## Mind the gaps: Grass-roots ‘brokering’ to improve labour standards in global supply chains

**Abstract**

While governance and regulation are a first step in addressing worsening working conditions in global supply chains (GSCs), improving implementation is also key to reversing this trend. In this paper, after examining the nature of the existing governance and implementation gaps in labour standards in GSCs, we explore how Viet Labor, an emerging grass-roots organisation, has developed practices to help close them. This involves playing brokering roles between different workers and between workers and existing governance mechanisms. We identify an initial typology of six such roles: educating, organising, supporting, collective action, whistle-blowing and documenting. This marks a significant shift in the way action to improve labour standards along the supply chain is analysed. Our case explores how predominantly top-down approaches can be supplemented by bottom-up ones centred on workers’ agency.

**Keywords**

Governance, implementation gap, labour standards, migrant labour, supply chains

**Introduction**

Hoa[[1]](#footnote-1) worked in rice fields with her parents and husband to support her three children until an employment agency held an information session in her village about work opportunities in Malaysia. Hoa signed a three-year contract on a promise of ‘good income, good work conditions, housing and health care’. On arrival in Malaysia, Hoa realised that she faced accommodation costs, had no health cover and, with rare access to overtime, had barely enough money to live on, let alone send home. The hardship was exacerbated by racial discrimination at work and the confiscation of her passport, exposing her to wrongful incarceration amid a crackdown on illegal migrants. Just as Hoa was becoming desperate, she met a co-worker who was a local leader of the Viet Labor Federation (an organisation that brings together members of the Vietnamese diaspora across the world and supports workers in several Asian countries). The leader organised an alternative, better-paid job for Hoa, who then herself set up a local Viet Labor group of 25 workers offering mutual support.

Hoa’s experience highlights the unique role an emergent grass-roots organisation can play within a GSC, namely that of broker, intervening where no other organisation was apparently active. Aware of the governance and implementation issues within existing mechanisms for labour standards in GSCs, we thus began investigating Viet Labor’s activities. This paper presents our findings, exposing some of the key gaps in the governance and implementation of labour standards while showing how and under what conditions agile grass-roots organisations can help fill them.

Existing governance mechanisms applying to GSCs can be described as a ‘sparse patchwork of global regulations’ (Koch-Baumgarten and Kryst, 2015: 151), ranging from national labour law to International Labor Organization (ILO) fundamental principles, international agreements such as international framework agreements (IFAs), private social standards (PSSs) and international campaigns. However, this combination of governance mechanisms has not been successful in mitigating the negative impact of the pressure exerted by GSCs in the poorest regions of the world (Davies et al., 2011; [Fisher et al., 2010](#_ENREF_16); Locke, 2013). Despite an increase in the range of modalities of labour regulation in existence, it is widely recognised that a governance gap in social standards exists (Coe and Hess, 2013; Donaghey et al., 2014; Wright and Kaine, 2015).

While governance is important, more governance and regulation are not the only answers deteriorating working conditions down the supply chain: improving implementation is also key to reversing this trend. The governance gap is compounded by implementation gaps that result from the decoupling of policies and their outcomes (Wijen, 2014). Altogether, governance mechanisms are designed and implemented through top-down processes run by implementation agents such as unions, NGOs, governments and multinational corporations (MNCs). While some recent global initiatives endeavour to include workers in the process, workers at the bottom of the supply chain too often remain marginalised (Bendell, 2005; Coe and Hess, 2013; Donaghey et al., 2014; Egels-Zandén and Merk, 2014; Raj-Reichert, 2013). Local unions function as a last resort for extending the frontiers of implementation down the supply chain, but many workers are left out.

Only limited research examines how ‘contextual coupling’ may occur through the occurrence of ‘surprising emergent networks’ (Bartley and Egels-Zandén, 2016) that could leverage workers’ agency by connecting them with global and local implementation agents. In their policy paper, Levi et al. (2013) suggest that local NGOs can contribute to such an improvement, but we know very little about how their practices can close the governance and implementation gaps. Viet Labor achieved just that, and our study explores how such a grass-roots organisation can develop practices that ultimately help close the governance and implementation gaps.

We adopt an embedded case study design (Eisenhardt, 1989), exploring GSC governance and implementation gaps not yet addressed by more institutionalised players, and investigate how Viet Labor attempted to fill them, often successfully.

**From the governance gap to the implementation gap in GSCs**

*The emergence of the governance gap*

Over the past 30 years, MNCs’ influence has extended beyond their immediate activities through the proliferation of complex global production networks (Clegg and Carter, 2009; [Robinson and Rainbird, 2011](#_ENREF_25)). This has seen employers reorganise the structure of work: lead firms use international outsourcing networks comprising suppliers in countries where labour costs are low (Barrientos et al., 2010). The resulting global fragmentation of production is seen to have negative effects, especially for unskilled workers (Geishecker and Gorg, 2004). This can result in malpractice (Davies et al., 2011; [Fisher et al., 2010](#_ENREF_16)) ranging from unacceptable working conditions to human trafficking (ILO, 2008). Respect for labour rights (Levi et al., 2013) and freedom of association (Marx et al., 2015) have deteriorated in most regions of the world.

Despite more modalities of labour regulation being available, the development of GSCs has caused the governance gap affecting social standards to persist (Coe and Hess, 2013; Wright and Kaine, 2015). Since production is fragmented, neither individual states nor labour forces nor consumers can counterbalance the power of capital (Donaghey et al., 2014).

Competition between nation states engaged in a ‘race to the bottom’ (Lee and Eyraud, 2008) results in a disincentive for public governance, while MNCs’ international reach limits that of governments. In an ideal world, private governance would provide a substitute. However, the proliferation and fragmentation of labour governance structures and mechanisms in GSCs has arguably reduced their impact (Pekdemir et al., 2015). Many workers thus fall through the cracks and into a ‘governance gap’, where pressure from labour or customers is insufficient for private governance to be in place (Donaghey et al., 2014).

