Cambridge University Press & Assessment 978-1-108-70838-8 — Stitching Governance for Labour Rights Juliane Reinecke, Jimmy Donaghey Index More Information

# Index

3F (Danish union), 173, 220 Accor hotel chain, 38 Accord on Fire and Building Safety in Bangladesh (Accord), 18, 20, 80-85, 87, 89, 111, 116, 159-162, 194. See also International Accord; Labour Caucus; Transition Accord brand commitment, 81 capacity-building emphasis, 130-138, 143-145, 198 co-emergence with Alliance, 121-123 complaints mechanism, 134, 136-138 contested authority, 81, 150 credible commitments, 126 dominance of brands, 151, 155-159, 168, 170-172 exclusion of employers, 81, 150-159, 162-164, 170-172, 204-205 exclusion of state, 81, 159, 162-164, 170-172, 204-205 factory closures, 132, 156 focused approach, 84 governance structure, 123-125, 143, 170implementation and operation, 126, 130-138, 147-149 including affected constituency, 105 input legitimacy, 127-129 jurisdiction challenged in court, 166-170 labour-negotiation approach, 132-134 legacy, 139-141 legally enforceable commitment, 82, 12.6 legitimacy, 167 leverage through collective action, 83, 96, 98–99, 106, 199

member-based presence, 106 mobilising companies to sign up, 96-99 negotiating the Accord, 94-96 OSH committees, 84, 86, 88, 130-131, 136, 140, 198, 204 pooling of resources, 83 principles of industrial democracy, 143 programme activities, 80 remediation rates under, 81 replacement structures, 139-141, 162 - 164representation of labour, 99-100, 116-121, 124-125 representative alliances in, 90-103 representative gaps, 118 role of NGOs and campaign groups, 94, 100-103, 108, 112 safety monitoring, 83-84, 129, 156-159 signatories, 90, 98-100 success indicators, 81 tensions, 101-103 termination and replacement by RSC, 167-170 transnational co-determination, 81, 197 worker voice, 84, 130-131, 136-138 workers' compensation, 132-134 Accord on Fire and Building Safety in Bangladesh (Accord) Steering Committee, 81, 94, 99, 125, 133 BGMEA lack of seat, 128, 153-154 ILO as chair, 96, 107, 125 accountability to constituency, 113-116 attention based, 115-116 deliberative, 115 membership-based, 113-115

251

### 252

Index

Action. Collaboration. Transformation (ACT) initiative, 141, 206 Agreement on Textiles and Clothing, 71 Ali Enterprises disaster, 38 all affected interests principle, 7, 10, 49 Alliance for Bangladesh Worker Safety (Alliance)20 Board Labor Committee, 126, 128 brand-benevolence approach, 132, 200co-emergence with Accord, 121-123 complaints mechanism, 134-136, 138 CSR approach, 119-120, 143-144 factory closures, 132 flexible voluntarism, 127 governance structure, 123, 125-126, 143 implementation and operation, 130-139 input legitimacy, 127-129 legacy, 139, 142-143 problem-solving emphasis, 130-139, 198 replacement structures, 142-143 safety monitoring, 129 voluntary approach by brands, 121, 125-126 worker voice, 126, 128, 131, 135-136, 138 workers' compensation, 132, 134 Amader Kotha helpline, 135, 142 American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)57, 77 Solidarity Center, 74, 77, 173 anti-globalisation activism, 4 anti-sweatshop protests, 41, 44, 99 Apple, 27 ASOS, 58, 207 associational democracy, 10-14, 19 authorisation by affected constituency, 109-113. See also trade unions attention-based, 111-113 membership-based, 110-111 Avaaz, 97, 102 Awaj Foundation, 112

