
Index

- Aagaard, T. 553–4
Aarhus Convention 66–67, 70
Abbott, K. 363, 552, 561–2
Abi-Saab, G. 322, 323
Adams, Z. 9–10, 111–23, 131, 133, 306
Africa
 Chinese investment and aid programmes 162–3
 Sub-Saharan Africa, child labour *see*
 Sub-Saharan Africa, child labour and
 fragile states
African Charter on the Rights and Welfare of
 the Child 538, 544
African Commission, *Centre for Minority
 Rights Development (Kenya) v. Kenya* 68
agriculture sector 145, 147, 353–4
 see also migrant workers
Albertson, P. 13, 282, 305, 403, 404, 474–93
Allain, J. 29, 523–35
Allen, W. 52, 55, 56
Alston, P. 14, 57, 192, 308, 320, 324, 327,
 328, 476, 514
Americas, labour rights and trade agreements
 474–93
 Canada agreements 490–91
 EU agreements, Generalized System of
 Preferences (GSP) programs,
 preferential tariff treatment 476–7
 EU agreements, trade agreements 489–90,
 492–3
 EU agreements, trade agreements,
 ‘sustainable development’ chapters
 489, 490
 ILO standards ‘strive to ensure’ clause 478,
 479, 485
 NAFTA, North American Agreement on
 Labour Cooperation (NAALC) and
 complaints mechanism 477–8, 490,
 491
 US Generalized System of Preferences
 (GSP) programs 475–7
 US Generalized System of Preferences
 (GSP) programs, Guatemala labour
 rights reforms 476
 US Generalized System of Preferences
 (GSP) programs, internationally
 recognised worker rights (IRWR)
 475–6, 485
 US Office of Trade and Labor Affairs
 (OTLA) review and report process
 480–81, 486
 US Trade Promotion Authority (TPA) Act
 and Latin American agreements,
 dispute settlement process 479–80
 US-Jordan trade agreement 478–9
Americas, labour rights and trade agreements,
 CAFTA-DR (Central
 America/Dominican Republic)
 arbitration use 403–4
 Congress approval 486
 dispute settlement process 479–80
 Guatemala freedom of association case 473,
 480–84, 493
 Guatemala freedom of association case,
 arbitral panel request 482, 484
 Guatemala freedom of association case,
 Enforcement Plan (EP) 473, 482–4
Americas, labour rights and trade agreements,
 Latin America, May 10 template
 and ‘adopt and maintain’ clause 485–6
 Colombia, ‘Action Plan Related to Labour
 Rights’ 487–8, 493
 Labour Education in the Americas Project
 (US LEAP) 488, 489
 labour rights organizations and trade
 unions, opposition from 486–7, 489
 legislative changes and complaints 486–9
Anderson, B. 241, 371, 373, 427
Anghie, A. 124, 128, 136
Anner, M. 101, 103, 105, 130, 217, 273, 276,
 278, 282
Antoine, R. 9, 18, 100, 284–97
Arato, A. 263
arbitration
 Guatemala freedom of association case 482,
 484
 procedures, international framework
 agreements (IFAs) 228
Southern Africa Development Community
 (SADC), Commission for Conciliation,
 Mediation and Arbitration (CCMA)
 460, 463, 464, 472

- arbitration use in deciding international labour issues 395–407
- arbitration process 397–9
- breaches of contract 397
- confidentiality concerns 405–6
- employment disputes involving international organizations 405
- future prospects 405–6
- ICJ involvement 399–400
- and ILO Declaration on Fundamental Principles and Rights at Work 402–3
- ILO instruments and voluntary system of arbitration 399
- international disputes and internationalized labour practices 396–7
- ‘international labour dispute’ definition, need for 406
- labour-specific agreements 399–400
- legal basis and written agreement 397
- arbitration use in deciding international labour issues, investment and trade agreements 400–404
- CAFTA-DR (Dominican Republic–United States Central American Free Trade Agreement) 403–4
- EU free trade agreements 402–3
- investor protection 402
- Model bilateral treaties 400, 401
- ‘non-lowering of standards’ clauses 401
- North American Free Trade Agreement (NAFTA) 403
- South Africa Model BIT, ‘Minimum Standards for Human Rights, Environment and Labour’ 402
- US free trade agreements 403
- Arendt, H. 232–3
- Argentina, structural adjustment programme 130
- Arthurs, H. 6, 13, 23, 31, 42, 559
- Asante, A. 21, 333, 343–56
- Ashigbor, D. 6, 437
- Atleson, J. 38, 39
- austerity 9–12, 114–119, 123, 164–167, 172, 175, 306, 541
- anti-austerity activism, Spain *see* Spain, anti-austerity activism strategies
- Australia, *Tang* (slavery and sex workers) 527
- Auvergnon, P. 540
- Avilés, A. 4
- Baccaro, L. 112, 119
- Bakvis, P. 131, 132
- Bales, K. 525
- Balotra, S. 540
- Bamu, P. 19, 27, 455–73
- Banana Republic experiment, private labour regulation 366–7
- Bangladesh
- Accord on Fire and Building Safety 336–7, 340–41, 370–71
- Rana Plaza Arrangement on payments to victims and their families 337–8, 341
- Rana Plaza (building collapse) 21, 24, 104, 218, 228, 336, 361, 370, 394
- Banks, K. 227
- Barenberg, M. 76–92, 104, 135, 282, 289
- Barnard, C. 119, 203
- Bayart, 547
- Beaudonnet, X. 313, 325
- Beaumont, P. 444, 447, 450
- Bellace, J. 8, 14, 20, 103, 181–93, 200, 316, 334, 499, 500
- Benjamin, P. 462
- Bensusán, G. 17, 103, 136, 273–83, 404
- Bercusson, B. 196, 197
- Berg, J. 80, 135
- Bernal, F. 347, 348, 350
- Bertóla, L. 276, 277, 280
- Betten, L. 13–14
- Bhagwati, J. 22
- Biddulph, S. 153, 155, 159
- Bilchitz, D. 95, 102
- Blackett, A. 13–31, 62, 63, 218, 230–43, 248, 253, 254, 258, 259, 421, 460
- Blanchard, F. 303
- Blanchard, O. 127, 129
- Blanpain, R. 195, 198
- Bogg, A. 164
- Boisson de Chazournes, L. 9, 21, 30, 65–75, 205, 320, 420
- Bonnet, M. 540, 545, 546–7, 549
- Botero, J. 83
- Brautigam, D. 162
- Bravo, K. 344
- Bronfenbrenner, K. 217
- Bruun, N. 197, 198, 201
- Cammett, M. 84
- Canada
- Americas, labour rights and trade agreements 490–91
- corporate governance cases 55, 59, 63
- temporary migrant labour regulation *see* *under* racism and regulation of migrant labour, temporary labour migration and removal of unfreedoms

- Caraway, T. 84, 129, 130, 133, 136, 137
 care economy, care work, care worker 3, 23,
 145, 234, 237–241, 503, 543
see also domestic workers
- Carrington, M. 368
- Castells, M. 53
- Castles, S. 138, 146, 430
- Cazes, S. 80, 135
- Central America
 CAFTA-DR *see* Americas, labour rights and
 trade agreements, CAFTA-DR (Central
 America/Dominican Republic)
 labour rights *see* Mexico and Central
 America, human rights based labour
 policy and labour rights
- Charnovitz, S. 5, 10, 19, 26, 204, 205, 216,
 400, 411–24, 500–501
- Chigara, B. 21, 333, 343–56
- child labour 24, 28–30, 43, 72, 81, 100, 102,
 105, 181, 221, 333, 367, 374, 376–384,
 393, 402, 458, 475, 477–9, 531, 536–7
 children's organizations and working
 children, protection of 548–9
 education access 379, 381–2, 384
 global incidence of child labour 537, 538–9
 globalization and liberal policies, effects of
 547
- ILO Decent Work Agenda 545
- ILO Declaration on Fundamental Principles
 and Rights at Work 544–5
- parents, parental interest 374, 380–1
 persistence 539–43
 regulation in India 376, 377–8
 religious choice 382, 384
- SADC Code of Conduct on Child Labour
 459
- sex discrimination and education 541
- State decline, effects of 547–8
- UNICEF 537–8
- China 11, 150–63, 212, 270, 305, 371, 401,
 Africa, investment and aid programmes
 162–3
 bilateral relations, concerns over 162–3
 challenge to labour law 150–63
 cheap labour availability 153–4
 collective contracts, promotion of 157–8,
 159
 countries emulating China 154, 161–2
 economic growth effects 152–3
 employment termination conditions 155–6
 freedom of association violation 160
 fundamental labour rights, violation claims
 154
- global working conditions, perceived link to
 worsening 153
- industrial action, permission of limited 158
- International Labour Organization (ILO)
 re-engagement 151–2, 161
- international norms, engagement with
 160–63
- Labour Contract Law 155–6, 157, 159
- labour demand exceeding supply 158
- labour disputes 155, 156, 158
- labour hire arrangements, limiting excessive
 use of 156, 157, 161
- Labour Law 151, 152–3, 155
- labour law reforms, 'second wave' 154–60
- labour law revival and market reforms
 150–52
- minimum wage level rises 158–9
- perceived as threat to labour standards
 (1990s) 152–4
- short-term contracting reforms 155
- social security measures 157
- state intervention and mediation 155, 157,
 158–60
- trade and investment negotiations 401
- trade unions 155, 212, 270–71
- Twelfth Five Year Plan 157, 158–9
- workers' regulation exclusions, concerns
 over 160
- workforce contract formalisation, promotion
 of 156
- Chinkin, C. 321, 322
- Christodoulou-Varotsi, I. 332
- Chuang, J. 29
- civil law effects 40–43, 105, 287
- civil servants' right to strike 200, 201
- civil society, non-governmental organizations
 (NGOs) 4, 15, 29, 37, 47–8, 69, 97, 154,
 159, 204–6, 207–8, 210, 214, 216, 217,
 263, 276, 280, 341, 344, 363–5, 394,
 475, 480, 483, 488, 490–2, 561
- CJEU *see* EU, Court of Justice of the
 European (CJEU)
- Clapham, A. 94, 95, 97, 106
- Claussen, K. 6, 218, 305, 395–407, 423
- Clean Clothes Campaign (CCC) 46–7, 49
- Cleveland, S. 52–3
- climate change and labour 551–63
 bargaining power inequality 555–6
 environmental and labour law, differing
 objectives 556
 'green jobs' concept 557
 ILO *Green Jobs Initiative* (GJI) 552
 legal model to address climate change 557