*The implementation gap*

The lack of progress in social standards can also be due to an implementation gap, where public and/or private governance mechanisms are in place but fail to improve labour standards. This situation can be conceptualised as one of decoupling, where policies and practices do not yield the expected results (Wijen, 2014). Implementation gaps differ from actual governance gaps, where governance is insufficient or inexistent. Here, we analyse implementation gaps and distinguish multi-scalar and local implementation gaps (Table 1).

[Insert Table 1 about here]

*Multi-scalar implementation gaps* result from the decoupling of global governance mechanisms that are often linked to multiple stakeholder initiatives. For example, unions and other civil society organisations have implemented strategies aimed at leveraging consumer pressure on prominent companies and their GSCs (Bair and Palpacuer, 2012; Barrientos et al., 2010; Kaine, 2014; O'Rourke, 2003). Such campaigns operate at a global level (Den Hond and De Bakker, 2007; Den Hond et al., 2014), can combine labour and consumer power (Donaghey et al., 2014; Reinecke and Donaghey, 2015a, 2015b) and lead to private regulation (Locke, 2013; Vogel, 2008), the emergence of IFAs (Riisgaard and Hammer, 2011) or legally binding governance such as the Accord on Fire and Building Safety in Bangladesh (Reinecke and Donaghey, 2015a, 2015b). However, there are many barriers, at various levels, to the implementation of these global and complex governance mechanisms. Locally, although audits can assist in identifying unethical practices, they do not consistently produce timely or lasting results (Berliner, et al., 2015; Egels- Zandén and Merk, 2014; Locke, 2013); they may be subject to falsification (Raj-Reichert, 2013), and are often undermined by cost-oriented purchasing practices (Raworth and Kidder, 2009). Implementation along the supply chain can be undermined by outsourcing and labour-contracting practices (Riisgaard and Hammer, 2011; Coe and Hess, 2013), exacerbated by the continual relocation of production (Berliner, et al., 2015; Riisgaard and Hammer, 2011). Private regulation thus often fails to go beyond the first-tier contractor (Bartley and Egels-Zandén, 2015) and there are serious doubts about its capacity to effect genuine improvements for workers (Locke, 2013).

At a global level, the proliferation of standards reduces their impact (Donaghey et al., 2014; Klink, 2015; Pekdemir et al., 2015). International campaigns also remain challenging (Cheng et al., 2011), often because difficult collaboration between stakeholders limits implementation (Egels-Zandén and Hyllman, 2006, 2011).

*Local implementation gaps* correspond to the decoupling of governance mechanisms, the implementation of which is mainly dependent on national implementation agents; for instance, when national labour law or ILO principles are not enforced due to the weakness of national enforcement mechanisms (Donaghey et al., 2014). Barriers to enforcement at that level include a lack of resources on the part of government agents (Weil, 2008), but also a culture of marginalisation of legislative measures and even corruption (McCann, 2008). Another barrier arises when the political context does not provide a space for resistance from unions or civil society (O’Rourke, [2006](#_ENREF_35)). This can be due to the ‘race to the bottom’ (Lee and Eyraud, 2008) and manifests itself in China and Vietnam because of unions’ connection to the state (Clarke and Pringle, [2009](#_ENREF_7)).

*Local limitations in the implementation of both multi-scalar and local governance mechanisms*

In light of governments’ failure to close the implementation gaps in many countries and of the limitations of multi-scalar governance mechanisms, unions are, for many workers, the last resort at a local level. For instance, the implementation of IFAs (Hammer, 2005) and PSSs (Riisgaard and Hammer, 2011) is dependent on local union representation (Elliott and Freeman, 2003; Raj-Reichert, 2013) and unions’ ability to ‘ride the standard’ (Riisgaard, 2009: 335). This is undermined by outsourcing (Riisgaard, 2005) and the relocation of production to non-unionised areas (Bartley et al., 2016; Riisgaard and Hammer, 2011). Local implementation is confined to areas of union representation; workers who do not benefit from it are much less likely to benefit from governance mechanisms (Donaghey et al., 2014; Hammer, 2005).

When unions are absent, many workers are left with no support network or voice, especially when they suffer from a low level of awareness (McCann, 2008). The implementation gap is especially salient when differences between groups of workers based on age, gender, race, ethnicity, citizenship and religion pose a challenge to collective organisation (Chang, 2009; Sarikakis, 2012) and where migrant labour and precarious work are common (Swider, 2014). For instance, in China’s Guangdong province, 60 per cent of migrant workers have no contract (Raworth and Kidder, 2009), demonstrating that unskilled migrant labour is one of the groups with the highest exposure to implementation failure (Ahmad, 2008; Anderson, 2010).

Workers who fall into the combined governance and implementation gaps can still engage in workplace protests, informal strikes and short stoppages ([Meardi, 2007](#_ENREF_34)). Such worker activism has developed recently in Vietnam and China (Clarke and Pringle, [2009](#_ENREF_7)). However, this exercise often lacks strategic leverage (Cox, 2015). For instance, the recent wildcat strikes by Wal-Mart workers in China had only a limited impact because they were not embedded in international union structures (Yang, 2016). The risks faced by those involved are also significant (Clarke and Pringle, 2009; Cox, 2015).

