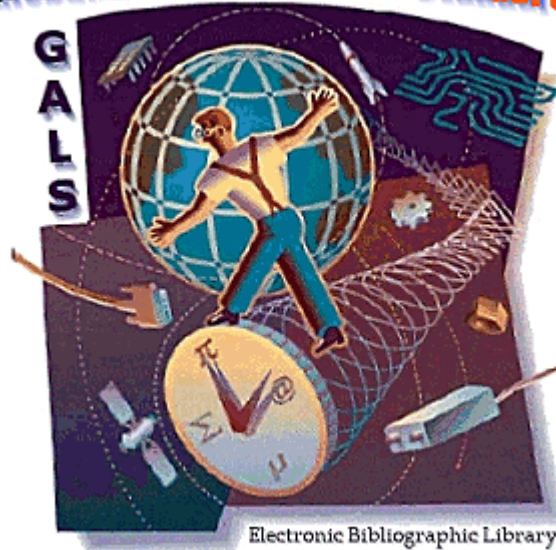


Globalization and Labor Standards



GALS Newsletter

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Katherine V.W. Stone – Editor and Project Director

Managing Editor:
Brendan Smith

Student Contributors:
Jennifer Ku
Angela Jamison
Linda Bassett Husain

Tech Advisor:
Sasha Skenderija

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NEW The Globalization and Labor Standards Project has initiated a Working Papers Series. GALS Working Papers can be found at in PDF format at www.laborstandards.org. They are listed separately as well as cross-referenced and integrated into the GALS library. The library contains links to the full text of the Working Paper. GALS Working Papers are also listed in the newsletter.

NAFTA/GATT

Pirret, Michael, "American Labor Unions and Free Trade Agreements: A Struggle for Compatibility", *Wayne Law Review* v. 50 (Winter 2005) p. 1257-1275

Abstract:

This article argues that free trade, if practiced efficiently, will increase labor standards in even the poorest countries. The author contends that the U.S. manufacturing sector, formerly union-strong, has lost the most jobs to free trade. As union numbers shrink, so does its political power to keep manufacturing jobs at home. Section II describes the dynamic of global trade. Business pursues cheap labor in poor countries, which devalue their currency to encourage exports to the US, and the resulting trade imbalance hurts US business and encourages more outsourcing. The author discusses NAFTA, and new trade pacts with Chile, Singapore and Jordan. Except for Jordan, which provides for labor standards enforcement, these pacts spur a "race to the bottom dilemma." Section III argues that in the long run, the export of manufacturing to poor countries is good for all. As business increases production overseas, it will spread profits to poor. It will also create new high-tech jobs in the US. The author concludes that unions should accept trade liberalization, permit restructuring, and allow wage and benefit flexibility so that "producers can keep costs low and ride out boom-and-bust cycles" (p. 1275). With such policies US labor can simultaneously become more relevant and support the increase of labor standards in poor countries.

Subjects: [NAFTA/GATT](#), [Trade Conditionality](#)

Full-text links: || [WESTLAW](#) ||

Schurtman, Monica, "Los 'Jonkeados' and the NAALC: The Autotrim/Customtrim Case and Its Implications for Submissions Under the NAFTA Labor Side Agreement", *Arizona Journal of International and Comparative Law* v. 22 (Summer 2005) p.291-378

Abstract:

This 10-year history of the first health and safety complaint under the NAFTA labor side agreement demonstrates legal and procedural flaws in the NAFTA Side Agreement (the NAALC), recommends changes in NAFTA labor regulation, and analyzes the limited utility of working for workers' rights within the NAFTA framework. The author was personally involved in the process, and provides thick historical detail, including worker quotations. Part II discusses the legal framework of the NAALC. Parts III and IV describe the case and chronicles the workers' formulation of grievances and their efforts to forge alliances with US and Mexican NGOs. The author describes how workers were shut out of all governmental process, including plant inspections and meetings of company lawyers with a new labor working group. Ultimately, workers' complaints were never directly addressed, their recommendations about enforcing health and safety standards ignored, and their voice never incorporated into the intergovernmental discussions they prompted. In Section V, the author opines that filing complaints under the NAALC is too costly to be worth the effort, as long as workers are so excluded from the process. Yet she also acknowledges that the process does have gradual effects of norm-building and institutional change. She concludes by advocating that labor activists press for new NAALC interpretations and implementations which are more worker friendly.

Subjects: [Labor Rights in General \(Misc.\)](#), [NAFTA/GATT](#)

Full-text links: || [WESTLAW](#) ||

Outsourcing

Engle, Karen, "Working Borders: Linking Debates About Insourcing and Outsourcing of Capital and Labor", *Texas International Law Journal* no40 (Summer 2005) p. 691-798

Abstract:

This article summarizes a conference on "Working Borders: Linking Debates About Insourcing and Outsourcing of Capital and Labor" held at the Univ. of Texas Law School in February, 2005. The conference focused on two phenomenon: "Insourcing," i.e., US employers' "importing" immigrant labor, particularly Mexicans, to perform low-wage service work; and "Outsourcing," i.e. the movement of high-tech service work abroad. The speakers conceptualized insourcing and outsourcing as complementary and inevitable dynamics of economic globalization. They also linked US debates on immigration reform to jobs lost to outsourcing. They discussed regulatory responses to global flows of goods, capital and labor, and they examined the prevailing citizenship model that links rights to nation of birth. In the concluding roundtable, participants discussed the prospects for promoting and regulating of labor rights in a way that would make insourcing and outsourcing less exploitative of both immigrant and outsourced workers.

