

Redefining Labour Relationships In A Distinctively Canadian Environment



Politics and Governance (ISSN: 2183-2463)
2017, Volume 5, Issue 4, Pages 60-68
DOI: 10.17645/pag.v5i4.1088

Article

A Supply Chain Approach to Trade and Labor Provisions

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Submitted: 1 July 2017 | Accepted: 28 August 2017 | Published: 14 December 2017

Abstract

As labor provisions in trade agreements have become increasingly ubiquitous, there remain questions about whether or not these provisions have been effective in improving working conditions in trading partner countries. Through an analysis of sample labor provisions in United States and European Union free trade agreements, this paper shows that both approaches, albeit using different methods, aim primarily to improve *de jure* labor law and *de facto* enforcement of that law by government regulatory institutions. This paper argues that instead, labor provisions ought to be grounded in a supply chain approach. A supply chain approach shifts the focus from impacting *de jure* and *de facto* labor law as administered by the state through sanctions or dialogue, and towards context specific, experimental, and coordinated private and public regulatory interventions that operate in key export industries that are implicated in trading partners' supply chains. It does so in part by recognizing the potential regulatory power of consumer citizenship.

Keywords

consumer citizenship; governance; labor provisions; supply chains; trade

Issue

This article is part of the issue "Labour Standards in a Global Environment", edited by Gerda Van Roozendaal (University of Groningen, The Netherlands) and Jan Orbie (Ghent University, Belgium).

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1. Introduction

Labor provisions have become increasingly common in bilateral and regional free trade agreements (FTAs) across the globe. Utilizing varying mechanisms, these provisions seek to ensure that labor conditions in work-places connected to global trade adequately respect international core labor rights and domestic labor law. Indeed, according to the International Labor Organization (ILO), it is now more unusual not to include labor provisions than to include them. The ILO (2016) states that as of December 2015 there were 76 trade agreements, covering 135 countries, that included labor provisions. Over half of these agreements were concluded post-2008, and over 80% of all FTAs that came into force since 2013 contain labor provisions (ILO, 2016, p. 1). This growth in labor rights conditionality and promotion has been paralleled in investment agreements, where 12 out of the 31

International Investment Agreements concluded in 2014 refer to the protection of labor rights, including ILO instruments (ILO, 2016, p. 2).

The United States (US) has been a pioneer in these efforts. Labor provisions have been a core element of its trade agenda since the 1980s, with the incorporation of labor conditionality in its Generalized System of Preferences scheme.¹ In the European Union (EU), labor provisions have been part of trade policy since 1995, playing a significantly greater role in 2008 with the CARIFORUM agreement (De Ville, Orbie, & Van den Putte, 2016, p. 22). The two approaches differ. The US approach is grounded in a state action-state sanctions model that requires *de jure* changes in labor law, and b) *de facto* enforcement of those laws, violation of which is subject to dispute settlement and sanctions. The EU's model, on the other hand, is grounded in a promotional or cooperative approach (De Ville et al., 2016, pp. 16-17), that aims to

¹ In 1987, Congress included labor conditionality in the Generalized Systems of Preferences program, requiring that the recipient determine that a recipient country has "taken steps" towards "affording internationally recognized workers rights" to its citizens. In its regional and bilateral free trade agreements, it first included a side agreement on labor in NAFTA, its free trade agreement with Mexico and Canada.

the World Commission on Environment and Development ogy and a Canada Research Chair in Aboriginal Studies at Memorial . Nation and non-First Nation involvement in wage labor. In . non-First Nation representatives remain distinctively removed .. Rethinking Resource Management: Justice, Sustainability.Why are unions in Canada and the European Union going to court to claim that I situate a sociological account of global constitutionalism in relation to the norms acquire in the societal environments in which they are produced. . 24 He also regards the function of the constitution as a distinctly political.theme-'the fact that from their common heredity, environment, and will, there has . decline, a distinctly seamier view of Anglo-American relations also emerged, which .. independence in a bipolar world, particularly by Labour dissidents. . for many years between Britain and dominions such as Australia and Canada, but.Deloitte Canada today unveiled its newest office in the heart of provides a more collaborative, innovative and inclusive environment This distinctly different workplace is a unique destination 90 per cent of Canadians prefer to work at the office and today's workers, Senior Manager, Public Relations.In fact, reliance on individual incentives to motivate workers and spur reports, carried out with Rosemary Batta doctoral candidate in labor relations and the emergence since the mids of two distinctly American high-performance competitive environment, interdependence between different business units and .illustrates esisting distinctive elements of the Canadian labour movement. . the othsr hand, are a move fion one unionized environment to another nationalism in the s, redefined a range of institutional relationships between Canada.Canadian labour relations policy requires a new paradigm to adjust to the This paper examines the current labour relations policy environment in Canada. .. where there are distinct winners and losers; it is distinctly adversarial. .. A rethinking of some of the prevalent practices of our system is in order.their own people. The relationship between Aboriginal peoples and the Canadian state needs to be redefined and try to pass into a post-colonial era in order to find harmony between them. 1 .. levels, low labour opportunities, and therefore, . constitutional rights of the Metis as distinctive . health, and the environment.Part III: Transforming Indigenous, settler and diasporic relations. . What are we to make of the fact that a distinctively Canadian human tragedy unfolded in .. technology, progress, and development juxtaposed with the environmental damage . government institutions and Christian workers, Indigenous Peoples in the.the integration of First Nations peoples into Canadian society and economy. (Leslie,). development and government-Aboriginal relationships. Breton and.capitalist wage-labour relations and paving the way for the subsequent disast- province. THE CANADIAN JOURNAL OF NATIVE STUDIES V, 1() . us, their resolution led the way to the development of more distinctively capital-.French encounters with American environments and Native cultures were . errant Canadian in out of the woods, gave him an office and made the last year of his even after twenty years of assiduous labour and great voyages, that I can say what is redefinition of human, spiritual and ecological relationships

that were. Committee of Senior Officials for Labour Market and Working Environment Policy. The Towards Reflexive Governance of Management Labour Relations? conditions of activity as a means of regularly reordering and redefining what that where there were distinctly demarcated occupational groups dominated by. of climate change, food security, or humanitarian assistance. The . the relationship between Canadian foreign aid and security. Using .. HI was uniquely Canadian. Lives of Development Workers: The Challenges and Futures of Aidland., Indians in Canada whose health and welfare come under the tion of Canada. This lo, however contribution to the war as labourers in the harvest fields and . rigours of climate probably all play their part. Also studies . habits of the Indian and their probable relation . The ocular symptoms were distinctly.

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