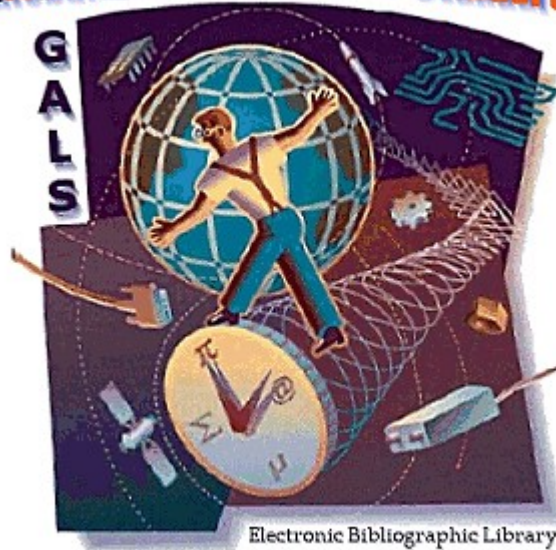


Globalization and Labor Standards



GALS Newsletter

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Country-Specific Case Studies

Cooney, Sean, "A Broader Role for the Commonwealth in Eradicating Foreign Sweatshops?", *Melbourne University Law Review* v. 28 (August 2004) p. 290-342

Abstract:

This article examines the link between Australian firms and foreign sweatshop labor and suggests potential legislative strategies that could be taken to combat these substandard working conditions. The author describes how Australian firms are most commonly linked to sweatshop labor through supply chains that operate in the labor markets of developing countries where competition to secure production contracts drives factories to impose long hours, low wages, and dangerous working conditions. The article

reviews several forms of regulation that are currently used in Australia to combat sweatshop labor: obligations imposed by common law and statute, self-regulatory initiatives in the private sector, and voluntary multi-stakeholder initiatives involving non-governmental organizations ('NGOs') and international agencies. The author argues that none of these regulatory approaches has more than a marginal effect in encouraging Australian firms to eradicate sweatshop labor conditions in their supply chains. The author proposes that to combat sweatshop labor, firms producing overseas should be divided into two groups. The first group, Australian firms with "egregious" labor conditions in their supply chains, should be subject to sanctions for not taking appropriate measures to eradicate sweatshop conditions in their overseas suppliers. The second group, firms with "poor conditions," should be required to report their efforts to eliminate these conditions in their supply chains. If firms in the second group either do not report or report fraudulently, they should be sanctioned. The article also suggest that a new government agency be formed to work collaboratively with firms, NGOs, and trade unions to develop common strategies, principles, and metrics for establishing uniform reporting and evaluation methods. The article concludes by stressing that these legislative measures would need to be worked out in detail and put into practice in an experimental and revisable way.

Subjects: [Corporate Accountability](#), [Country-Specific Case Studies](#), [Labor Rights in General \(Misc.\)](#)

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

Collective Bargaining

Sciarra, Silvana, "The Evolution of Collective Bargaining: Observations on a Comparison in the Countries of the European Union", *Comparative Labor Law & Policy Journal* v. 29 (2007) p. 1-27

Abstract:

This article discusses the evolution of collective bargaining in several European countries. The author describes the variety of collective bargaining systems that exist in the European Union and tracks the evolution of these autonomous systems in a comparative vein. She describes four dimensions of comparative analysis of collective bargaining systems: freedom of association, the "collective status of the bargaining parties," the "normative function of collective agreements," and the "procedural function of collective agreements." The article examines the principle European regulatory schemes and collective bargaining systems along these dimensions. The article also divides the European schemes into systems in which (1) collective agreements take precedence over legislation - under this scheme, collective bargaining exerts positive influence on the legislature; (2) collective agreements are subject to legal measures extending their applicability' and (3) statute law and collective agreements are complementary sources of authority. The article concludes by contemplating the future implications of the current development of these various collective bargaining systems. It predicts that the future prospects of collective bargaining depend upon the development of transparent presumptions of industrial democracy. It is through such presumptions, the article predicts, that new innovative content can be developed, and new parties can be included in collective bargaining agreements.

Subjects: [Collective Bargaining](#), [European Union](#)

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Immigration

Hing, Bill Ong, "Immigration Policy: Thinking Outside the (Big) Box", *Connecticut Law Review* v. 39 (2007) p. 1401-1447

Abstract:

This article explores how complex market forces guarantee the flow of undocumented labor into the U.S., rendering current approaches to immigration enforcement unworkable. It begins with a description of Wal-Mart's cost-cutting corporate culture that pressures managers to engage in practices that run afoul of immigration law. Then it explores the forces that make these seemingly undesirable employment opportunities an irresistible draw for undocumented workers from Mexico, forces such as U.S. employers' direct and indirect recruitment efforts through the Bracero program and NAFTA's acceleration of "illegal" immigration by facilitating the flow of capital, goods, and services without facilitating an increased flow of labor. The author argues that an improved Mexican economy will not stop the flow of undocumented workers into the U.S. in the short term. The article concludes that we must move beyond conceptualizing the flow of undocumented workers as an enforcement problem to creating a system that matches the labor demands of American employers with available workers. It also insists that the such system must guarantee that immigrant workers have enforceable rights.

Subjects: [Country-Specific Case Studies](#), [Immigration](#), [NAFTA/GATT](#)

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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/celr/>

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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