- legal taxonomy, importance of 553–4
 traditional perspectives 555–6
 UN Conference on Sustainable Development Outcome Document 552, 561
 worker and union solidarity, call for 557
 climate change and labour, Just Transitions (JT) as goal and challenge 552–3, 556–60
 ‘differentiated responsibility’ approach 559
 environmental justice 558–9
 and flexicurity 558
 ‘historical emissions’ approach 559–60
 ILO involvement 558, 561
 International Trade Union Confederation (ITUC) campaign for international instruments 560–61
 remapping potential of legal issues 559
 strong labour laws and collective bargaining, need for 558
 and theory of justice 558, 559
 transnational law 560–62
 United Nations Environmental Programme (UNEP) programme 561
 codes of conduct 62–63, 191–3, 375
 Rugmark 378–9
see also consumocratic law, corporate social responsibility, private labour regulation
 Cohen, L. 264
 collective bargaining 11, 14–15, 46, 63, 72, 77, 81–82, 98, 100, 105, 111, 131, 164, 183, 195–7, 199–201, 219, 221, 223–4, 226, 228, 231–2, 235–6, 240–1, 257, 260, 271, 275, 278–9, 305, 309, 326, 353, 355, 388–9, 391, 393, 402, 458, 471, 478, 486, 498–9, 502, 506, 558
 collective contracts, promotion of, China 157–8, 159
 Costa Rica 277, 279
 Eurozone crisis and structural adjustment 115, 116–17, 119–20
 inequality of bargaining power 12–13, 555–6
 International Monetary Fund (IMF) and labour law 127, 133–4
 self-governance, strengthening 264
 Spain, anti-austerity activism strategies 168–9, 172, 175
see also freedom of association; ILO Conventions; strike headings; trade unions
 Collins, H. 53
 Colombia, ‘Action Plan Related to Labour Rights’ 487–8, 493
 Compa, L. 13, 274, 282, 305, 403, 404, 474–93
 competition 13, 50, 54, 57, 77, 152, 186, 260–1, 275–6, 282, 303–4, 344, 349, 444, 498
 fair competition/ unfair competition 310, 343, 349, 355, 417, 438, 498, 499, 502
 international competition 411, 414
 organized competition of national labour laws 8
 Conley, J. 59
 consumer citizenship, private labour regulation 368–71
 consumer-driven regulation, private labour regulation 364–8
 consumocratic law 374–84
 producer cooperation and setting of goals 383
 Rugmark code development 378–9
 ‘societal information’ provision 375–6, 383
 State law complementarity 382–4
 transculturalism 383–4
see also codes of conduct, corporate social responsibility
 contracts
 breaches, arbitration use 397
 corporate governance structures and practices 56–7
 importance of, maritime labour law 354–5
 individual *see* EU, private international law rules, Rome I Regulation and individual employment contracts
 Labour Contract Law, China 155–6, 157–8, 159
 subcontracting effects 275–6, 277–8, 431
 Cooney, S. 11, 150–63, 212, 270, 365, 500
 Cordova, E. 206, 500
 corporate governance structures and practices, corporate decision making structures 51–64, 271
 benchmarking 54
 ‘business judgment rule’ 55
 corporate law and model of corporate governance 52, 54–6
 corporation loyalty by directors and management 54–5
 directors’ fiduciary duties 58–9, 60
 efficient capital markets hypothesis and shareholder value 55–7
 employment contracts 56–7
 financial performance pressures 57, 61–2

- 'holding company' strategy 52
- legal connection between business
 - corporation and firm, lack of 52–3
- national labour laws based on model of integrated firm 54
- outsourcing 53–4
- productivity and competitiveness 54
- shareholder interests and status 55–7, 59–60, 61–3
- worker protection policies, need for 56–7
- corporate social responsibility, 57–63, 220
 - Global Reporting Initiative (GRI) and Global Compact 60, 61
 - ILO standards 60–61, 63
 - ISO standards 59, 60
 - socially responsible investment (SRI) 59–60
 - stakeholder theory and workers' status 62
 - see also* Bangladesh, codes of conduct, corporate social responsibility
- corruption, anti-corruption 70, 90, 160, 278, 353, 521, 547
- Costa Rica, collective action 277, 279
- Countouris, N. 14
- Covarrubias, A. 277
- Cunill Grau, N. 281, 282

- Darbon, D. 540, 547
- D'Aspremont, J. 75, 321, 325
- Daugareilh, I. 218, 221, 223
- Davidov, G. 8, 61, 258
- Davies, P. 502
- Dawson, L. 505, 506
- De Boer, T. 443
- De Burca, G. xiv, 10, 362
- De Cooker, C. 405
- De Felice, D. 104
- De Givry, J. 305
- De Sousa Santos, B. 5, 6, 31
- De Wet, E. 31
- Deakin, S. 9–10, 12–13, 54, 56, 80, 83, 111–23, 131, 203, 226
- Deinert, O. 440, 443, 448
- Deneulin, S. 141, 143–4
- Derman, B. 561
- Devetter, F. 237
- 'dialogic' approach, *see* social dialogue
- Diller, J. 9, 21, 24, 70–71, 329–42, 361
- dismissal protection 128, 155–6, 168, 169, 171
- dispute resolution
 - arbitration use *see* arbitration use in
 - deciding international labour issues
- CAFTA-DR (Central America/Dominican Republic) 479–80
- freedom of association in international framework agreements (IFAs) 226–7, 228
- Mexico and Central America 280
- OECD, Guidelines for Multinational Enterprises 394
- and public intervention 69
- Southern Africa Development Community (SADC) *see* Southern Africa Development Community (SADC), labour alternative dispute resolution (ADR) mechanisms
- WTO *see* World Trade Organization (WTO), lessons from ILO, labour origins of trade dispute settlement
- see also* social protection
- domestic workers, marginalized workers 234–6
 - accreditation of agencies and the implementation of activities 238
 - 'Borloo Plan' on social cohesion 237
 - childcare arrangements 240
 - collective autonomy, France, regulation of domestic work 236–42
 - employment classification 241
 - employment relationship 238–9
 - equitable access to collective bargaining 235
 - freedom of association and right to collective bargaining 235
 - freedom of expression and freedom of association 239
 - justice access 236
 - Labour Code 237–8
 - labour law, and centrality of collective autonomy 231–3
 - national collective agreement characteristics 237–42
 - personal care services 238
 - principle of parity 240
 - reasonable hours of work principle 234–5
 - right not to reside in household of employer 234
 - service cheque program 238
 - service provider relationship 237
 - signatory union federations 239
 - Siliadin v. France* 242
 - social protection arrangements 240–42
 - specific jobs involved in domestic work 240
 - State role 232–3

- territorial scope for 'targeted' work,
classification challenges 239
wage levels 242
worker representation 231–2
working hours limitations
24 unionization, lack of 234
see also care economy, health care
- Dominican Republic, CAFTA-DR *see*
Americas, labour rights and trade
agreements, CAFTA-DR (Central
America/Dominican Republic)
- Doorey, D. 30, 551–63
Dorssemont, F. 196, 197, 202
Dolumbia-Henry, C. 343
Drouin, R. 8, 9, 15, 43, 105, 217–29
Dubois, W. 234
due diligence 9, 68, 73, 93–4, 96, 98–106,
191, 331, 431
Dufour, S. 53
Dukes, R. 7
Dumas, P. 24–25, 374–84
Dussuet, QA. 237, 241
- Ebert, F. 26, 70, 124–37, 325, 389, 402, 540
economic adjustment programmes (EAPs),
Eurozone crisis 114–17
see also structural adjustment
- economic exploitation, Sub-Saharan Africa
537–8, 542–3
economic growth effects, China 152–3
Edet, G. 546
education, role of 30, 144, 153, 165, 172, 175,
254, 278, 282, 284–85, 289, 333,
379–81, 383, 392, 459, 505, 537–49
Elliott, K. 366–7
Employers' group challenge on right to strike
316–17, 318, 319, 321, 322, 327–8, 336,
354
employment relationship 13, 56, 63, 156, 218,
331, 354, 371, 431, 442, 471, 542, 555
see also ILO Recommendations
Engerman, S. 142
environment, environmental impact,
environmental reports, environmental
standards 25, 28, 30, 37, 45, 58–9, 60,
62, 65–6, 67, 68, 70, 73–74, 89, 103,
106, 151–2, 220–1, 239, 271, 307, 353,
368, 372, 375, 396, 400, 402, 427, 435,
441, 443, 477, 479, 481, 546, 552, 555–6
environmental accident 69
industrial relations environments 7, 280,
287
market environment 373,
normative environment, legal environment,
environmental law 31, 261, 551, 554,
556–7,
urban environment 542
working environment 206, 214, 432, 503
- equality/ inequality, non-discrimination/
discrimination 3, 10, 12, 16–18, 23, 31,
69, 127–9, 138–9, 170–1, 205, 213, 230,
232–3, 237, 250, 251, 252–3, 257, 259,
261, 264, 281, 284, 286, 289–90, 303–4,
340–1, 392, 446, 499, 540–1, 560
accommodation 251
collective bargaining and equality 235
complex and intersecting identities 255–7
effects-based measure for determining
discrimination 251–2
equal treatment principle, EU immigration
policy 430–31, 436
Eurozone crisis, inequality and social
deprivation effects 117
gender equality, gender inequality 129, 237,
257, 333, 391–2
identity groups and intersectionality 215–16
ILO 249
see also ILO Conventions
inclusive equality 247–59
indirect discrimination 250–51
inequality of bargaining power 13, 555–6
inequality in labour protection, EU Posted
Workers Directive 449
informal work reduction 257
Inter-American system on human rights
286–7
multiple discrimination 255–7
racial discrimination 261–2, 267, 286
see also religion; sexual harassment
structural inequality 148, 234, 247, 253–5
substantive equality 251
systemic discrimination 252–3, 259
Time for Equality at Work 258
working together transnationally 261–2,
263–4
- Equator Principles 73–4
Estlund, C. 13, 17, 158, 161, 212, 221,
260–72
Etim, N. 546
EU
Charter and right to strike 198–9, 201–2
Clean Clothes Campaign (CCC) 46–7, 49
Common Agricultural Policy (CAP),
432–435
limited engagement with workers' rights
432–4