*Bridging the implementation gap*

Because their voices are not institutionally represented, many workers at the bottom of the supply chain are thus forced to choose between silence or very risky action with uncertain outcomes. In many cases, they are marginalised from the top-down labour governance of GSCs, be it in the crafting of governance mechanisms (Bendell, 2005; Coe and Hess, 2013; Donaghey et al., 2014; Raj-Reichert, 2013) or their implementation (Egels-Zandén and Merk, 2014). Of course, some of these structures have ex-post mechanisms that seek to engage workers. While some private standards do not include such mechanisms, unions and other civil society organizations – such as the Fairtrade movement (Donaghey et al., 2014) – have been actively seeking to include freedom of association, organising rights, education programmes for workers, complaint mechanisms and workers’ participation (Riisgaard and Hammer, 2011; Rodriguez-Garavito, 2005; Hammer, 2005 ; Riisgaard, 2005; Reinecke & Donaghey, 2015). However, such efforts aiming at improving implementation by connecting workers at the bottom of GVCs with governance mechanisms are still dependent on the strength of local representation (Hammer, 2005).[[2]](#footnote-2)

A key question is thus that of the link that can be established between workers at the bottom of the supply chain and the various implementation agents that operate within the existing patchwork of governance mechanisms. Groups of workers sometimes find a way to relay information to international stakeholders, leading to changes in working conditions (Berliner, et al., 2015; Donaghey, et al., 2014). Berliner et al. (2015) cite the case of a group of Honduran workers who brought information about their illegal treatment to the attention of social activism groups that then campaigned for their cause. In the same vein, the Foxconn scandal in factories producing Apple products started with striking workers and was then relayed by various groups and the media (Berliner, et al., 2015). These examples are part of a broader trend where networks are formed along the supply chain across groups of stakeholders and across levels, combining efforts to leverage consumption-based and production-based powers. For instance, the Accord on Fire and Building Safety in Bangladesh resulted from the joint use of these two forms of power through the collaborative efforts of local unions in the West and in Bangladesh, global union federations and social movement organisations (Reinecke & Donaghey, 2015).

Only limited research has been undertaken examining how workers’ agency could be leveraged by connecting them with global and local implementation agents. Bartley and Egels-Zandén (2016) show how unions can sometimes connect workers and implementation agents through ‘contingent coupling’. While these authors refer mainly to unions’ role in achieving this coupling, they also accept that, more broadly, ‘marginalized actors rather than elite insiders and overseers’ (p. 233) could play a role in the process, leading to ‘surprising emergent networks’ (p. 233). While Levi et al. (2013) have suggested that local NGOs can play an important part in linking levels of governance and implementation, very little is known about how emergent networks can be formed and how their practices can assist in recoupling with a view to reducing the implementation gap. Viet Labor achieved just that, and our study explores how such a grass-roots organisation can develop practices that ultimately help close the governance and implementation gaps at a micro level.

**Method**

With the above aim in mind, we adopt an embedded case study design (Eisenhardt, 1989), studying the case of Viet Labor and identifying four mini cases (Eisenhardt, 1989), each representing a different activity conducted by Viet Labor with the aim of filling the governance and implementation gaps in GSCs. These mini cases differ in terms of the nature of the implementation gap addressed and the strategy adopted by Viet Labor.

*Context*

In 1986, the communist-controlled Vietnamese government opened up the economy to private enterprise, resulting in a seismic shift in the labour market. By 2007, domestic private enterprises accounted for close to 75 per cent of total employment and foreign companies employed over 11 per cent (Chi, 2012). However, the nature of labour organisations continues to be constrained by the system of state-controlled unions with ties to the Communist Party (Clarke et al., 2007). This breaches basic principles of representation, leads to inhumane employment conditions in Vietnam and allows the state and private agencies to export labour across Asia. In these countries, domestic labour law is often not applied to migrants, leading to practices that can be deemed to constitute human trafficking, as they include passport confiscation, unacceptable working hours, health hazards, human trade from one employer to another and bonded labour. Viet Labor estimates that in Malaysia alone, there are more than 100 000 victims of such human trafficking.

*The case study*

Viet Labor is a network composed of activists of the Vietnamese diaspora based mainly in Australia, the US, Europe and Malaysia. Viet Labor (short for ‘Free Viet Labor Federation’) was created in January 2014 and formalised an alliance of the overseas-based Committee to Protect Vietnamese Workers (CPVW) and two Vietnam-based groups, the Viet Labor Movement (VLM) and the United Workers-Farmers Organisation. Here, we focus on the work carried out along the supply chain by the CPVW and the VLM. In this paper, the term ‘Viet Labor’ is used to refer to the activities of the network and the alliance members. However, it should be noted that the Vietnam-based activities described in the paper were carried out by VLM. Communication amongst network members is undertaken through emails, Skype and phone calls supplemented by periodic visits to the workplaces of Vietnamese workers in Malaysia and Thailand.

The objective of the network is to support and improve the labour standards of Vietnamese workers in Vietnam and other Asian countries. Although itself quite small, the network gains leverage through ad hoc cooperation with unions, NGOs and governments of emerging and developed countries. While such cooperation is often opportunistic rather than strategic, it is also illustrative of the agility of a small network. Viet Labor is not systematically funded but relies on individual contributions and small grants from external organisations.

*Data collection and treatment*

Our data collection began with two scoping interviews in November 2012: one with the President of Viet Labor and one with the coordinator of the network’s Malaysian activities, helping us gain a detailed overview of the purpose of the network and the activities it carries out, and allowing us to identify the mini cases along with a list of key informants to interview and documents to be reviewed. We also planned a field trip with network members that took place in January 2014.

The four mini cases were: the rights and imprisonment of migrant Vietnamese workers in Malaysia; supply-chain malpractices in the Vietnamese garment and footwear industry; industry research into GSC campaigning; and the support of independent worker representation and imprisoned labour rights activists in Vietnam. While the cases share certain contextual features and the interviews we carried out sometimes straddle multiple cases, each of them required specific data collection and the inclusion of specific players.