Subjects: [Labor Mobility](#), [Labor Rights in General \(Misc.\)](#), [Outsourcing](#), [Undocumented Workers](#)

Full-text links: || [WESTLAW](#) ||

Books of Interest

Alston, Philip, Ed. *Labor Rights as Human Rights* (Oxford, 2005)

Abstract:

What is the actual and potential relationship of globalization and labor rights, and what is the future of the ILO? This book's six topical essays and editor's introduction question the possibilities and limitations of a universalistic labor rights regime in the era when international efforts are focused on market liberalization, and when institutional de-regulation and the voluntarization of rights are major trends. International agreements such as the WTO, EU, UNCTAD and NAFTA could promote labor rights, but their rhetoric thus far has been hollow. If anything is to be done, it will be through the ILO holding these institutions accountable to the rights they articulate. Though the ILO has been marginalized, if labor rights are to be taken seriously in years ahead, it should articulate a vision of labor rights as fundamental human rights, not just practical guidelines. As Steve Charnovitz notes in his chapter on the labor dimension of the FTAA and as Alston concludes, voluntary codes need not be meaningless if they are effectively monitored by the ILO and by labor advocates. The volume also contains contributions by Simon Deakin, Patrick Macklem, Francis Maupain, A.C.L. Davies and Tonia Novitz.

Subjects: [Labor Rights in General](#), [ILO](#), [NAFTA/GATT](#), [WTO](#)

Full-text links: || [Link 1](#) ||

Links to Related Projects

 **The International Labour Organization's (ILO) Informal Economy Resource Database:** <http://www.ilo.org/dyn/infoecon/iebrowse.home>

The Informal Economy Resource Database contains a myriad of ILO activities, research or tools directly or indirectly related to the informal economy and decent work. This source is a "living" and dynamic inventory of information on labour issues relating to the informal economy, such as access to finance, data and statistics, employment, gender equality, policy, rights, social protection and working conditions. It is a valuable tool for anyone undertaking research or working on labour issues and the informal economy.

Asian Law Center: <http://www.law.unimelb.edu.au/alc/bibliography/browse.asp?s=45>

The Asian Law Centre, an initiative of the University of Melbourne Law School, devoted to the development of understanding of Asian law, offers an extensive bibliography of Asian labor law articles and reports.

Centre for Employment and Labour Relations Law: <http://www.law.unimelb.edu.au/celrl/>

Centre for Employment and Labour Relations Law is a research and teaching center devoted to the development of an understanding of labor law at the University of Melbourne. The Center's website describes the activities of the Center and contains links to several databases that are of interest to labor law scholars and practitioners. For example, the Center's Work Relations Law Project contains extensive information about Australian labor law that can be accessed directly at <http://www.austlii.edu.au/au/special/industrial/>.

ETUI Labourline: <http://www.labourline.org/Etui>

ETUI Labourline is a database of European labor information resources covering European, international and comparative aspects of industrial relations and health and safety issues, developed by the Documentation Centres of the European Trade Union Institute and the European Trade Union Institute for Health and Safety (Brussels). The consolidated bibliographic database contains more than 20,000 references to documents focusing on industrial relations, and more than 15,000 references to documents on health and safety issues.

Globalization Bulletin: <http://www.rci.rutgers.edu/~dbensman/bulletin.html>

The Globalization Bulletin is a weekly e-newsletter providing linked access to the latest articles, research, and web resources on a range of global labor issues—ranging from union organizing and labor markets to immigrations and trade agreements. The Bulletin is produced by the Globalization Task Force of the New Jersey Division of the United Nations Association-USA and the Department of Labor Studies and Employment Relations School of Management and Labor Relations, Rutgers University. To subscribe, email David Bensman at dbensman@smlr.rutgers.edu.

Labor and Global Change Database: <http://www.ilir.umich.edu/lagn/>

The Labor and Global Change Database provides bibliographies, citation information and (where available) web links to the full text of research exploring connections between labor and globalization. The database aims to provide researchers with an easy means to make the results of their work widely available to other scholars and the interested public. The database is run by and continually updated by the Labor and Global Change Program of the University of Michigan.

LabourWeb: <http://www.lex.unict.it/eurolabor/en/>

The Labour Web is a comprehensive documentation center for information about European labor law, social law, industrial relations and the welfare state. It contains up-to-date versions of European Union law, directives, pending directives, EU news, press releases, economic statistics and decisions of the European Court of Justice. It also contains a Working Papers series and subject matter reports (dossiers) on issues concerning European integration. The site also provides links to other websites that contain working papers, statistical reports, and other information about social, economic and industrial relations affairs in the European context. It is run by the Massimo D'Antona Centre for the Study of European Labour Law, at the Faculty of Law of the University of Catania.

The Marco Biagi Centre for International and Comparative Studies:

<http://www.csmb.unimo.it>

The Marco Biagi Centre for International and Comparative Studies at the University of Modena and Reggio Emilia, Italy, functions as policy resource center on comparative labor issues. Besides publishing books and law journals, the Center provides a clearinghouse of international law journals, including the International Journal of Comparative Labour Law and Industrial Relations (<http://www.csmb.unimo.it/journal.html>). Currently only in Italian, the Center's website will soon offer an English version.

Trade Unions and Labor Relations Database: <http://www.polwiss.fu-berlin.de/tu/english/>

The database, produced by the Institute of Labor Relations of the Otto-Suhr-Institute of the Freie University of Berlin, contains almost 7,000 citations of books, articles, working papers, brochures, proceedings etc. The bulk of the citations address aspects of labor relations in Germany, but there is a substantial body of literature in the database covering the EU and Eastern Europe.

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Project Director:

[Katherine V.W. Stone](#)
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