- CAP spending levels 433
 - occupational safety standards 434
- 'Europe 2020 – for a healthier EU' 174
- free trade agreements 402–3
- Generalized System of Preferences (GSP)
 - programs, preferential tariff treatment 476–7
- migrant agricultural workers 425–37
- Nautilus International union 43
- 'Social Europe' trade 501–2
- sustainable agriculture goal 435–6
- EU Court of Justice of the European Community (CJEU)
 - CJEU decisions, criticism of 196–8
 - CJEU jurisprudence, possible changes 202–3
 - CJEU *Laval* case 195–6, 197–8, 451, 507
 - CJEU proportionality test 195–6, 197, 199
 - CJEU *Viking* case 40, 194
 - collective action constraints 40
 - EU Charter and right to strike 198–9, 201–2
 - European Convention on Human Rights (ECHR), EU accession to 198–9
 - industrial action recognition 196–7
 - See also* EU Posted Workers Directive (PWD)
 - free movement of services interpretation 448–51
 - Koelzsch* 441, 443
 - Laval* 195–6, 197–8, 451, 507
 - Mohamed Aziz v. Caixa Catalunya* 173–4
 - 'negative integration' through case law of internal market 114, 116, 117, 120
 - Pringle v. Government of Ireland* 121
 - Rush Portuguesa* 448
 - Schlecker* 442–3, 444, 446, 453–4
 - TFEU freedom of establishment and freedom to provide services 194–6
 - Unamar* 447
 - Viking* 40, 194
 - Voogsgeerd* 440, 441–2, 443
 - 'weaker party' contracts and habitual place of work interpretation 441–6, 453–4
- EU Directives 118, 161, 196, 426, 436
 - Abusive practices in consumer contracts 173
 - Blue Card 429–31
 - Equal Treatment in Employment and Occupation 249
 - Employers' Sanction 432, 436
 - Posted Workers 27, 196, 438, 506–8
 - Disclosure of non-financial and diversity information by certain large companies and groups 96
 - Seasonal Workers 26, 427, 429, 431, 437
 - sectoral 429
 - Single Permit 429
 - social policy 116
 - Temporary Agency Work 161
 - Transfer of Undertakings 39
- EU, private international law rules, Rome I
 - Regulation and individual employment contracts 438–54
 - Article 3 (party autonomy and law governing contract) 439
- EU, private international law rules, Rome I
 - Regulation and individual employment contracts, Article 8 ('weaker party' contracts and habitual place of work) 439–47
 - CJEU interpretation 441–6, 453–4
 - employment conditions of migrants and problems with interpretation 443–6
 - lex causae* (law governing contract), limited relevance 446–7
 - place of business of employer as connecting factor 441–3
 - protection principle and conflict-of-laws mechanism 443–4
 - transport workers and legal uncertainty 445–6
 - worker protection and relative weight of habitual place of work 443–5
- EU, private international law rules, Rome I
 - Regulation and individual employment contracts, Article 9 (free movement of services) and Posted Workers Directive (PWD) 447–54
 - application of host State rules to posted workers 448–51
 - CJEU interpretation 448–51
 - enforcement proposal 452, 454
 - home country control rule claim 451–2
 - inequality in labour protection 449
 - mandatory protection rules as overriding mandatory protection 450–51
 - posting types 450
 - Rome I Regulation interaction 451–3
- European Committee on Social Rights, Eurozone crisis and structural adjustment 116
- European Convention on Human Rights (ECHR) 116, 117, 198–9
- European Court of Human Rights

- civil servants' right to strike 200–1
- collective action rights 199–202
- Demir and Baykara* 199–200, 326, 502
- Enerji Yapi-Yol Sen v. Turkey* 200, 201 326, 502
- international labour standards 200–1, 325–6
- RMT/United Kingdom* 201–2
- secondary strike action 201–2
- Siliadin v. France* 242, 527, 529
- slavery interpretation 526–7, 529
- Tătar v. Romania* 69
- Trofimchuk v. Ukraine* 202
- Van Droogenbroeck* 529
- European Employment Strategy (EES) goals
 - of full employment 82–3
- European Social Charter 116, 198, 200, 502
- Eurozone crisis and structural adjustment
 - 111–23
 - collective bargaining, legal framework governing 115, 116–17, 119–20
 - debt reduction strategies 117
 - draft budget requirements 118
 - ECB, changing role of 120–23
 - ECB single interest rate policy effects 112–13, 114
 - economic adjustment programmes (EAPs) 114–17
 - Euro Plus Pact (EPP) 119–20
 - European Committee on Social Rights 116
 - European Convention on Human Rights and freedom of association 116, 117
 - European Court of Justice (CJEU),
 - 'negative integration' through case law of internal market 114, 116, 117, 120, 121
 - European Stability Mechanism (ESM) 120–21, 122–3
 - 'excessive public spending' wrongly blamed 113–14
 - Fiscal Compact 120
 - and German approach to monetary policy 112, 113, 119
 - Greece, sovereign default 113, 115
 - inequality and social deprivation effects 117
 - institutional roots of crisis 111–14
 - labour market deregulation, thinking behind 114–15
 - Maastricht Treaty and monetary union 111–12
 - 'macro imbalance procedure' (MIP) 118–19
 - Memoranda of Understanding (MoUs) 114–17, 120
 - national-level labour laws, reshaping 116–17
 - 'new economic governance' 118–20
 - Outright Market Transactions programme (OMT) 121–2
 - pre-Maastricht exchange rate fluctuations 113
 - real economies, lack of convergence 112
 - sanctions 118
 - social security and pension changes 115–16
 - Stability and Growth Pact (SGP) 112, 115–16, 118, 120
 - Treaty on Stability, Coordination and Governance (TSCG) 119, 120
 - unemployment 117
 - wage levels and employment conditions 115–16
- Ewelukwa Ofodile, U. 162
- Ewing, K. 164, 221, 316, 500, 502
- export processing zones (EPZ) 486
- Fair Trade certification 39, 372–3
- Fan, Y. 159–60
- Fantasia, R. 265
- Fashoyin, T. 462, 463, 500
- Felli, R. 558, 559, 561
- Fenwick, C. 16, 19, 462, 463
- Fichter, M. 45, 219, 225
- financial crises *see* Eurozone crisis and structural adjustment; Spain, anti-austerity activism strategies
- Fischer-Lescano, A. 3
- fishing sector, maritime labour law 352, 355
- Fishman, R. 165
- Footer, M. 96
- forced labour, xiii, 28–9, 43, 72, 79, 81, 153, 181, 185, 318, 325, 331, 393, 402, 477–9, 499, 509,
 - see also* ILO Conventions, Myanmar and forced labour; slavery, servitude
- foreign investment and development assistance 49–50, 162–3, 276, 277
- France 16, 54, 73, 83, 114, 230, 231, 236–7, 239, 241–243, 394, 499, 507–8
- Frateman, J. 515
- Freedland, M. 14, 28
- freedom of association 13–16
 - constitutional principle 182–3, 188–9
 - European Court of Human Rights 199–200, 202
 - global framework agreement (GFA) 45–6
 - Guatemala *see under* Americas, labour rights and trade agreements,

- CAFTA-DR (Central America/Dominican Republic)
- ILO Credentials Committee *see* ILO Credentials Committee and freedom of association
- Inter-American system on human rights 288, 291–2, 294
- lack of universal effectiveness 305–6
- marginalized (domestic) workers, France 235, 239
- violation, China 160
- see also* collective bargaining
- freedom of association in international framework agreements (IFAs) 217–29
- collective bargaining practices 218–19
- corporate social responsibility strategy 220
- fundamental labour rights, impact on 224, 226
- ILO Declaration on Fundamental Principles and Rights at Work 220–21, 228–9
- implementation mechanisms 222, 223, 226–7, 228–9
- international labour organisations as bargaining partners, recognition of 223
- multi-level strategies 224, 226
- negotiating IFAs 219–22
- social dialogue and organising 222–4
- transnational corporations (TNCs) 217–18, 220, 223–6
- and UN Global Compact 72, 221
- Universal Declaration of Human Rights 221
- freedom of association in international framework agreements (IFAs), improvement challenges and options 225–9
- arbitration procedures, generalising stipulations 228
- dispute resolution 226–7, 228
- global production chains 225
- national laws and legal status 227–8
- public institutions, role of 228–9
- subsidiaries and subcontractors 228
- transnational corporations (TNCs) organisational structure effect 225–6
- union network creation 226
- Freeman, R. 58, 153, 157, 366–7
- Freund, O. 236
- Friere, P. 233
- Fudge, J. 8, 17, 28, 145, 248, 257, 258, 425, 499
- full employment 413–14
- Gallagher, M. 152, 155, 156–7, 160
- Gallin, D. 42, 219
- gender 17, 82, 85, 89, 96, 129, 160, 206, 215, 237, 249, 255, 278, 286–87, 333, 375, 391–92, 559
- Gennard, J. 43
- Gereffi, G. 362
- Germany 10, 44, 73, 83, 113–14, 119, 197, 260, 378, 442, 48–49, 499
- collective agreements and proportionality test 197
- monetary policy 112, 113, 119
- Outright Market Transactions programme (OMT) 122
- Ghai, D. 254
- Glenn, H.P. 30
- Global South, protectionism 47–9
- global supply chains *see* supply chains
- global trade union organizing and domestic constraints 37–50
- civil litigation effects 40–43
- classification of workers as independent contractors 41
- Clean Clothes Campaign (CCC) 46–7, 49
- contractors, outsourced workers as employees of 39–40
- cross-border mergers and solidarity 37, 42–3
- global framework agreement (GFA), and corporation's subsidiaries and supply chains 44–5, 47
- global framework agreement (GFA), interpretation of standards on trade union rights, problems with 45–6
- global framework agreement (GFA) as unfulfilled promise 43–6
- Global Union Federations (GUFs) 37, 38–9, 44, 45–6
- 'Going Global: Organizing, Recognition and Union Rights' conference 39
- human rights standards and corporate conduct 39
- ILO, Multinational Enterprises Programme 44
- India, Garment and Textile Workers Union (GATWU) and G-Star (Netherlands) 46–9
- international aspirations and national obstacles 38–40, 44, 46
- international development assistance allocation and supervision 49–50
- International Union of Foodworkers, and Fair Trade-certified tea plantations in India 39

