Monitoring Occupational Health and Safety in Global Production Networks: What Are The Rules?

Jeffrey Hilgert
École de relations industrielles
Université de Montréal

International CRIMT Conference
Multinational Companies,
Global Value Chains and Social Regulation
6-8 June 2011, HEC Montreal, Montreal, Canada
Dissertation

The Occupational Safety and Health Convention, No. 155

Workers’ rights; protection of the right to refuse unsafe work

Human rights critique of global worker health and safety policy
Approach

• Examined 20 multi-stakeholder instruments

• Seeking conceptual elaboration of "red flags" in occupational health & safety provisions

• Aim is comparative completeness across the typology, not ethnographic description
• GoodCompany Guidelines
• U.S. Model Business Principles
• Fair Labor Association Code of Conduct
• Ethical Trading Initiative Base Code
• Workers’ Rights Consortium Model Code
• ILO Tripartite Declaration on MNCs
• ILO Declaration on Fundamental Principles and Rights at Work
• Int’l Code of Ethics for Canadian Business
• World Fair Trade Organization Principles
• Clean Clothes Campaign Code of Labour Practices
• GoodWeave New Standard
• Global Social Compliance Program
• Int’l Code of Conduct for the Production of Cut Flowers
• IFC Environmental Guidelines on Occupational Safety and Health
• IFC Social and Environmental Standards – Working Conditions
• OECD Guidelines for MNCs
• Ten Principles of the UN Global Compact
• Caux Round Table Principles for Responsible Business
• The New Global Sullivan Principles
• Social Accountability International SA8000 Standard
1 Omission

Model codes may omit health and safety!

United Nations Global Compact
Does not include occupational health and safety

ILO Declaration on Fundamental Principles and Rights at Work
Does not include occupational health and safety
2 Generalities

Words too vague or general

Caux Roundtable Principles
« Provide working conditions that provide each employees health and safety. »

Fair Labor Association Code of Conduct
« Employers shall provide a safe and healthy working environment to prevent accidents and injury to health arising out of, linked with, or occurring in the course of work or as a result of the operation of employer faciliites. »

New Global Sullivan Principles
« Provide a safe and healthy workplace. »

Int’l Code of Ethics for Canadian Business
« Ensure the health and safety of workers is protected. »
Conformity to local, national or international requirements may limit stronger protections

**ILO Tripartite Declaration Concerning MNEs**
« MNEs should maintain the highest standards of safety and health, in conformity with national requirements »

**Workers’ Rights Consortium Model Code of Conduct**
« comply with all workplace health and safety regulations established by the national government where the production facility is located or Title 29 CFR of the U.S. Federal Code of Regulations enforced by the Federal OSHA»
Reasonably practicable

Code may include the phrase « so far as is reasonably practicable » as an escape clause

Social Accountability International SA 8000 Standard
« The company shall provide a safe and healthy workplace environment and shall take effective steps... so far as is reasonably practicable... »

Ethical Trading Initiative Base Code of Conduct
« Adequate steps shall be taken to prevent accidents and injury to health... so far as is reasonably practicable... »

Global Social Compliance Program Code, Consumer Goods Forum
« Suppliers must take adequate steps to prevent accidents and injury to health... so far as is reasonably practicable... »

International Finance Corporation, Social Performance Standards
« Client will take steps to prevent accidents, injury and disease... by minimizing, so far as is reasonably practicable, the cause of hazards. »
5 Rationalized hazards

Obligations limited to specific hazards (such as imminent hazards) or protections (such as PPE)

Int’l Code of Conduct for the Production of Cut Flowers
« Companies shall provide free and appropriate protective clothing and equipment. »

Social Accountability International SA 8000 Standard
« All personal shall have the right to remove themselves from imminent serious danger without seeking permission. . . . »
6 Prevailing industry practice

Standards may okay basic compliance with prevailing industry practices in a country

OECD Guidelines for MNEs
« Observe standards of employment . . . not less favorable than those observed by comparable employers in the host country. »

ILO Tripartite Declaration Concerning MNEs
« Conditions of work offered by MNEs should not be less favorable than those offered by comparable employers in the country concerned. »
Codes encourage the creation of a formal OSH policy without reference to content.

**GoodWeave Standard for the Rug Industry**
« A formal OHS policy is in place that has been established jointly with the workers and their representatives. »
Monitoring Occupational Health and Safety in Global Production Networks: What Are The Rules?

Jeffrey Hilgert
École de relations industrielles
Université de Montréal

International CRIMT Conference
Multinational Companies, Global Value Chains and Social Regulation
6-8 June 2011, HEC Montreal, Montreal, Canada