Bangladesh (state), 139. See also National Action Plan competition state, 72

Department of Inspection for Factories and Establishments, 160-161, 163 government opposition to Accord, 162-164, 169 labour law, 72, 86-87, 130, 160, 205 lack of regulatory capacity, 14, 139, 159-162 opposition to Accord, 82 Bangladesh Accord for Fire and Building Safety. See Accord on Fire and Building Safety in Bangladesh (Accord) Bangladesh Centre for Workers Solidarity, 112 Bangladesh garment sector, 70, 112-113. See also brands; industrial disasters contextual features, 70-74 exports, 14, 22, 71-72, 77, 157 factory remediations, 82-83 growth in volume, 70-71, 77 industrial accidents, 14, 65, 70, 72-74, 80, 112-113, 135, 206, 229 industrial police force, 13, 76 power asymmetries, 147-148, 152, 154-155, 170 regulation, 14, 72-73, 156-159, 164-166 role in economy, 71-72 trade union federations, 74, 78, 111 union density, 58, 74, 96, 111, 178 wages, 28, 71 worker representation gap, 74-76 Bangladesh Garments Manufacturers and Exporters Association (BGMEA)76, 140, 163, 165 Alliance and, 126 arbitration facilities, 153 attitude to Accord, 82, 128, 153, 162-164, 167, 169 political power, 57, 72, 152-153 RCC and, 160 RSC and, 164-166, 169 Shonman initiative, 163 Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA), 152-153, 160, 163, 165 Bangladesh National Building Code, 72, 129, 158, 229

Bangladesh University of Engineering and Technology (BUET), 167 Bangladeshi economy dependence on apparel sector, 71-72 value of exports, 71, 77, 157 Bangladeshi Minimum Wage Board, 46 Bangladeshi state. See Bangladesh (state) Bangladeshi workers wages, 28, 46, 71. See also trade unions BEO Apparel, 137 brands. See also Accord on Fire and Building Safety in Bangladesh (Accord); Alliance for Bangladesh Worker Safety (Alliance); transnational industrial democracy as capacity-builders for dialogue, 180-181 as enforcers for dialogue, 181-182 as guarantors of dialogue, 179-180 collective pressure on factory owners, 83, 155-159, 170-172, 199 core vulnerability, 35, 41 CSR approach, 35, 40-42 economic power, 22, 148-149, 155-156, 193-194, 199-200, 207 impact on worker wages, 28 lead firms, 35 pooling resources to support Accord, 83 purchasing practices, 27, 29, 31, 41 reputational risk, 9, 33, 36, 42-45, 78-79, 97, 109, 149, 196, 201 RSC and, 165 supplier switching, 32, 35, 41 Business Social Compliance Initiative (BSCI), 79 C&A, 102 Canada, 99, 159-160 capitalism, 23-26. See also supply chain model Clean Clothes Campaign (CCC), 89-90, 94-95, 98, 100-101, 161 #WeDemandTk16000 campaign, 46, 108 coalition of the weak, 94, 197

codes of conduct, 9, 32, 42, 47, 78-80, 127, 173, 176, 178. See also social auditing

co-employer concept, 31, 38 collective bargaining18, 107, 141, 227 in developing countries, 37 participation committees excluded from, 86 production-based labour governance, 37-39 rights, 9, 13, 56-57, 160, 191 union authorisation, 110 workplace conditions, 25, 37, 56, 67 compensation. See workers' compensation competition states, 6, 29, 34, 72, 199 complaints mechanisms for workers, 134-139 consumer power, 40-44, 97, 102, 109 analysis, 44 consumer boycotts, 42, 109 ethical consumerism, 36, 42-43 leverage of, 200-201 purchasing power, 24, 42, 59, 62 voice, 43-44 consumption production and consumption virtuous cycle, 23 separation from production, 27-28 consumption relations, 18, 42, 45, 62, 97, 108–109, 115, 117, 226 consumption-based labour governance, 34-37. See also corporate social responsibility (CSR) representation as claim, 59-66 corporate social responsibility (CSR), 10, 18, 95, 119, 198. See also labour rights NGOs; social auditing; workplace social dialogue creating representation through, 119-145 focus on outcome rights, 62 global labour governance, 35-37, 40-42, 49 scholarship and industrial relations research, 224-229 soft regulation, 127 court cases, 82, 127, 166-170 COVID-19 pandemic, 202, 208 Danone food multinational, 38