- mobilization and resistance in Global South 46–50
 mobilization and resistance in Global South, protectionism and reputation concerns 47–9
 multinational corporations 40–41, 43–5
 outsourcing employees 41
 racketeering concerns 40–42
 true global union, understanding of 42
 union recognition through ‘card check’ and majority representation (US) 41, 42
 universal ‘living wage’ principles, difficulties in applying 39, 44
 Walmart campaign and United Food and Commercial Workers International (UFCW) 60
 Workers Uniting cross-border merger 42–3
 Goldin, A. 313
 Grau Crespo, A. 278, 279–80
 Gravel, E. 326
 Greece 10, 89, 112, 114–115, 117, 131, 133, 165, 426
 Greer, S. 111, 114, 117, 123
 Grotius, H. 346
 Guatemala
 freedom of association case *see under* Americas, labour rights and trade agreements, CAFTA-DR (Central America/Dominican Republic)
 labour rights reforms 476
 Guinier, L. 265

 Haas, E. 305, 416
 Hagen, K. 124, 135
 Hainmueller, J. 366
 Handl, G. 321
 Hansmann, H. 56
 health care, medical care 172, 174–175, 337–338, 347, 351, 459, 504–5
 Heenan, J. 14, 192
 Heilmann, S. 151, 155, 159
 Held, D. 254–5, 369
 Helfer, L. 19, 207, 513
 Hendrickx, F. 227
 Hendy, J. 502
 Hepple, B. 18, 26, 154, 191, 248, 251, 254, 257, 304, 329, 396, 400, 498, 500, 539, 548
 Herrnstadt, O. 45, 226
 Hiscox, M. 366
 Honoré, A. 366, 527–8
 Horsey, R. 510, 511, 512, 515, 516, 517, 518, 519, 520, 521
 Houwerzijl, M. 438, 446, 448, 451
 Howse, R. 26
 Hudec, R. 416
 human rights 16–18, 39, 67–9, 128, 145–6
 European Convention on Human Rights (ECHR) 116, 117, 198–9
 European Court of Human Rights *see* European Court of Human Rights
 Inter-American system *see* Inter-American system on human rights, constitutionalising labour in Mexico and Central America *see* Mexico and Central America, human rights based labour policy and labour rights and soft law 189–91
 Hunt, J. 26, 425–37, 438
 Huntington, S. 267
 Hyde, A. 20
 Hyde, J. 23
 Hyman, R. 90

 ICJ *see* International Court of Justice (ICJ)
 ILO
 Better Work program 335, 341
 and climate change 558, 561
 corporate social responsibility (CSR), opportunities and challenges 60–61, 63
 Decent Work Agenda 79–80, 91, 253–4, 257, 331, 332, 462, 545
 emerging roles 4, 5, 18–21
 IMF and core labour standards 133–5
 OECD cooperation 390, 393
 re-engagement, China 151–2, 161
 and trade in services 498–9, 499–500
 tripartite character 186–8, 204–8, 308, 393
 and WTO, *see* World Trade Organization (WTO), lessons from ILO
 ILO Committee of Experts (CEACR), *see under* ILO’s supervisory bodies’ ‘soft law jurisprudence’
 ILO Conventions
 core labour standards 124, 129–31, 133–4, 136–7, 220–1, 308, 324, 386, 402, 479, 491, 485, 500–1
 see also child labour, equality, forced labour, freedom of association
 Discrimination (Employment and Occupation) 249–50
 Decent Work for Domestic Workers 234–6, 253
 Equality of Treatment (Accident Compensation) 416
 Equal Remuneration 250, 391–2

- Forced Labour 96, 104, 318, 330–1, 332, 524–5, 532–4, 544, *see also* ILO, Myanmar and forced labour
- Forced Labour Protocol 330–31, 332
- Indigenous and Tribal Peoples 66, 68–9
- Labour Inspection in Agriculture 353–4
- Maritime Labour 21, 305, 332–41 345, 347–52
- Migrant Workers 253, 499, 506
- Minimum Age 72, 279, 377, 458, 537
- ratification, non-ratification 20, 85, 129, 253, 273–274, 302–303, 305–306, 308–309, 311–314, 318, 332–333, 340, 349, 352–353, 355, 416, 458–459, 499, 515, 534, 537, 545
- Convention ratification advantages 309–10
- Social Security (Seafarers) 350–51
- Work in the Fishing Sector 352, 355
- Worst Forms of Child Labour 72, 377, 386, 458, 531, 536
- ILO Credentials Committee and freedom of association 204–16
- class and worker identity 206–7
- constitutive practices 211–12
- democratic procedural norms 212–13, 215
- governance structure stability 214
- ILO Committee on Freedom of Association 200–201, 202
- ILO tripartite structure and multi-interest approach 204–8
- interest representation 209–13
- internal functioning approach 208–16
- monitoring, civil society groups 214, 216
- in relation to Myanmar case 209–10
- West/rest perspective and tripartite structure 205–6
- worker identity and tripartite structure 206–7
- ILO Declaration on Fundamental Principles and Rights at Work 14, 60, 71–2, 97, 201, 393, 485, 499, 544
- freedom of association in international framework agreements (IFAs) 220–21, 228–9
- and ILO normative action 304, 308
- ILO, pluralism and privatization in transnational labour regulation 322–23, 333
- ILO's supervisory bodies' 'soft law jurisprudence' 189–193, 316–328, 322, 324
- Mexico and Central America, human rights based labour policy and labour rights 274–5
- and UN Guiding Principles on Business and Human Rights 100–101
- and US–Jordan trade agreement 478–9
- ILO Declaration of Philadelphia 5, 19, 22, 57, 232, 235, 258, 301–02, 307, 310, 412–16, 418, 458, 498
- ILO Declaration on Social Justice for a Fair Globalization 5, 306–07, 333–4, 353
- ILO *Equality at Work* reports 251–2, 258
- ILO *Green Jobs Initiative* (GJI) 552
- ILO Helpdesk for Business 72
- ILO 'magisterial function' 301, 307–13
- ILO Multinational Enterprises Programme 44, 334
- ILO, Myanmar and forced labour 509–22
- administrative innovations 514–15
- delaying tactics 518
- forced labour assessment 513–15
- ILO Commission of Inquiry 516–17
- ILO Committee of Experts role 513–14, 515–16
- ILO Conference Committee role 514
- ILO Governing Body role 517, 518
- interpretations and 'painstaking' jurisprudence 514
- military regime use of forced labour 515–16
- Myanmar facts 511
- Myanmar isolationism and self-interest effects 519–20, 521
- as only case of ILO involvement 512
- 'regime change' recommendation 517
- sanctions threat, effects of 519–20
- securing compliance 517–19, 520, 521
- 'supervisory' process 513–14, 515
- ILO normative action 301–15, 316–28, 329–42
- Declaration on Fundamental Principles and Rights at Work 304, 308
- Declaration on Social Justice for a Fair Globalization 306
- international labour standards, need for 301–2
- legal balance requirements 314
- 'regulatory function' 301, 306, 309–10
- tripartite structure and universality 308
- historical background 307–8
- labour law and institutions, improving effectiveness 312–13
- national legislation conformity 311
- non-compliance procedures 310–11

- ratification reward through strategic use of technical assistance 312–13
- supervision benefits to ratifying Members 310–11
- ILO normative action, reciprocal efforts 302–7
 - economic competition regulation failures 303–6
 - freedom of association and collective bargaining, lack of universal effectiveness 305–6
 - historical background 302–3
 - Members' parallel commitments, diversity of 306
 - monitoring each Member's overall resolve and specific (reciprocal) efforts 304
 - international cooperation in public-private action 334–9
 - international labour standards 330–34; *see also* ILO Conventions; ILO Recommendations
 - internationalization of business and capital flows 330
 - Multinational Enterprises and Social Policy (MNE Declaration) 334
 - national regulatory jurisdiction
 - collaboration 332–3
 - occupational safety and health management systems (OSH-MS) ISO pilot 339, 341
 - transnational industry standard setting 338–9
- ILO Recommendations 14–15, 65, 182, 191, 229, 303, 307–309, 313–314, 321, 332–333, 344–345, 347, 351, 355, 430, 462, 498, 510, 544
 - Consultation and Cooperation between Employers and Workers at the Level of the Undertaking 393
 - Decent Work for Domestic Workers 16, 231–232, 234–236, 239, 242, 331,
 - Employment Relationship 62, 238, 331–332, 354,
 - fishing sector 352
 - HIV and AIDS at Work 392, 543,
 - Human Resources Development 393
 - List of Occupational Diseases 393
 - Older Workers 392
 - Safety and Health in Agriculture 353
 - Social Protection Floors 543
 - Forced Labour (Supplementary Measures) 332, 544
 - Voluntary Conciliation and Arbitration Recommendation 399, 462
- ILO Strengthening Labour Administration in Southern Africa projects 461–2
- ILO supervisory bodies
 - CAS (Committee on the Application of Conventions and Recommendations), influence of 302, 310, 312, 314–15
 - Commissions of Inquiry 19, 29, 314, 399, 419–20, 423, 493, 512, 516–21, 534
 - Committee of Experts (CEACR), General Surveys 320
 - Committee of Experts (CEACR), independence, composition and expertise 323
 - Committee of Experts (CEACR), interpretation 316–19, 321, 322, 323, 324–5, 327–8
 - Committee of Experts (CEACR), 'jurisprudence' 319–21, 323
 - and Declaration on Fundamental Principles and Rights at Work 322, 324
 - Committee on Freedom of Association (CFA), *see* freedom of association
 - Employers' group challenge on right to strike 316–17, 318, 319, 321, 322, 327–8
 - interpretation concerns 317–19, 324–5; *see also* Vienna Convention on the Law of Treaties
 - 'soft law jurisprudence' and development over time 316–28
 - soft law, European Court of Human Rights (ECtHR), use of ILO standards 325–6
 - soft law, legal effects 322–3
- ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy 95, 190, 334, 393, 499
- IMF *see* International Monetary Fund (IMF)
- India
 - child labour laws and Rugmark code development 378–9
 - Child Labour (Prohibition and Regulation) Act (CLPRA) 376, 377–8
 - contract labour 40
 - Foreign Currency Regulation Act 49
 - Garment and Textile Workers Union (GATWU) and G-Star (Netherlands) 46–9
 - International Union of Foodworkers, and Fair Trade-certified tea plantations 39
- indicators 9, 75, 76–92, 97, 99, 103–4, 118–9, 282–3, 288–90, 296, 387, 389
- employment protection, OECD 387