The mini cases involve Vietnamese workers working in several GSCs: garment, apparel and seafood in Vietnam and electronics manufacturing in Malaysia. None of the groups could easily leverage labour power (due to the political context in Vietnam and linguistic and cultural barriers in Malaysia). However, for the Vietnam garment and seafood workers, the exposure to global sports and retail brands implies some capacity for consumer power. In contrast, the obscurity of the contracting companies in the Malaysian electronic components sector makes it difficult to leverage reputational risk through consumer action.

For the purposes of triangulation, our data sources comprised observation during a two-week field trip, 19 interviews with key players and a review of secondary sources documenting the activities of the network. Three Skype calls were also conducted with network members. The field trip included a two-day workshop with other stakeholders involved in the activities of the network, meetings with workers in Malacca, Malaysia, attendance at a meeting of Vietnamese migrant workers in their factory-provided accommodation and a visit to Vietnamese workers imprisoned in Thailand. The two authors were present at all sessions and took extensive notes, which were reviewed and consolidated as soon as possible after the sessions. We also used the field trip to conduct six interviews with Vietnamese workers: three attending the conference and three working in Malaysia. Other interviews were conducted between February 2013 and September 2016 on the subject of Viet Labor’s activities and supporters. The spread of the interviews reflects our attempts to understand the ongoing roles and impact of the network to keep abreast of developments. Interviews were recorded and transcribed verbatim apart from Interviews 2 and 12 and the Skype interviews; in these cases, we both took extensive notes. Additionally, we exchanged several emails and engaged in unstructured follow-up conversations with the Secretary of Viet Labor and other officials. We conducted interviews in English where possible, and the two-day workshop was also conducted in English. This meant that some of our interviewees communicated with us in broken English, but we respected the original wording when selecting quotes. We used an interpreter when interviewing in English was not possible.

Finally, we accessed a range of documents, including the Viet Labor Constitution, Viet Labor briefing papers from 2012 to 2015, Viet Labor and CPVW newsletters, Viet Labor reports to unions on working conditions in factories supplying foreign retailers and speeches to the Australian parliament by the Federal MP for the seat of Fowler (in New South Wales).

For each mini case, we used a combination of these sources to understand the activities of Viet Labor, interactions with other stakeholders and the governance and implementation gaps they were helping to fill. We built up a thick narrative for each mini case. We paid special attention to the impact of each action, combining estimates of the number of workers involved with anecdotes giving us a sense of the nature of the impact. We organised these narratives chronologically and corroborated each key event with at least two sources, using the follow-up interviews where clarification was needed. We discussed the final narratives about each case with the president and the coordinator of the Malaysian activities of the network for comment and validation, which led to very minor adjustments. We then conducted a cross-case analysis, leading to our typology of six brokering roles. This prompted us to consider the literature on brokerage to theoretically delineate how our roles combined specific brokering activities. Consequently, we characterised Viet Labor as a ‘broker organisation’ (Stadtler and Probst, 2012), which acts as an intermediary, connecting otherwise disconnected actors (Fleming and Waguespack, 2007). Brokering activities can include all or some of the following: foster *network* relations (Chaskin, 2001; Stadtler and Probst, 2012), act as the *catalyst* that sustains others’ interactions (Furnari, 2014) and ensure flow of *resources* between actors (Perrone et al., 2003), especially *information* and/or *knowledge* that is not accessible to others (Maurer and Ebers, 2006; Pawlowski and Robey, 2004). Accordingly, we specify the brokering activities associated with each role in terms of *network*, *catalytic*, *information*, *knowledge* and *support* *brokering*. S*upport brokering* corresponds to resources other than information and knowledge brought by Viet Labor, for instance physical assistance, housing or financial support.

**Results**

This section presents the brokering roles played by Viet Labor: educating, organising, supporting, collective action, whistle-blowing and documenting (cf. Table 2).

[Insert Table 2 about here]

*Educating*

A lack of knowledge on the part of workers is recognised as one of the reasons why labour rights are not implemented. Viet Labor is aware of this, and provides information about labour law and workers’ rights to Vietnamese workers both in Vietnam and in Malaysia. It delivers a series of short leaflets and a longer booklet with general knowledge on labour rights and useful contact details. Viet Labor has distributed thousands of leaflets in Vietnamese (Viet Labor website, Apr. 2015).

Because of the risks to which local activists are perceived to be subject, this activity has been suspended in Vietnam. One alternative had been to use tactics such as sliding them under workers’ doors at night or employing non-activists to distribute them, but police questioning of workers in possession of such documents led Viet Labor to suspend distribution. The material is still disseminated in Malaysia because the risks are lower there but also because providing information in Vietnamese to migrant workers is essential in Malaysia since the language barrier often prevents workers from understanding their rights. In some cases, bridging the knowledge gap of workers regarding their labour rights was enough to trigger change. Some workers subsequently contacted the local leaders asking for more specific information about their rights. In several instances, this led to spontaneous local individual or collective action in Malaysia, in some cases associated with short work stoppage, or ‘strikes’, mainly around wages issues:

Because of the [leaflet] campaign a lot of workers know about him [leader], ask for his advice up to help to research their labour rights and after they communicated about their working conditions, well they went on strike at 10 companies that pay them below the legal rate. […] After then those companies raised the wages per person. (I12[[3]](#footnote-3))

The leaflet campaigns were also important in identifying workers who could then be associated with the organising of ‘humanity’ groups (cf Organising role). In particular, those helping to distribute the leaflets could be enrolled in further organising:

So when you work with someone on practical things like that you see whether they're active. Some people just say they will help you and then they don't help you but some will actually help you and help others. (I1)

The educating role of Viet Labor was one of a knowledge broker through the dissemination of leaflets and directly informing workers. This was a first important contribution to bridging local implementation gaps. By helping workers overcome language and knowledge barriers, Viet Labor contributed to spontaneous individual and collective action that resulted in direct improvements to the implementation of labour law, thus helping to bridge local implementation gaps. It also facilitated the engagement of workers that was then leveraged by Viet Labor in their organising role.