deliberative democracy, 10–11, 48, 52, 59–64, 196

## 253

# CAMBRIDGE

#### 254

### Index

democracy, 7, 10, 12, 49-50. See also industrial democracy; social democracy democratic capitalism, 23 democratic deficit, 11, 14, 22-45 democratic representation, 7-10, 46-48, 111. See also labour representation; transnational industrial democracy elections, 50 failed representation, 65 gaps, 49, 56, 74-76 political theory, 48-50 representation as claim, 10-13, 19, 52-69 representation as structure, 10, 12-14, 19, 59-69 skewed claims, 62, 65, 193 surrogate claims, 11, 65 Denmark, 85, 87 Department of Inspection for Factories and Establishments, 160-161, 163 despotic market labor control, 74 developing nations as competition states, 6, 29, 34, 72, 199 Dhaka, 15-16, 87, 157, 210-215. See also Rana Plaza disaster Dhaka Apparel Summit, 72 disasters. See industrial disasters Dodd Frank Act (US), 208 Dress and Dismatic factory, 137 Duty of Vigilance Act (France), 208 East India Company, 22 economic inequality, 25-27 Edinburgh Woollen Mills, 101 employers. See also Bangladesh Garments Manufacturers and Exporters Association (BGMEA); Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA) dialectical tensions in workplace relationship, 182-192 exclusion from Accord, 81, 150-159, 162-164, 170-172, 204-205 fear of worker participation, 76, 180 employment relationships, 5, 30-39,

45, 226. See also industrial

democracy; workplace social dialogue fragmentation, 30, 40 ethical consumerism, 36, 42-43 Ethical Trading Initiative (ETI), 173, 178, 184, 220 ethical trading initiatives. See Accord on Fire and Building Safety in Bangladesh (Accord); Joint Ethical Trading Initiatives (JETI) Social **Dialogue Project** European Union anti-EU groups, 4 Everything But Arms trade arrangement, 159 Mandatory Human Rights Due Diligence Directive, 208 Sustainability Compact, 159, 161 export processing zones (EPZs), 13, 29 exporters of garments, 71 export-led industrialisation, 29 factory closures, 132, 156. See also safety monitoring Fairtrade products, 43, 63 Federation of Bangladesh Chambers of Commerce and Industry, 169 fieldwork in Bangladesh. See research Fordist economic model, 23-26, 34 contrasted with global supply chain model, 28 virtuous cycle, 23 Forest Stewardship Council, 63 Fragile State Index, 30 France Duty of Vigilance Act, 208 French Regulation School, 26 freedom of association, 9, 13, 15, 38, 56, 62, 130, 140, 160, 178, 191, 195, 198. See also trade unions Accord enforcement of compliance, 137 - 138freedom to agitate, 109, 114 Friedrich-Ebert Stiftung, 173 Fruit of the Loom, 99, 201 Gap (retailer), 88, 102, 121, 128 Garib & Garib Sweater fire, 73 garment trade. See Bangladesh garment

