

Transnational Labor Regulation in the NAFTA – a Problem of Institutional Design?
The Case of the North American Agreement on Labor Cooperation between the
USA, Mexico and Canada

Rainer Dombois, Erhard Hornberger, Jens Winter

Abstract: The paper deals with the conditions and perspectives of institutionalized forms of transnational social policy in an internationalized economy, focusing on the North American Agreement on Labor Cooperation (NAALC) between the US, Canada and Mexico, one of the two NAFTA side agreements.

With the NAALC the three governments assumed the obligation to promote, enforce and improve social standards within the framework of their national labor legislation. In order to foster compliance with the agreement, international and national institutions were set up as well as procedures for cooperation and complaints. The paper will present some conclusions on the practices and effects of the NAALC drawn from an empirical research project funded by the Volkswagen Foundation from June 1999 to May 2002. It outlines some specific problems of the NAALC: the institutional weakness of the international organization, the intergovernmental game of cooperation and conflict strategies at low intensity; the disillusionment of the actors of civil society. It draws some more general conclusions on the problems of the international regulation of labour: the problem of sovereignty and the 'embeddedness' of labor relations; that of dominance; that of the balance between cooperation and conflict, and that of the participation of civil actors.

Comparing and Quantifying Labour Standards in the United States and the European
Union

Richard N. Block, Peter Berg, Karen Roberts

Abstract: This paper quantitatively analyzes differences between ten labour standards at the national level in the United States and the Community level in the European Union. The basis for such a comparison is the determination that the EU is comparable to the US in terms of Gross Domestic Product and is moving toward economic and political integration in a manner that will make it increasingly similar to the US over time. The major finding in the paper is that, overall, EU labour standards are higher than US labour standards: the EU score is 68.05 while the US score is 47.35. The paper argues that this difference is due to differences in conceptions of the labour market and employment in the EU and US; labour markets are seen as competitive in the US, with needs for only minimal worker protection. Labour markets are viewed as generally uncompetitive in Europe, with employer bargaining power requiring high levels of worker protection.

Trade Unions and the Trade-Labour Rights Link: A North-South Union Divide?

Gerard Griffin, Chris Nyland, Anne O'Rourke

Abstract: The demand that the ability to engage in international trade should be linked to respect for basic labour standards has become a highly contentious issue in the current globalisation debate. Arising to prominence with the creation of the World Trade Organisation (WTO), the demand has been advanced in a wide range of arenas, particularly by international union organisations such as the International Confederation of Free Trade Unions (ICFTU). In this paper we explore the claim that the demand has no support amongst trade unions in the developing world. Based on data gathered from questionnaire surveys of the industry-level affiliates of two Global Union Federations (GUFs) and of the national union delegates to the 2002 International Labour Conference, we conclude that an overwhelming majority of developing country union leaders support the formal linking of international trade and the basic rights of labour.

Transnational “Corporate Campaigns”: A Tool for Labour Unions in the Global Economy?

Thomas Greven

Abstract: Many unions have stepped up their efforts regarding cross-border cooperation, but serious impediments to effective transnational union activity remain. Unions are more tied to the institutional arrangements of the nation state and to their own organizational cultures. In the 1980s, US unions developed the strategy of “corporate campaigns.” Today, this strategy is increasingly being employed transnationally. This paper first documents the characteristics of corporate campaigns and the experience of US unions with this instrument. Secondly, one recent transnational application of the campaign strategy is analysed in more detail. The paper concludes that the instrument of transnational corporate campaigns is a promising strategic innovation for strengthening unions in the global economy.

Global Labour Standards: Can We Get from Here to There?

Anil Verma

Abstract: This paper analyzes weaknesses becoming apparent in current approaches to the development of an international regime for better labour standards. The analysis suggests that the impact of international efforts remains limited due to two main problems: limited reach and the North-South divide over how best to regulate labour standards. To overcome these weaknesses, it suggests a two-pronged strategy. First, it recommends that the process of developing codes of conduct be replicated within every ILO member country at a national level. This would give national and sub-national governments a much larger role to play in supporting the international efforts. Moreover, it would internalize the labour standards debate within each country to the point where better labour standards would not be seen as an external imposition by developing countries. Second, the analysis recommends pursuing process standards in place of the familiar substantive standards. Each nation would commit to a process (of monitoring, consultation, capacity building, etc.) to improve standards but would establish its substantive standards through a sovereign internal process rather than submit to an international externally-imposed standard.

Book Reviews

Berndt Keller, Hans-Wolfgang Platzer (eds.), *Industrial Relations and European Integration. Trans- and Supranational Developments and Prospects*, Ashgate, Aldershot, UK, 2003, (192 pages)

Reviewed by Manfred Weiss