*Organising*

Viet Labor also operated as a network broker when constituting local ‘humanity’ groups in Malaysia and Vietnam, each bringing together between 10 and 70 workers with the objective of supporting each other on an ad hoc basis. There are currently eight such groups in Vietnam and five in Malaysia (I16). They gather a small financial contribution to be used for social activities, supporting sick workers (who receive inadequate compensation in Vietnam and Malaysia) and in some cases organising industrial action:

We say, okay, we’re making group to help each other. If you are sick, the group go to visit the people sick. If you have a problem with employer, the group will go to talk to the employer. So we call that the humanity group (I15).

Although workers are reluctant to associate with unions, Viet Labor activists aim to instil a sense of the importance of the principle of collectivism, emphasising that:

You have to work together, together, together, and not alone. If you fight for something, you [do it] together, not only for you, because if you ask something only for you, the employer [says] no (I16).

These groups are organised by, but also serve to identify, leaders that can further organise new groups, thus playing a catalyst broker role for the network. Through this grass-roots organising, Viet Labor has identified, educated and developed worker activists in Vietnam, Malaysia and Thailand. One of the objectives behind this is for Vietnamese migrant workers identified as leaders overseas to return to Vietnam with an understanding of the role of independent unions (Viet Labor Conference notes, Jan. 2014). However, a Paris-based member of Viet Labor concedes that ‘we make contact with the workers in Malaysia with the hope that they go back to Vietnam and stay in contact with us, but most of them don’t do that’ (I15).

A barrier to continued contact has been the reluctance of Vietnamese workers to be involved with a ‘union’ in Vietnam because of the risks involved: ‘Whether he [sic] will become an activist when he [sic] goes back to Vietnam is a separate question because it’s a lot more dangerous in Vietnam’ (I1). Due to state pressure on any form of labour organisation outside of state-controlled unions, only one of the local leaders in Vietnam was recruited overseas. However, despite these barriers, the VLM has five full-time activists on the ground in Vietnam in different areas (correspondence with Secretary, 24 Feb. 2016). These local networks of workers and activists were essential for Viet Labor to fulfil its other roles.

The organising role of Viet Labor combines network and catalytic brokering to create local networks of workers. These ‘humanity groups’ help span local implementation gaps by favouring autonomous collective action and governance gaps by favouring self-support.

*Collective action*

One of Viet Labor’s key activities is to encourage collective action in Malaysia and Vietnam:

Viet Labor Federation is a federation of labor groups inside and outside of Vietnam to foster mutual assistance and collaboration for the joint aims, being to protect and promote Vietnamese workers’ rights (Constitution of Viet Labor, Aug. 2013, 2).

Leveraging the local networks of workers, Viet Labor has established connections with Malaysian unions (Viet Labour pamphlet, Nov. 2012, 4). There have been several attempts to involve unions in specific cases of mistreatment. However, unions’ lack of resources has prevented active intervention on the ground and no other civil society entities seem to have been able to assist:

Not much was done, they are relatively small and have few full-time workers, so they couldn’t really help. […] I have never heard of any NGOs that does this type of thing for workers. (I1).

The uniqueness of the role played by Viet Labor was confirmed by the Thailand-based representative of the Workers Rights Consortium (WRC). The WRC is an independent labour rights monitoring organisation with more than 175 college and university affiliates focusing on combating sweatshops and protecting the rights of workers. He noted that:

There are a few labour rights groups in Vietnam but they are also tiptoeing I would say. You have APHEDA [The Australian union movement’s international aid organisation] doing training and working on cases with the official trade union. You have Oxfam doing similar things, not training but I think they did some investigations on Unilever a couple of years ago, but they still rely on access made possible with Unilever. So you have groups that are trying to do things like that but obviously they are limited. I mean, I am pretty sure if they started to operate completely independently, their licence would be revoked very soon […] So far none of the groups have come forward with a complaint apart from Viet Labor. So that is very unique (I19).

Given the lack of support from unions or other organisations in both Malaysia and Vietnam, Viet Labor has engaged in a variety of local activities to support workers’ collective action operating as network brokers between workers and other stakeholders and as knowledge brokers across these networks.

At the local level, Viet Labor supports and advises workers engaged in disputes with their employers. In particular, Viet Labor assists locally when workers are confronted with language barriers in Malaysia and state repression of collectivism in Vietnam. Members of Viet Labor are frequently called on to negotiate with employers directly, even though this is sometimes done over the phone with individuals based in France and Australia. For instance, Duc, a Viet Labor activist living and working in Malaysia and speaking both Vietnamese and Malay, intervened on behalf of workers on several occasions to reclaim confiscated passports. Duc would contact their employers and show a pamphlet distributed by the Malaysian Trade Union Congress (MTUC) detailing migrant workers’ legal rights. Duc explained to the employers that if they did not agree to passport restitution, they would face legal action. Duc’s direct engagement and use of MTUC material was successful: ‘At all these five factories he went to, they all agreed that they could only keep the passport if the workers agreed. Almost 300 people got their passports’ (I5).

Interventions in Vietnam also included successfully organising negotiations with or petitions to employers. A more dramatic case was the My Phong strike. The situation is best described through the experience of Mai, one of Viet Labor’s local leaders. Mai and two other activists heard about the poor conditions in a shoe factory in northern Vietnam. One of them began working there while the others collected information on working conditions. Mai and one of the other activists also secretly attended the Viet Labor Conference in Thailand in 2009, where they were provided with basic union training. Upon returning to Vietnam, the three activists provided support to workers at the shoe factory who had decided to launch a strike. The strike had been going for six days before the state-sanctioned union intervened; two of the activists were arrested, the third one being arrested later (I14) because they ‘helped organize the My Phong strike; distributed reactionary leaflets; worked together in a coordinated manner; were in touch with and received assistance from the reactionary group CPVW’(Viet Labor Website, March 2016). While the demands of the striking workers were met with regard to increasing pay and improving food hygiene, the activists were charged with ‘disrupting public security’ and convicted and jailed for between seven and nine years.