sector

Generalized System of Preferences (GSP) (US), 159 Germany38, 54 Agency for International Cooperation (GIZ), 95 German brands, 168 works councils, 55, 86, 197 global brands. See brands global governance regulatory vacuum, 35, 63-64. See also corporate social responsibility (CSR); transnational industrial democracy Global Social Compliance Initiative, 95 Global South labour standards, 11, 57, 59, 61, 111 global supply chains, 2, 4. See also corporate social responsibility (CSR); supply chain model across national boundaries, 3, 5-6, 49 challenges of establishing industrial democracy, 13, 56-58, 63-66 COVID-19 impact, 202, 208 governance role of actors, 6-9, 33 labour representation, 32-34 representation gaps, 49, 56, 74-76 social connectedness, 7, 13, 57, 61 global trade, 4-5, 209 global union federations (GUFs), 7, 12, 15, 20, 58, 67, 90, 124. See also IndustriALL; international framework agreements (IFAs); UNI Global Union Accord and, 90-94 institutional embeddedness, 107 relational power, 107 sectoral organisation, 33 globalisation anti-globalisation activism, 4 impact on labour standards, 34, 40 H&M108 Accord and, 98 IFAs, 38, 58 remediation in supplier factories, 115 supplier and worker numbers, 27 workplace social dialogue, 85, 206 Handels, 98, 107 human rights, 2, 208. See also

democracy abuses, 41, 44, 66 24 income inequality. *See* economic inequality Inditex, 38, 58, 98, 108, 141 industrial citizenship, 12–13, 53, 56, 170 industrial democracy, 12–13, 17–21,

import-substituting industrialisation,

53, 119, 170. See also transnational industrial democracy challenges of establishing, 56–58, 63–66

creating representation through, 53–56, 119–145

principles, 12, 17, 21, 54–56, 178, 195

industrial disasters, 2, 14, 38, 94, 206. See also Rana Plaza disaster Bangladesh garment sector, 65, 70, 72–74 brand risk minimisation, 31 industrial relations and CSR scholarship, 224–229 industrialisation export-led, 29

import-substituting, 24

IndustriALL

Accord, 82, 95–96, 98, 100, 124, 131, 133, 141, 161, 164

accountability, 115

ACT and, 141, 206

Alliance and, 128

compensation for Tazreen victims, 102

IFAs, 38, 58, 67, 88, 98, 115, 207

Labour Caucus, 90-96

mandate, 107

RSC and, 141

trade union capacity building, 173 industry self-regulation. See codes of

conduct; social auditing inequality. *See* economic inequality

institutional disembeddedness, 109

institutional embeddedness, 107

interdisciplinary scholarship, 224–229. See also research

interest associations, 54. See also private interest government International Accord, 141 255

### 256

Index

international framework agreements (IFAs)56, 67, 84, 115, 119, 207 as powerful representative structures, 12, 58, 98, 101 definition and features, 38 top-down approach, 58, 204 International Labor Rights Forum, 94, 127, 161 International Labour Organization (ILO)6, 15, 129, 159-160 Core Labour Standards, 9, 56, 178 data on collective bargaining agreements, 37 International Trade Union Confederation (ITUC), 13, 27, 57, 128Joint Ethical Trading Initiatives (JETI) Social Dialogue Project, 21, 85-88, 194, 198, 205 jute industry, 77, 224-229 KiK, 38 Labour Behind the Label, 101-102 Labour Caucus, 90-96, 116-118

exclusion of employers from Accord, 150–151 power, 95–96, 124, 149 relationships within, 94–96 labour power, 39–40 analysis, 40

associational, 39 structural, 39 labour representation. *See also* Accord on Fire and Building Safety in Bangladesh (Accord); democratic representation; Joint Ethical Trading Initiatives (JETI) Social Dialogue Project global supply chains, 32–34, 57 logics of, 50–58, 103–117 labour rights activism11, 41, 133 activists as solidaristic proxies, 11, 61 labour rights NGOs, 33–34, 41, 78, 90.

See also Accord on Fire and Building Safety in Bangladesh (Accord); Clean Clothes Campaign (CCC); Workers' Rights Consortium

