List (2021-2023).

Check out Zainab's [full bio](#) here.



Michael Brady
Partner
mbrady@wnj.com
313.546.6032



Tom Manganello
Partner
tmanganello@wnj.com
313.546.6007



Elaine Taylor
Business Development
etaylor@wnj.com
586.876.4045

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