The role of collective action combines network and knowledge-brokering activities through which Viet Labor triggers industrial action and advises workers engaged in these actions. Such industrial action helps span local implementation when labour law is not implemented and/or gaps in governance arise.

*Supporting*

Members of Viet Labor on the ground also provide support for workers who, for various reasons, fall between the cracks of governance mechanisms. This includes emergency help, particularly for workers who have been mistreated at work or have been ‘sold’ out of the formal economy. This was the case of Thi, who was rescued by one of the Malaysian Viet Labor leaders. Thi left Vietnam for Malaysia in 2009. Thi made mistakes in her first factory job because she did not understand the instructions given to her in Malay. After two days, the supervisor stopped Thi from working. That night, she was picked up and taken to an unfamiliar location, where she was sold three or four times over the course of the evening. Finally, Thi was taken to a house to care for an old woman. She reported that for the first week she was not given any food and ate the woman’s leftovers. Feeling sad and humiliated, Thi cried in front of her employer, who decided to keep her locked in the toilet. She managed to escape and contacted the local leader of Viet Labor, who arranged for Thi to be brought to him in Malacca, gave her some money and helped her find a new job (I3).

Viet Labor helps migrant workers in Malaysia to find supplementary or alternative jobs to those in which the brokering companies have placed them. This was the case of Thi, but also others who were not receiving the salary they had been promised or sufficient working time to cover their living costs:

The Malaysian and Indonesian still worked overtime. Yes, right, overtime they get plenty. But they didn’t let us do overtime because they treat Malaysian and Indonesians in a different way to Vietnamese people (I6).

Viet Labor leaders in Malaysia have formed relationships with business owners (most often in the hospitality sector) and arranged for them to employ Vietnamese workers. The Viet Labor leader in Malacca indicated:

So each night there are about 60 workers that get extra work. So between the 10 restaurants, each will have six Vietnamese workers. And their wages are twice or three times higher than the wages at the factory (I5).

Viet Labor has also intervened to assist jailed workers in Malaysia. A common employer practice is to confiscate passports so that migrant workers cannot leave their jobs. However, if these workers are unable to present a passport when requested by the Malaysian authorities, they are arrested and jailed. While exact figures are unavailable, Viet Labor estimates that there are between 300 and 500 Vietnamese migrant workers in Malaysian jails (Correspondence with member, October 2015). Viet Labor has played an active role in representing these jailed workers, helping them to contact the Vietnamese embassy in Malaysia and, funding return trips to Vietnam upon release. This task is complicated by the difficulties in accessing information about the prisoners:

Interviewee: The Viet Labor member in Malaysia has spoken with many, many people. They approach him and say, ‘I know somebody in jail, can you help, and that is the person’s number’. If you don’t have the number of the prisoner you cannot help.

Facilitator 1: So … the only way you get the number is by knowing somebody who knows a worker in jail?

Interviewee: Yeah. Yeah (I15).

Through this process, Viet Labor has facilitated the release and return to Vietnam of 19 prisoners since 2013 (I13). Through support brokering, Viet Labor helps fill the governance gap, providing resources to workers who are in circumstances where they fall outside the remit of labour-related governance mechanisms.

*Whistle-blowing*

Another significant ongoing activity of the Viet Labor network is whistle-blowing: interceding globally on behalf of groups of Vietnamese workers in Malaysia or Vietnam. One series of interventions deals with breaches of MNCs’ company codes, ethical sourcing and corporate social responsibility. In some cases, this has meant working with other NGOs, such as the Clean Clothes Campaign (CCC). For instance, the sports brands Puma and Adidas are members of the Fair Labor Association (FLA). As such, they have signed up to the FLA’s code of conduct based on ILO standards and a further 20 ‘Principles of Fair Labor and Responsible Sourcing and Production’. Adidas notes that it has had over 300 supply-chain assessments since becoming involved in the FLA in 2005 (Adidas, n.d.); Puma’s 2015 annual report notes that it carried out ‘over 300 audits per year and more than 5,000 since 1999’ (Puma, 2015). Despite these audits and the existence of such governance mechanisms, implementation is still difficult, as illustrated below.

In mid-2014, Viet Labor was informed that 138 workers at a Puma supplier factory had been dismissed without notice. On the suggestion of WRC, Viet Labor contacted Inkota (a German CCC-affiliated NGO). The idea was to combine CCC’s international legitimacy with Viet Labor’s local information:

Viet Labor could raise the matter with Puma, but could CCC raise it please? That’d be surer and quicker to achieve outcomes. If they put up the excuse that many workers have moved to other rental quarters, you can say that CCC and Viet Labor can work together to try to locate them. (Viet Labor–CCC email correspondence, January 2015).

In this case, Viet Labor was able to work with a global NGO that lacked the local knowledge and networks to identify the implementation gap that persisted despite the governance mechanisms established by Puma. This led to mixed results; some workers obtained improved compensation, but the factory refused other demands, such as paying rehired workers at previous levels (Viet Labor summary of agreement, April 2015).