Accord and, 90-94 accountability, 115-116 attention-based authorisation, 111-113 freedom to agitate, 109, 114 public campaigning, 97, 101-103, 108–109, 112 role as international watchdog, 44, 116 lead firms, 35, 39, 148 Leicester, United Kingdom industrial textile accidents, 73 logic of attention, 108, 113, 196 Maquila Solidarity Network, 94, 161 Mizuno, 58 Modern Slavery Act (UK), 208 Multi-Fibre Agreement (MFA), 70 multinational corporations (MNCs). See also brands; international framework agreements (IFAs) as dominant actor in global governance, 35, 38 core vulnerability, 36, 41 multi-stakeholder governance, 63-66, 193 National Action Plan, 96, 132, 156, 159 national actors. See Bangladesh (state); employers national democratic regulation, 4-7 National Garment Workers Federation (NGWF), 46, 97, 111-112 National Tripartite Plan of Action on Fire Safety and Structural Integrity (NTPA), 167 nationalism, 4 Netherlands, 160 New Wave Style, 79 Nike student-led anti-sweatshop protests, 41 Nirapon, 142-143 lawsuit, 142 No Sweat products, 43 non-government organisations (NGOs). See also Accord on Fire and

See also Accord on Fire and Building Safety in Bangladesh (Accord); labour rights NGOs

chain of social connectedness, 61 claim to moral legitimacy, 47, 61 logic of attention, 108, 113, 196 needs of Western NGOs, 11 representatives of victims, 102-103 surrogate representation, 11, 65 Norway, 85, 87 Occupy movement, 4 outsourcing of labour-intensive production, 6, 26, 28. See also sourcing relationship; supply chain model Oxfam Australia Naughty or Nice campaign, 33 participation committees, 86 paternalism, 10 Phantom Apparels, 79 populism, 4 post-Fordist economy, 26-30 private interest government, 19, 53-54, 146-147. See also industrial democracy private labour governance and transnational democracy, 7-14. See also transnational industrial democracy private regulatory initiatives, 8-9 production and consumption virtuous cycle, 23. See also Fordist economic model production-based labour governance, 36 - 39representation as structure, 53-54 public sphere, 59-62, 64 PVH, 94 Rana Plaza disaster. See also Accord on Fire and Building Safety in Bangladesh (Accord) as engineering failure, 2, 14 deaths, 14, 73, 80, 206 ready-made garment (RMG) industry, 30, 70. See also Bangladesh garment sector ready-made garment (RMG) supply chain, 70-74 Ready-Made-Garment Sustainability Council (RSC), 141, 164–166, 169

regime shopping, 29, 207 Rehn-Meidner model (Sweden), 25 relational power, 107 Remediation Coordination Cell (RCC), 160 representation. See also democratic representation; labour representation as claim, 10-13, 19 as structure, 10, 12-14, 19 defined, 108 logics in global labour governance, 50-58, 103-117 representative claim-making, 94, 96, 103-105, 108, 112-113 research agency of researchers, 220 Bangladesh context, 210-215 fieldwork, 15-17, 157, 210-215, 228 gender, 221 interdisciplinary, 224-229 interviewing, 218-220, 222 politics of representation, 215-222 privileged outsider position, 216-221 Western privilege, 217, 219, 222 White privilege, 216–217, 221 River Island, 102 Rodrik, Dani, 6, 17, 195, 228 safety monitoring Accord, 83-84, 129, 156-159, 166 Alliance, 129, 166 Bangladeshi government, 159–162 RSC role, 164-166 safety standards, 129, 205 second-best institutions, 8, 17, 195, 198, 203, 228 Shonman initiative, 163 Smart Jeans Ltd court case, 166–170 Social Accountability 8000 standard, 62 social auditing42, 131, 144, 198, 200, 206 shortcomings, 2, 15, 78-80, 94-95, 124, 173–174, 176–177, 186, 190, 194 social democracy, 25-26 social welfare system, 24 soft regulation/soft law, 127, 175