- international labour *see* international labour indicators
- progressiveness, Inter-American system on human rights 289–90, 294–6
- Indonesia, IMF assistance 129–30, 131
- industry standards, setting 338–9
- informality (labour market), informal economy, informal sector 17, 161, 247, 257, 278, 308, 331, 468, 541, 546
- Inter-American system on human rights, constitutionalising labour 284–97
- labour rights 291–3, 294
- legal framework 284–5
- principle of non-discrimination and equality 284
- Protocol of San Salvador 285, 288–90, 293, 294, 296
- right to work and right to associate 291–2, 294
- strike action rights 292–3
- trade union leaders, protection of 292
- Inter-American system on human rights, constitutionalising labour, economic, social and cultural (ESC) rights 284–90, 293–6
- access to justice and due process in labour context 287–8
- common law versus civil law jurisdictions 287
- information access 287
- non-discrimination and special attention to vulnerable groups 285–7
- platform to address labour cases 293–6
- progressiveness indicators 289–90, 294–6
- race discrimination 286
- right to a fair trial 287, 288
- right to work and freedom of association 288
- salary and pension cuts 294–5
- social security rights 296
- state's duty to eradicate discrimination 286–7
- Inter-American Commission on Human Rights (IACHR), Inter-American Court 18, 94, 284, 291,
- Belo Monte Dam* 67–8
- Abrill Alosilla v. Peru* 288, 290
- Baena-Ricardo v. Panamá* 288, 289–90, 291, 292
- Dismissed Congressional Employees (Aguado-Alfaro) v. Peru* 296
- Finca La Exacta v. Guatemala* 288, 292
- 'Five Pensioners' v. The Republic of Peru* 289–90, 295–6
- Huilca-Tecse v. Peru* 292
- Milton García Fajardo v. Nicaragua* 292, 293
- Simone André Diniz (Brazil)* 286
- International Court of Justice (ICJ) 68, 200, 317, 322–3, 326, 399–400, 419–420, 422, 424, 514–517, 519
- Diallo* 320
- Human Rights Committee case law, use of 326
- Pringle v. Government of Ireland* 121
- Pulp Mills on the River Uruguay (Argentina v. Uruguay)* 68
- International Covenant on Civil and Political Rights (ICCPR) 100, 531
- International Covenant on Economic, Social and Cultural Rights (ICESCR) 100, 104
- international framework agreements (IFAs), global framework agreements (GFAs) 8, 15, 38, 41, 43–5, 105, 217–229, 324, 561
- freedom of association in IFAs 220, 223–4, 225–6
- International Labour Conference (ILC), right to strike *see* strike, pushback on right to, International Labour Conference (ILC), 2012 General Survey
- 'international labour dispute' definition, need for 406
- international labour indicators 76–92, *See also* indicators
- academic researchers, indicator systems constructed by 83–4
- bureaucratic command-and-control methods of regulation, perceived failure of 77
- collective bargaining, replacement of standard-setting and enforcement through 77
- complex political institutions, problems changing 88
- elites, influence of 90–91
- European labour indicators and European Employment Strategy (EES) goals of full employment 82–3
- ILO indicators of 'decent work' 79–80, 91
- indicator-driven regulation, rise of 76–7
- Inter-American Commission on Human Rights 87
- labour representatives, restricted influence 91
- 'new governance' and performance metrics 88

- power and democracy 90–92
- transnational networks, regulation by 77
- UN Office of the High Commissioner on Human Rights 87
- US Bureau of International Labor Affairs (ILAB) and National Academy of Sciences (NAS) indicators 81–2, 87
- World Bank ‘Employing Workers Indicators’, criticism of 80–81, 83
- international labour indicators, sub-indicators 78, 80, 81, 82, 83
- data problems 87
- enforcement actions and institutional resources, measurement of 89
- framing and applying 84–6
- input vs. outcome 87–90
- legal competence, reasons for need for 85–6
- Principle Components Analysis (PCA) 86–7
- regime type comparisons 89–90
- similarly situated countries, comparison problems 89
- weighting and aggregating 86–7
- International Labour Organization *see* ILO
- international labour standards *see also* ILO Conventions, ILO Recommendations and European Court of Human Rights 200–201
- interpretation, and terminology concerns 318–19, 324–5
- need for 301–2
- pluralism and privatization in transnational labour regulation 330–34
- International Maritime Organization 21, 349
- International Monetary Fund (IMF) and labour law 124–37
- Argentina, and structural adjustment programme 130
- centralized collective bargaining role 127, 133
- dismissal protection laws 128
- ‘dual employment protection’, avoidance of 128
- employment, emphasis on bringing workers into 128
- external influences and Global South 136–7
- financial assistance arrangements and conditionality 126
- Greece, labour market restrictions, concerns over 131, 133
- ideological bias 134–7
- ILO’s core labour standards, compliance with commitment to 133–5
- IMF as sporadic promoter and frequent deregulator of labour law 129–32
- inconsistencies between discourse and practice 132–4
- Indonesia assistance 129–30, 131
- labour law as instrument for minimum protection of workers 128–9
- labour law as obstacle to growth and employment 127–8
- ‘labour market flexibility’ programmes 131
- Mexico, decentralization of collective labour relations 131
- minimum wage legislation 128–9
- policies of member countries, influence on 126–7, 130, 132, 135
- policy prescriptions and objectives of growth and employment creation, link between 132–3
- Poverty Reduction Strategy Paper for developing countries 126
- Romania, labour law reforms, concerns over 133–4
- socioeconomic human rights policies 128
- World Bank as main reference point 135
- International Organization of Standardization (ISO) voluntary standards 338–9, 342
- International Trade Union Confederation (ITUC) campaign for international instruments 560–61
- investment and trade agreements *see* arbitration use in deciding international labour issues, investment and trade agreements
- ISO (International Organization of Standardization) 59, 60, 338–9, 341, 342
- ITO (International Trade Organization) procedures 421–2, 423–4
- Jenks, C. W. 20, 22, 318
- Jessup, P. 22, 61, 348
- Jordan, US-Jordan trade agreement 478–9
- Just Transitions (JT) *see* climate change and labour, Just Transitions (JT) as goal and challenge
- Kahn-Freund, O. 223, 555
- Kalula, E. 457, 461, 462
- Kay, T. 282, 478
- Kennedy, David 5, 7, 23, 31
- Kennedy, Duncan 7
- Kenner, J. 111
- Keynes, J. 22
- Kilpatrick, C. xiv, 10

- Kingsbury, B. 30, 75, 266
 Klabbers, J. 322, 334
 Klare, K. 4
 Knox, J. 96
 Kohiyama, T. 389, 390
 Kolben, K. 9, 24–25, 45, 97–8, 218, 274, 361–73, 426
 Kornblum, W. 264–5
 Koskenniemi, M. 7, 31
 Kraakman, R. 56
 Krause, R. 44, 227
- Labour Inspection 545–6, 431,
 on-farm system of inspections 435–6
 safety inspections 21
see also under Bangladesh
- La Hovary, C. 8, 14, 20, 74, 184, 191, 200, 274, 305–306, 316–28, 334, 500, 514
- La Rosa, A. 420
- Lamour, M. 394
- Langille, B. 8, 18, 20, 25, 141–2, 144, 164, 192, 254–55, 258, 399, 421, 498, 509–22, 535, 553, 555
- Latin America, May 10 template *see*
 Americas, labour rights and trade
 agreements, Latin America, May 10
 template
- Lazarus, R. 556
- Leary, V. 16, 25, 26, 204
- Lee, Chang-Hee 151, 156
- Leys, C. 139–40
- Liu, M. 156, 159–60
- Locke, R. 15, 94–5, 101, 103, 164, 271
- López, J. xiii, 12, 16, 164–76
- Lörcher, K. 199, 200, 201, 202
- Lowenfeld, A. 504
- McConnell, M. 305, 343, 349, 350, 355
- McCorquodale, R. 93–4
- McCrudden, C. 252
- McEleavy, P. 444, 447, 450
- Majone, G. 433, 501
- Mankowski, P. 445, 446, 448
- Mantouvalou, V. 325
- Mares, R. 95–6
- maritime labour law 21, 306, 332–41, 343–56
 agriculture sector implications 353–4
 decent work concept 343–4
 decent work deficit, addressing 344–6
 fishing sector implications 352, 355
 flags of convenience 345, 346, 352
 ILO Convention Concerning Work in the
 Fishing Sector 352, 355
- ILO Declaration on Social Justice for a Fair
 Globalization 353
- Maritime Labour Certificate 345, 348–9,
 355
- ‘no more favourable treatment’ clause 345,
 349
- open registries 346
- Paris Memorandum of Understanding on
 Port State Control, certification and
 inspection powers 347–50, 355
- social security 350–51
- markets
 deregulation, thinking behind 114–15
 efficient capital markets hypothesis 55–7
 globalization and liberal policies,
 Sub-Saharan Africa 547
 migrant labour regulation 142–3, 144, 146
 and neoliberal ideology 77
 reforms, China 150–52, 161
- Marshall, F. 260
- Marshall, S. 19, 63, 153
- Martin, E. 93
- Martin, I. 8, 46, 51–64, 102
- Martin, P. 145, 497, 503, 505
- Martin, S. 273
- Martin-Huan, J. 237
- Marx, K. 7, 11, 140, 142, 154, 233, 372
- Maupain, F. 19, 79, 184, 248, 301–15, 316,
 323, 326, 328, 386, 420, 509–10, 515,
 516, 518, 520, 522
- Mbaye, K. 544
- Mechlem, K. 319, 324, 326
- Merrett, L. 440, 444, 446, 448
- Mexico, decentralization of collective labour
 relations 131
- Mexico and Central America, human rights
 based labour policy and labour rights
 273–83
 Costa Rica 277, 279
 development level effects 276
 dispute resolution 280
 employee interests, lack of representation
 275–6
 foreign direct investment effects 276, 277
 governance strategy suggestion 282
 ILO Declaration on Fundamental Rights at
 Work 274–5
 ineffectiveness of respect for labour rights
 277–80
 international treaties, disappointing effects
 273–5
 judicial system and labour inspectorate 278,
 280