The connections made by Viet Labor through the CCC were relevant to a similar case. In September 2015, following a fire, 1900 workers were dismissed at a Korean-owned garment factory in Vietnam. Information provided to Viet Labor suggested that the fire was deliberate and aimed at replacing the dismissed workers by workers on lower wages (Viet Labor briefing paper, December 2015). Three Viet Labor activists in Vietnam met with workers and lawyers to organise a response to the retrenchment. Two of the activists were arrested, with one being badly beaten during her night in custody (Viet Labor briefing paper, 4 December 2015). Knowing that the garment company was a supplier to Puma and other large sports brands such as Nike, Adidas and Columbia, Viet Labor activists in Australia wrote to the brands:

Your representatives should meet with not just officials of [the company] or of state unions … Your representatives should also meet workers, including their representatives … Respectfully, we request that you ask [the company] not to retrench workers while you are fact-finding. And any compensation that is due, [the company] should pay properly (Letter, Viet Labor, 19 November 2015).

Five days later, Viet Labor received replies from Adidas and Puma:

I was concerned to hear that the police had arrested and placed in detention members of your labour network. And even more so, to hear that they had been beaten up and hospitalised. This is unacceptable and I will raise my concerns directly with the local government (Email, Adidas Vice President, January 2015).

I have requested the factory as well to stop the retrenchment process as we are verifying the issues as well which happened. I am sorry to hear what happened to your colleagues and can only echo what [Adidas Vice President] was saying in his previous email (Email, Puma’s global director SAFE Supply Chain, November 2015).

Adidas and Puma wrote to Viet Labor to confirm that the factory had agreed to provide a severance package that exceeded the legal requirements, paying ‘an additional one month’s salary as goodwill to all workers and 300% compensation for any unused annual leave; the law would normally 100% compensation for any unused annual leave’ (Email, Adidas Vice President, December 2015). Also, 189 workers were rehired in the rebuilt factory, on pre-dismissal wages, and:

Adidas Group has recommended … that they subsidize these 17 pregnant workers, paying them up to six months’ additional salary (or a part thereof) to cover the period of their pregnancies, where this payment [is] not recoverable through the state social insurance scheme (Email, Adidas Vice President, December 2015).

Viet Labor is also involved in political campaigns to help workers and activists imprisoned in Vietnam. One of the main activities has been lobbying to enlist the support of foreign governments and politicians to pressure the Vietnamese government into releasing incarcerated activists. For example, in the US, Viet Labor authored a letter to the Vietnamese President signed by 11 members of the US Congress demanding the release of the activists jailed during the My Phong strike (Letter to Vietnamese President, February 2014).

In Australia, Viet Labor organised a letter signed by 30 members of parliament to the Vietnamese Prime Minister calling for the immediate release of the three imprisoned Viet Labor activists (Correspondence with Vietnamese Prime Minister, August 2014). One of the activists was released in 2014; however, at the time of writing, the other two remain in jail.

In its whistle-blowing role, Viet Labor combines information and network brokering to bridge multi-scalar implementation gaps by amplifying the grievances of local and isolated workers with global implementation actors. This results in direct improvements to labour standards for the workers concerned.

*Documenting*

Viet Labor has become a partner of a range of unions, NGOs and media outlets in relation to sourcing and providing information and evidence about the situation of Vietnamese workers.

In 2008, Viet Labor and the Textile, Clothing and Footwear Union of Australia assisted an Australian television network to expose the living and working conditions of more than 1 200 workers in a Malaysian factory supplying Nike. Thanks to its network on the ground, Viet Labor organised a field trip to document workers’ conditions. This intervention ‘turned the controversy into a minor scandal in Australia, and Nike immediately put the issue on the fast track for settlement’ and allowed Viet Labor to bring ‘to public view what [Nike] inspectors should have brought to the fore years ago’ (Ballinger 2011: 57). Consequently, the workers were rehoused, their foreign worker fees were refunded and their passports were returned (Viet Labor briefing paper, April 2015; July 2008; August 2008; Channel 7 News Reports, www.youtube.com/watch?v=e9ZktmrGGMU, accessed March 2016).

The resulting exposure bolstered Viet Labor’s credibility, resulting in investigations by global sports brands in 2008, 2011 and 2015. For instance, a textile and footwear manufacturer agreed to ‘open their payroll’ to show details of pay in 2011 as part of an investigation by contracting sportswear companies:

They knew that this group had been able to get a TV station to do a story before. You just never know, they may be able to get another TV group, TV reporter, to go into Vietnam and investigate us (I1).

Following these interventions, NGOs and unions from various parts of the world also contacted Viet Labor for assistance in gathering information. Since 2008, Viet Labor activists have surveyed workers in Vietnam and Malaysia in approximately 15 garment and seafood factories (Viet Labor briefing paper, April 2015). The data collected has assisted NGOs and unions in raising concerns about labour conditions in supply chains with MNCs, and has been used by unions in localised campaigns against large retailers. For example, Viet Labor collaborated with unions in Australia and the US in collecting information for domestic campaigns within those countries. The aim was to pressure large retail chains into improving labour standards locally and globally by exposing malpractice down their supply chains.

However, such efforts were not always successful and proved difficult to coordinate. For example, in 2008, following the Channel 7 report, a German human rights NGO contacted Viet Labor for assistance with the translation and distribution of a questionnaire to workers in Vietnamese garment factories. While this activity may have improved awareness in Germany, Viet Labor’s leadership did not see evidence of a significant impact on the ground:

We used a survey form that we made together with [the NGO] and then we sent the survey information back to [the NGO]. […] But I don’t think they were having big changes in these factories. […] They did send me their report using our work but I am not sure about the actual impact (I1).

In 2013, another project with an Australian union was aborted. For that project, Viet Labor conducted a year-long investigation about working conditions in seafood processing factories in Vietnam. One activist interviewed workers in four factories and a second worked for a short time in one of the factories. The union decided not to go ahead with the campaign and Viet Labor suspended the fieldwork due to police questioning (Report by Viet Labor, May 2013).