257

solidaristic proxies, 11, 61

258

Index

sourcing relationship brand purchasing practices, 27, 29, 31, 41 structured antagonism, 182-189 Spectrum Sweater factory disaster, 38, 73 Starbucks use of Fairtrade coffee, 44 state (Bangladesh). See Bangladesh (state) state action. See also competition states lack of capacity to regulate, 30, 35 regulatory practices, 37 strikes, 25, 204 student activism, 41, 98, 128, 201 SumOfUs, 97, 102 supply chain model, 4-7, 18, 26-30, 45. See also global supply chains; sourcing relationship Bangladesh RMG sector epitomises, 72 capitalism, 31-32, 44 contrasted with Fordist economic model, 28 definitions, 26 market-based configurations, 31, 72 massive expansion, 27 reconfiguration of actors in employment relationship, 30, 34-36,40 transnational industrial democracy in, 201-203 Supply Chain Worker Support Fund, 83 surge capacity (campaign strategy), 97, 102-103 surplus labour value, 31 Sustainability Compact, 159, 161, 168 sweatshop factories73 anti-sweatshop protests, 41, 44, 99 Sweden, 25, 204 Tazreen factory fire73, 94, 136, 176, 206 compensation to victims, 101-102 Tchibo, 58, 94 Textilbuendnis (Germany), 168 Topshop, 103 trade unions, 9, 12-13, 15, 94, 198, 204. See also Accord on Fire and Building Safety in Bangladesh

(Accord); collective bargaining; global union federations (GUFs) accountability, 113-115 Alliance and, 125, 128 federations in RMG sector, 74, 78, 90 global opposition to role, 56 legitimacy in representing workers, 34, 55, 78, 89–90, 106–107, 110-111, 113, 196 politics of organisation, 76-78 registration problems in Bangladesh, 75 - 76resistance in Bangladesh, 57, 76-77 role in workplace democratisation, 55-56 in social democracy, 25-26 solidarity, 96-97, 101, 111 vellow unions, 78 Trades Union Congress, United Kingdom (TUC), 97, 101-102, 111 Transition Accord, 140, 161, 163-164, 167-168 transnational industrial democracy, 146-149, 193-194, 207-209. See also Accord on Fire and Building Safety in Bangladesh (Accord); Joint Ethical Trading Initiatives (JETI) Social Dialogue Project built around supply chain model, 201-203 disaster-driven approach, 206-207 enforcement through economic power of brands, 199-200 features, 148, 195-199, 207 imposition of external voice, 203-204 lack of national actor involvement, 204-205 leverage of consumer pressure, 200-201 market-driven features, 199-203, 208 representative alliances, 195-197 skewed form of democracy, 65 structural limitations, 203-207 transnational co-determination, 81, 197-198 workplace representation, 198–199

transnational labour governance, 3, 7-9, 35. See also Accord on Fire and Building Safety in Bangladesh (Accord); Alliance for Bangladesh Worker Safety (Alliance) employer and state resistance, 162-172 transnational public sphere, 11, 59, 64 UNI Global Union Accord, 82, 95, 98, 100, 124, 138, 161 IFAs, 38, 67, 98 Labour Caucus, 90-96 relational power, 107 RSC and, 141 unions. See trade unions United Kingdom, 54, 160. See also Trades Union Congress, United Kingdom (TUC) labour movement, 102, 204 Modern Slavery Act, 208 textile workers' conditions, 73 workplace dialogue, 85, 87 United Nations Guiding Principles on Business and Human Rights (UNGPs), 208 United States Dodd Frank Act, 208

trade arrangements, 159 United Students Against Sweatshops, 99 Volkswagen, 29 Walmart, 102, 121, 127-128 worker representation, 3, 20. See also Accord on Fire and Building Safety in Bangladesh (Accord); trade unions workers' compensation, 65, 132-134 Tazreen factory fire, 101–102 Workers' Rights Consortium, 90, 94-95, 98, 100, 113, 138, 161, 173 workplace representation developing structures, 173-174, 178-179 workplace social dialogue, 21, 85-87, 175-176, 197. See also brands brands' role in creating, 178-182, 189-192, 199 challenges in Bangladesh, 178-179 dialectical tensions in workplace relationship, 182-192 works councils, 25, 55-56, 86, 175, 178

labour movement, 204

student activism, 99, 128