- Mexican automobile industry, lack of distribution of economic success 277
- negative convergence of labour rights 275–7
- non-governmental organizations, international agreements, involvement of 281–2
- subcontracting and outsourcing effects 275–6
- technology reliance effects 276–7
- temporary contracts and subcontracting effects 277–8
- trade union rights' violations 278–80
- wage levels and working hours 278
- migrant workers, migrants 145–6, 148–9, 251, 267–70, 332, 417, 425–7, 429–30, 432, 436–7, 438, 443, 448, 459, 460, 491, 498–9, 506
- EU governance of migration 427–32
- Council Resolution on admission of third country nationals 427–29
- equal treatment principle 430–31, 436
- GAMM (Global Approach to Migration and Mobility) 428
- Hague Programme on legal immigration for employment purposes 428
- See also* ILO Conventions, ILO Recommendations
- Miles, R. 142, 427
- Milman-Sivan, F. 15, 30, 204–16
- Mitchell, L. 57, 58, 60, 63
- Molina Rojas, N. 278, 279–80
- Moreau, M. 136, 203, 218, 222
- Morin, M. 51, 54, 61
- Morris, G. 164
- Mosley, L. 271, 273, 275, 276, 277
- Muchlinski, P. 102, 106–7
- Mudarikwa, R. 19, 27, 455–73
- multi-level, multi-level governance 4, 26, 172, 174, 224, 230, 456, 562
- multinational corporations, enterprises, operations 15, 17, 21, 25, 37–40, 42–4, 47, 49, 71, 75, 91, 94–5, 205, 217, 275–7, 282, 334, 361, 370, 393, 402, 497, 500, 504–5, 561
- see also* OECD Guidelines
- Munck, R. 145, 146, 148
- Mundlak, G. 16, 98, 235
- Murray, G. 6, 54
- Murray, J. 221, 329
- Musukubili, F. 462, 463
- Mutua, M. 26
- Myanmar and forced labour *see* ILO, Myanmar and forced labour
- NAFTA (North American Free Trade Agreement) 403, 477–8, 490, 491
- national action plans, UN Guiding Principles on Business and Human Rights 97
- national legislation
- corporate governance structures and practices 54
- freedom of association in international framework agreements (IFAs) 227–8
- global trade union organizing *see* global trade union organizing and domestic constraints
- home country control rule claim, EU Posted Workers Directive 451–2
- international cooperation in public-private action 334–8
- labour laws, reshaping, and Eurozone crisis 116–17
- legislation conformity, and ILO normative action, 'magisterial function' 311
- regulatory jurisdiction collaboration 332–3
- state intervention and mediation, China law 155, 157, 158–60
- State role, marginalized (domestic) workers, collective autonomy 232–3
- State's duty to eradicate discrimination, Inter-American system 286–7
- and working together transnationally 260, 269–70, 271–2
- national security issues 148, 428
- Nedelsky, J. 232
- Netherlands, G-Star and Garment and Textile Workers Union (GATWU), India 46–9
- non-State actors, 'dialogic' approach *see* 'dialogic' approach and non-State actors
- Nononsi, A. 13, 536–50
- Nørlund, I. 151
- normative action, ILO *see* ILO normative action
- Noussia, K. 395
- Novitz, T. 3, 8, 16, 28, 40, 164, 183, 316, 438, 497–508
- Nussbaum, M. 18, 232
- Obradovic, D. 212, 215
- Ocampo, J. 276, 277, 280
- occupational health and safety, workplace safety and health 77–78, 84, 96, 103, 104, 221, 274–275, 295, 339, 341, 353, 435, 446, 459, 507, 558–9
- agricultural workers 430, 434–6
- extractive sector safety and security 72–4

- Investment and trade agreements 400, 475, 477–9, 485, 491,
 Posted Workers 450
respondeat superior principle 103, 104
 seafarers' safety, health or security 333, 343, 347–8
 seasonal workers 440
 strict liability 106
 Accord on Fire and Building Safety in Bangladesh 218, 228, 336–337, 370, 397,
 Voluntary Principles on Security and Human Rights 72
- OECD, diffusion and leveraging of
 transnational labour norms 385–94
 employment protection indicators 387
 Employment of Women Recommendation and Declaration 391–2
 freedom of association complaints 390
 Gender Equality in Education, Employment and Entrepreneurship Recommendation 392
 Guiding Principles in the textile and garment sector 394
 ILO cooperation 390, 393
 labour law and economic development links 386–7
 link between core labour standards and trade 386
 Recommendations and Declarations 391–4
 Spain, labour law reform responses 388
 'Strategy for Employment' 387
- OECD Guidelines for Multinational Enterprises 25, 39, 47, 94, 96, 102, 324, 334, 388, 391–2, 393–4
 dispute resolution 394
 follow-up mechanism 388
 Model Supply Chain Policy 102
 National Contact Points (NCPs) 393–4
 Trade Union Advisory Committee (TUAC) approach and influence 387–8, 390–91
- Oelz, M. 325
 Olufemi, E. 405
 O'Rourke, D. 62, 63, 364
 Osieke, E. 208, 209
 Ostrom, E. 562
 outsourcing 41, 53–4, 131, 276, 363
see also supply chains
 Owens, R. 258
- Papadakis, K. 222
 Paris Memorandum of Understanding *see under* maritime labour law
- Pataut, E. 441, 448
 Petersmann, E. 418
 Phelan, E. 419
 Piore, M. 215, 429
 Pitkin, H. 211, 212
 pluralism, pluralist 4, 7, 23, 62, 218, 221, 230, 241, 329, 331, 334, 339, 342, 375, 552
 reflexive law, reflexive approaches 4, 6–7, 9, 30–31, 271, 375
 interlegality 23
 new governance 4, 88, 205, 214, 362
 polycentric legal ordering 3, 23, 552–3, 562
 trade union pluralism 25, 85, 389
- Politakis, G. 185, 186, 249, 303, 308, 309, 318, 534
 Poruthiyil, P. 46
 Posner, E. 415–16, 560
 Posthuma, A. 26, 402
 Potter, E. 344
 Pourtrier, R. 540
 poverty reduction 126, 258, 540–41
 Pries, L. 44–5, 329
 private international law rules *see* EU, private international law rules, Rome I
 Regulation and individual employment contracts
 private labour regulation 361–73
 Banana Republic experiment 366–7
 Bangladesh Rana Plaza collapse *see* Bangladesh
 brand reputation and image influence 367
 collective responsibilities 365–6
 communication technology effects 370–71, 371–2
 and company codes of conduct 191–3
 consumer citizenship 368–71
 consumer-driven regulation 364–8
 'direct trade' sourcing process 372–3
 'ethical consumerism' doubts 367–8
 Fair Trade certification 39, 372–3
 firms' contractual relationship factors 365
 firms' reputational damage fears 365, 367
 global supply chain regulation 361–2
 global supply chain rise and decline of direct employment 362–3
 imagined community 371–3
 transnational labour activist networks (TLANs) 363–4, 365–6, 372
see also codes of conduct, corporate social responsibility
 privatization 329, 341, 547, 549
 productivity

- corporate governance structures and practices 54
- increased productivity objective, EU Common Agricultural Policy (CAP) 432, 433
- regulation of labour as factor of production 28–30
- progressiveness indicators, Inter-American system on human rights 289–90, 294–6
- protectionism, Global South 47–9
- public international law *see under* ILO Conventions, ILO normative action, individual treaties
- public participation in governmental decision-making processes 66–7, 69
- public policy 90, 296, 339, 341, 435, 447–8, 451, 540, 548
- Putnam, R. 262–3
- racial discrimination 261–2, 267, 286 *see also* equality
- racism and regulation of migrant labour 138–49
 - Bretton Woods and new international monetary system 140
 - capability (human freedoms) approach 141–4, 146
 - classical liberal assumptions about labour markets 142–3, 144
 - development studies 139–44
 - labour law as human development 141, 142–3
 - socio-historical processes in constructing freedoms, impact of 143–4
 - Third World and ‘self-estrangement’ critique 140
 - and unfree labour 142–3
- racism and regulation of migrant labour, temporary labour migration and removal of unfreedoms 145–9
 - border control use 146
 - Canada, Agricultural Stream (AS) 145
 - Canada, legal protections for workers 147–8
 - Canada, Live-In Caregiver Program (LCP) 145, 147
 - Canada, racialized dimensions of Canada’s labour migration programmes 146–7, 148
 - Canada, recruitment of workers from the global South 149
 - Canada, Seasonal Agricultural Workers Program (SAWP) 145, 147
 - Canada, Stream for Lower-skilled Occupations (SLO) 145
 - international human rights frameworks 145–6
 - migration management 145–6
 - national security and racialized differentiation of migrant labour 148
 - neoliberal migration and low-skilled labour 146
 - precarious migration status as mechanism for distributing resources and privileges 147
 - remittance-driven approach 146
 - UN Human Development Report, Overcoming Barriers 146
- Ravallion, M. 152, 539
- Reich, R. 267
- religion 85, 100, 249, 253, 255–57, 261–62, 382, 384, 392
- remittances 146, 233
- reputation concerns 47–9, 365, 367
- Reuss, A. 142, 143
- Richmond, A. 267
- Rigaux, M. 8
- right to fair trial, Inter-American system 287, 288
- right to ownership, and slavery 527–8
- right to strike *see also* freedom of association and ILO crisis 184–57
 - constitutional principle of freedom of association 182–3, 188–9
 - Employers’ group challenge 316–17, 318, 319, 321, 322, 327–8
 - European Court of Human Rights *see* European Court of Human Rights, collective action rights, and prospects for change in CJEU case law, jurisprudence on right to strike
 - ILO General Survey 181–4, 184–9
 - Spanish legislation 166–72, 175
- Riisgaard, L. 222, 223, 224
- Rittich, K. 16, 104, 140
- Robé, J. 3, 52, 53
- Rodgers, G. 5, 205, 498
- Rogowski, R. 6–7, 16, 30
- Romania, labour law reforms, concerns over 133–4
- Romanos, E. 172, 173
- Rosado Marzan, C. 63, 223, 226
- Ruggie, J. 16, 39, 95, 437
- Rugmark *see* consumocratic law, child labour and thickening of soft law, child labour laws and intervention of Rugmark

- Ruhl, J. 551, 554, 556, 559
 Ruhs, M. 432
 Ruiz Fabré, H. 9, 104
 Rule of Law 4, 5, 75, 140, 170, 276, 311–2, 457, 521, 548
- Sabel, C. 77, 205, 213, 214, 216
 Salzman, J. 551, 554, 556, 559
 Salzmann, J. 385, 386, 389, 390
 Samson, K. 307–8
 sanctions 118, 519–20
 Sand, P. 67
 Sassen, S. 4, 254
 Schlemmer, B. 545, 549
 Schlemmer-Schulte, S. 126
 Schmitter, P. 215
 Schömann, I. 44, 46, 220, 228–9
 Sciarra, S. 229
 Scott, J. xiv, 10, 362
 Scott, S. 429
 seafarer *see* maritime labour law
 Seck, S. 94, 105
 Seeliger, M. 44–5, 329
 Seidman, G. 62, 364, 383
 Seifert, A. 199, 200, 201
 Sen, A. 18, 138, 141–2, 232, 258
 Servais, J. 19, 511, 514
 services
 free movement, EU Posted Workers Directive *see* EU, private international law rules, Rome I Regulation and individual employment contracts, Article 9 (free movement of services) and Posted Workers Directive
 service provider relationship, domestic workers 237
 trade in *see* trade in services, commodities and beneficiaries
 sex *see* gender
 sexual harassment 237, 241, 318, 392
 shareholder interests 55–7, 59–60, 61–3
 Sharma, A. 378, 381
 Shelton, D. 308, 321, 330
 Sheppard, C. 16–18, 233, 234, 247–59
 Shotwell, J. 307
 Shue, H. 102
 Siemens campaign 45
 Simma, B. 319
 Slaughter, A. 77
 slavery, servitude 29, 100, 105, 142, 146, 261, 290, 331, 367, 377, 523–5
 Australia, slavery and sex workers 527
 Bellagio-Harvard Guidelines on the Legal Parameters of Slavery 527–8
 conventional definitions 525–6
 Global Slavery Index 528
 servitude legislative history 528–32
 slavery legislative history 525–8
 Smith, A. 22, 503
 Smith, A.A. 5, 11, 19, 138–49
 Smith, M. 39–40
 Smith, S. 553
 social capital, need for formation of 262–3, 266, 268
 social dialogue 8, 15, 17, 21, 65, 134, 206, 217–9, 222–4, 226, 229, 231, 254, 280, 282, 323, 334–5, 340, 344, 462, 558
 delegation of regulatory powers by governments to national agencies 70
 dialogic approaches 8–9, 21, 65–66, 74–75
 Equator Principles 73–4
 public participation guarantees 66–7, 69
 Rio Declaration on Environment and Development 66
 standard setting pressures 70–71
 UN Global Compact Labour Working Group 72
 social protection
 corporate social responsibility strategy 220
 EU Seasonal Workers Directive and immigration policy 430–31
 European Social Charter 116, 198, 200, 502
 marginalized (domestic) workers, France 240–42
 non-State actors, responsibility and transparency 70–75
 see also dispute resolution
 social regionalism 25, 27, 455, 460, 472
 social security 5–6, 115–16, 157, 296
 soft law 9, 14, 20, 24–5, 29, 44, 96, 184, 189–93
 and child labour *see* consumocratic law, child labour and thickening of ‘soft law jurisprudence’ *see* ILO supervisory bodies’ ‘soft law jurisprudence’
 strike, pushback on right to 189–93
 thickening 24–5, 189–93, 316–28
 solidarity 12, 15, 17, 38, 166, 168, 171–2, 175–6, 201–2, 217, 219, 260, 264–5, 268, 272, 371, 534, 540–542, 557
 ‘solidarity associations’ (employer-led) 279
 cross-border solidarity, transnational
 solidarity 37, 207, 271
 regime solidarity 457
 solidarity-building 261, 267, 269

- solidarity strikes 197
- South Africa 27, 50, 94, 103, 132, 368, 402, 455–6, 460–3, 466–7, 468–73, 526
- South Korea 133, 389–90
- Southern Africa Development Community (SADC), labour alternative dispute resolution (ADR) mechanisms 455–73
 - ADR adoption, causes and driving forces 460–68
- Charter on Fundamental Social Rights 458–9
- Codes of Conduct 459
- Commission for Conciliation, Mediation and Arbitration (CCMA) 460, 463, 464, 472
- country comparisons 465–8
- ILO core Conventions ratification 458
- ILO Decent Work Agenda 462
- ILO Strengthening Labour Administration in Southern Africa (SLASA) project 461
- ILO/Swiss Improving Labour Systems in Southern Africa (ILSSA) project 461–2
- Industrial Relations Conference 461
- institutional independence of SADC 457
- labour law reforms 462–3
- labour migration issues 459–60
- labour and social protection 458–60
- memoranda of understanding (MOUs) with neighbouring countries 463
- pre-existing labour dispute resolution challenges 463–4
- Protocol on Employment and Labour 459
- regional cooperation 458
- SADC history 456–7
- SADC Human Resource Development Sector 458
- ‘South African effect’ on labour reform 462–3
- sovereignty issues 457
- supranational extent of SADC 456–7
- vulnerable groups of workers, protection for 458–9
- Zimbabwean land reform programme 457
- Southern Africa Development Community (SADC), labour alternative dispute resolution (ADR) mechanisms, performance assessment 468–72
 - accessibility 469–70, 471
 - effectiveness and settlement rate 470
 - quality assessments 471
 - resource access 470–72
 - simplicity and informality 468–9
 - speedy procedures 469, 471
- Spain, anti-austerity activism strategies 164–76
 - 15M movement 167
 - conflict and protest, place for 164–5
 - Constitution, and freedom of expression and freedom to strike 169–70
 - ECJ ruling against Spain’s mortgage law compatibility 173
 - employment dismissal cases 168, 169, 171
 - financial crisis effects 165
 - healthcare sector, ‘Europe 2020 – for a healthier EU’ 174
 - hospital privatisation and ‘white wave’ protests 174
- ILO Conventions, role of 172
- ‘indignados’ movement 172
- Labour Law Reform measures 167, 172
- Labour Market Reform measures 168
- Mohamed Aziz v. Caixa Catalunya* 173–4
- PAH (Mortgage Victims’ Platform) 173–4
- right to strike and role played by law and jurisprudence 166–72
- solidarity through ‘waves’ of protest, and court involvement 172–4
- strikes, incidence of 166–8, 169
- strikes, proportionality and mutual sacrifice considerations 171
- unemployment levels 165
- Spain, labour law reform responses 388
- Stevis, D. 45, 206, 225, 557, 558, 559, 561
- Stewart, F. 257
- Stone, K. 13, 57, 175, 344
- Stout, L. 55, 59, 63
- Strauss, K. 28
- strike, right to *see* right to strike; freedom of association
- strikes
 - Inter-American system on human rights 292–3
 - Spain, anti-austerity activism strategies 166–8, 169, 171
 - US New Jersey steel plant wildcat 265
 - see also* collective bargaining
- structural adjustment 540–1
- Sub-Saharan Africa, child labour and fragile states 536–50
 - economic exploitation and infringing on right to learn and play 537–8
 - economic exploitation and transformation of traditional placement system 542–3
 - normative framework of child labour and its limits 544–6

- United Nations Convention on the Rights of the Child (CRC) 544, 545, 548
 universal compulsory education and its limits 546–7
 subcontracting effects 275–6, 277–8, 431
 Sukthakar, A. 19, 24, 37–50, 103, 136
 supervisory bodies' 'soft law jurisprudence'
see ILO supervisory bodies' 'soft law jurisprudence'
 Supiot, A. 22, 51, 53, 54, 57, 64, 230, 232, 233, 538, 542, 544
 supply chains 6, 21, 24, 38, 43–44, 76, 96, 101–107, 152, 190, 265, 267, 270–1, 330–1, 335–36, 342, 361–6, 368–9, 371–3, 394, 426, 500
 international framework agreements (IFAs) 225
 International Labour Conference (ILC), 2012 General Survey 190
 subcontracting effects 275–6, 277–8, 431
see also outsourcing
 sustainable development 30, 66, 74, 254, 312, 338, 344, 435, 477, 489–490, 501, 536, 548–549, 562
 UN Conference on Sustainable Development 552, 561
 sustainability goals 258, 435–6
 Swartz, D. 478
 Sweden, collective bargaining 197–8
 Swepston, L. 19, 185, 512, 520
 Swiatkowski, A. 201
 Sykes, A. 415–16
 Tangian, A. 83, 86
 Tapiola, K. 19, 161, 186, 512, 520
 Tarrow, S. 168
 technology, technological innovation 3, 22, 78, 153, 276–7, 370–2
 technology of governance 76
 Temba, F. 464, 468, 469, 470, 471
 Tessier, H. 541
 Teubner, G. 3
 Theron, J. 471
 Thomas, A. 303, 412
 Thomas, C. 140, 312
 Thompson, D. 213
 Thouvenin, J. 12, 19, 39, 385–94, 498
 trade agreements
 and arbitration *see* arbitration use in deciding international labour issues, investment and trade agreements
 bilateral arrangements 63–4, 162–3, 332, 400, 401
 ITO (International Trade Organization) procedures 421–2, 423–4
 trade in services, commodities and beneficiaries 497–508
 trade in services, commodities and beneficiaries, industrialisation and trade in goods 497–502
 EU and 'Social Europe' 501–2
 ILO migrant worker Conventions 499, 506
 ILO standards and functions 498–9
 ILO standards and functions, challenges to 499–500
 WTO and ILO collaboration 500–501
 trade in services, commodities and beneficiaries, labour standards evasion 503–8
 cross-border trade in services, developing countries and export of skilled labour 505–6
 cross-border trade in services, GATS Mode 4 – movement of 'natural persons' 504–6
 EU Posted Workers Directive and free movement of services 506–8
 EU Posted Workers Directive and free movement of services, legal protection concerns 507–8
 'means of production', understanding of 503
 services trading definition 503
 trade unions
 China 155, 212, 270–71
 global *see* global trade union organizing and domestic constraints
 Latin America, May 10 template 486–7, 489
 leaders, protection of, Inter-American system on human rights 292
 marginalized (domestic) workers 234
 network creation 226
 rights' violations, Mexico and Central America 278–80
 Trade Union Advisory Committee (TUAC) 387–8, 390–91
see also collective bargaining
 training, role of 78, 241, 278, 313, 325, 335, 339, 353, 355, 386, 391, 392, 459, 461, 462, 463, 471–2, 505, 538, 541, 545, 549, 558
 transnational corporations *see* multinational corporations
 transnational labour activist networks (TLANs) 363–4, 365–6, 372

- transport workers and legal uncertainty, EU 445–6
- Travieso, M. 389, 390
- treaties
see under Aarhus Convention; EU; human rights; ILO Conventions; trade agreements; Vienna Convention on the Law of Treaties
- Trebilcock, A. 3–31, 45, 93–107, 231, 331, 345, 387
- Trebilcock, M. 24, 140
- Trubek, D. 4, 140
- UK
 Transfer of Undertakings (Protection of Employment) Regulations 39–40
 Workers Uniting cross-border merger 42–3
- UN Aarhus Convention 66, 67
- UN Children's Fund (UNICEF) 537–8, 544, 546
 Declaration on Education for All 544, 546
- UN Conference on Sustainable Development Outcome Document 552, 561
- UN Convention on the Protection of the Rights of All Migrant Workers (ICRMW) 499
- UN Convention on the Rights of the Child 376, 544, 545, 548
- UN Convention on The Law of the Sea (UNCLOS) 346
- UN Economic and Social Council (ECOSOC), Supplementary Convention on the Abolition of Slavery and Servitude 529–32
- UN Environmental Programme (UNEP) 561
- UN Global Compact 61, 70–72, 94–5, 190, 221
- UN Guiding Principles on Business and Human Rights 71, 93–107
 business reporting, information and indicators 103–4
 and civil law 105
 cross-overs between developments in corporate social responsibility and public international law norms 95–6
 firms' risk management strategies and human rights commitments 102–3
 foundational principles 98–9
 and ILO Declaration on Fundamental Principles and Rights at Work 100–101
 and International Covenant on Civil and Political Rights (ICCPR) 100
 and International Covenant on Economic, Social and Cultural Rights (ICESCR) 100, 104
 occupational health and safety and *respondeat superior* principle 103, 104
 OECD Model Supply Chain Policy 102
 operational principles 98
 as possible legal action shield 104–6
 'Protect, Respect and Remedy' Framework 95–6, 191, 192–3
 reductionism of richer body of human rights law 97–8, 104
 state national action plans, proposed 97
 substantive scope in relation to labour issues 100–101
 supply chain dilemma 101–3
 tort law and duty of care 106
 UN Global Compact and direct involvement of enterprises 94–5
 and Universal Declaration of Human Rights (UDHR) 100, 104
- UN Human Development Report, Overcoming Barriers 146
- UN Human Rights Council 191, 192–3
- undocumented workers 268, 269
- unemployment levels 115, 117, 128, 165, 413, 414
- unions *see* trade unions
- Universal Declaration of Human Rights (UDHR) 100, 104, 221
- United States (US)
 Bureau of International Labor Affairs (ILAB) indicators 81–2, 87
In re Caremark Derivative Litig. 59
Cintas Corporation v. UNITE HERE 40–41
Doe v. Wal-Mart Stores 63
 free trade agreements 403, 474–495
 Generalized System of Preferences (GSP) programs *see under* Americas, labour rights and trade agreements
 global supply chains, Banana Republic experiment 366–7
Kiobel v. Royal Dutch Petroleum Co. 52–3
 LEAP (Labour Education in the Americas Project) 488, 489
 Model bilateral investment treaty 401
 multinational corporations and civil litigation 40–41
 National Labor Relations Act (NLRA) 41
 Office of Trade and Labor Affairs (OTLA) review and report process 480–81, 486
Overnite Transportation v. International Brotherhood of Teamsters 41

- Racketeer Influenced and Corrupt Organizations Act (RICO) 40–42
- Service Employees International Union (SEIU) 41–2
- Siemens campaign 45
- Smithfield Foods v. United Food and Commercial Workers* 40
- Sodexo v. SEIU* 41
- South Chicago steelworkers, working together transnationally 264–5
- Trade Promotion Authority (TPA) Act and Latin American agreements 479–80
- undocumented workers and anti-union discrimination 268
- union recognition through ‘card check’ and majority representation 41, 42
- US-Jordan trade agreement 478–9
- Wackenhut Corporation v. Service Employees International Union* 40
- Walmart campaign and United Food and Commercial Workers International (UFCW) 60
- Workers Uniting cross-border merger 42–3
- Utting, P. 15
- Vallée, G. 12, 13, 230, 231
- Valticos, N. 183, 185, 307, 320, 323, 325, 420
- Van der Heijden, P. 18
- Van Hoek, A. 6, 27–28, 227, 397, 438–54, 506
- Vanqa-Mgijima, N. 235
- Varoufakis, Y. 113, 117
- Verge, P. 12, 13, 53, 54, 230, 231
- Vidmar, J. 31
- Vienna Convention on the Law of Treaties 200–201, 293, 523
- Von Potobsky, G. 183, 185
- Vosko, L. 254, 258, 499
- wage levels
- Eurozone crisis and structural adjustment 115–16
 - marginalized (domestic) workers, France 242
 - minimum wage levels 128–9, 158–9
 - reductions, Inter-American system 294–5
 - universal ‘living wage’ principles, difficulties in applying 39, 44
 - and working hours, Mexico and Central America 278
- Walby, S. 254, 257
- Walmart campaign and United Food and Commercial Workers International (UFCW) 60
- Warneck, W. 40, 196, 198
- Weil, P. 321
- Weisband, E. 229
- Weiss, M. 61, 191–2, 255, 327
- Weissbrodt, D. 485
- Weller, J. 274
- Wilkinson, F. 3
- Williams, C. 52, 59, 61
- Wills, J. 128, 129, 223, 224
- Wolfrum, Rüdiger 9, 104, 127, 319
- Woods, N. 126, 127, 365
- Workers Uniting cross-border merger 42–3
- working hours 234–5, 241, 278
- working together transnationally 37–50, 260–72
- social capital, need for formation of 262–3, 266, 268
 - transnational trade union solidarity actions 37–50
 - workplace diversity and discrimination problems 260–64
 - workplace voice, disappearance of 260
 - demographic characteristics and corporate hierarchies 267, 268
 - language and communication problems 268, 269, 270
 - politics of immigration 267–9
- World Bank ‘Employing Workers Indicators’, criticism of 80–81, 83, 135
- World Trade Organization (WTO)
- dispute resolution 25–7
 - trade in services and ILO collaboration 500–501
- World Trade Organization (WTO), lessons from ILO 411–24
- developing countries, lower obligations 415–16
 - GATS (General Agreement on Trade in Services) 417
 - GATT (General Agreement on Tariffs and Trade) 414–15, 416, 418, 422
 - ILO Declaration of Philadelphia 413, 414, 415–16, 418
 - ILO origins 412–13
 - ILO trade liberalisation policies 415
 - international competition, shielding domestic economies from 414–15

- most-favoured-nation (MFN) treatment for foreign-service suppliers 417
- World Trade Organization (WTO), lessons from ILO, labour goals transplanted into trading system 413–18
- fair labour standards 417–18
- full employment 413–14
- migrant worker protection 416–17
- special and differential (S&D) treatment 415–16
- trade and development 414–15
- World Trade Organization (WTO), lessons from ILO, labour origins of trade dispute settlement 418–24
- compliance by defaulting state, focus on 421
- ILO Constitution procedures 420–21
- ITO (International Trade Organization) procedures 421–2, 423–4
- Permanent Court of International Justice (PCIJ) involvement 419–20
- reparation principle, absence of 421
- Treaty of Versailles 418–19, 421
- WTO dispute settlement understanding (DSU) 422–4
- Young, I. 24, 207, 365, 366, 369
- Zack, A. 25, 399, 405
- Zandvliet, R. 18
- Zeitlin, J. 205, 213, 214, 216
- Zemanek, K. 322
- Zimbabwe, land reform programme 457
- Zimmer, R. 8, 14, 20, 40, 194–203, 326, 397, 451, 507
- Zumbansen, P. 6, 23, 61, 562
- Zürcher, G. 145