Viet Labor has also played a role in the audit process. This has proven fundamental in improving the quality and reliability of the information collected through audits, one of the key issues with enforcing PSSs. For instance, it has organised access to groups of workers for an ad hoc audit by the WRC. According to the WRC’s local representative, conducting audits is increasingly problematic, so it is crucial to have access to information before the audit:

Thanks to Viet Labor, auditors were able to meet workers before the audit and conduct off-site workers interviews. This constitutes key evidence. We can thus go to the factory to cross-check the information and we know what to look for (I4).

The documenting role encompasses network and information brokering. The network brokering role consists in further developing global networks while connecting these with local ones. Thanks to this network brokering, Viet Labor was able to source information and make it available to global implementation agents, leading to campaigns that could directly improve local labour standards but also contribute to global awareness on the issue.

**Discussion**

While there is a consensus about the existence of labour standards governance and implementation gaps in GSC, the extant literature provides only a vague idea of what can be done to bridge these gaps. Our study is, to our knowledge, the first to investigate the case of an agile grass-roots organisation that has repeatedly done so, helping to improve the lives of thousands of workers over nearly a decade.

Our literature review underlines that the governance gap is combined with multi-scalar and local implementation gaps. Local unions seem to define the final boundaries of any safety net for workers. Where unions are absent (due to a lack of penetration or freedom of association) or inoperative (due to a lack of resources), workers are left with no choice besides silence or risky industrial action.

Our study establishes a typology of six roles through which grass-roots organisations can help close the governance and implementation gaps, supplementing existing top-down governance structures and processes and supporting workers on the ground: educating, organising, supporting, collective action, whistle-blowing and documenting. While they differ in their content and impact, all roles have a brokering dimension in common: the creation of connections amongst workers and/or between workers and other actors and/or resources. Altogether, the combination of these roles contributes to spanning the three types of gap identified in our literature review. While Table 2 provides a detailed analysis of each role, it is important to show how they connect and contribute to meshing together and mending the existing patchwork of governance mechanisms and their implementation.

The educating role involves brokering knowledge to workers and constitutes a first step towards closing the local implementation gap, in particular in relation to labour law. We know that poor worker awareness is an important barrier to implementation (McCann, 2008), especially for migrants and other minority groups (Chang, 2009; Sarikakis, 2012). Education makes these groups more aware of labour law and freedom of association, leading to autonomous individual and collective action, especially for migrants facing the combined barriers of knowledge and language. Such knowledge brokering proves difficult and risky in repressive contexts such as Vietnam but is important since it allows for the identification of those who can be associated with organising.

The organising role combines network and catalytic brokering. The constitution of local associative networks has a direct impact on workers by honing self-supporting capabilities, leading to collective action. These networks, including the fostering of leaders that operate as local catalysts, are the building blocks that enable Viet Labor to conduct its other roles of supporting, collective action, whistle-blowing and documenting. This role directly helps to close local implementation gaps by facilitating autonomous industrial action. Viet-Labor also impacts the standards of workers by allowing self-support, especially where existing governance mechanisms (and above all labour law) are insufficient, for instance regarding medical coverage in Vietnam and Malaysia. While difficult in the coercive context of Vietnam, this organising role is key to remedying situations where union coverage is deficient. This is important since unions operate as the last frontier for workers’ protection (McCann, 2008).

The collective action role meshes activities of knowledge and network brokering. Attempts to leverage local unions were unsuccessful because of the lack of resources of Malaysian unions and the state affiliation of Vietnamese unions. However, the role builds on the associative networks constructed through organising to contribute directly to local implementation by assisting members in their negotiations with employers. It also helps workers’ agency in cases of both governance and local implementation gaps by providing advice that helps workers manage industrial actions and its risks. This role manifested itself in both Malaysia and Vietnam, where workers were facing knowledge and network barriers, combined with language barriers in Malaysia. This role is important since it helps maximise the impact of workers’ agency, especially in repressive contexts such as Vietnam, where the extant literature has documented the risks associated with any form of collective action (Clarke and Pringle, 2009; Yang, 2016).

The supporting role encompasses support brokering activities; it directly improves workers’ conditions by supporting them in difficulty and negotiating with local actors such as prison authorities and alternative employers. Supporting requires the existence of local associative networks that allow for workers to signal to the grass-roots organisation when action is needed. This role helps bridge governance gaps for workers for whom labour governance mechanisms no longer apply or are insufficient, which occurs when workers have been relegated to the informal economy, sent to jail or denied sufficient hours to pay for their costs, including the cost of migration. This role directly addresses the needs of workers who have fallen between the cracks and cannot access support from unions or participate in workers’ activism.

Whistle-blowing includes information and network brokering and depends on the development of global networks by international members and on the responsiveness of MNCs and their perceived reputational risks. When successful, it creates the conditions for contextual coupling (Bartley and Egels-Zandén, 2016) between workers and global implementation actors, leading to improved multi-scalar implementation of governance mechanisms. This can contribute directly to the improvement of labour standards for big groups of workers, as illustrated by the cases of factories in Vietnam. Viet Labor is in a unique position to facilitate such outcomes since it developed local networks of workers and global networks with NGOs and Western governments.

Finally, the documenting role combines the activities of information and network brokering, where Viet Labor mainly supports the actions of other implementation actors. This role builds upon the reputation acquired by Viet Labor through its whistle-blowing role and leverages local associative networks, particularly to collect information. If successful, it can lead directly to contextual coupling (Bartley and Egels-Zandén, 2016), for instance by improving the auditing process. This is important since extant research has documented the numerous limitations of this process (Berliner, et al., 2015; Egels-Zandén and Merk, 2014; Locke, 2013; Raj-Reichert, 2013; Raworth and Kidder, 2009). The impact of this role is dependent on the ability to mobilise stakeholders.

**Implications**

Our findings introduce an important change in the conception of action to improve labour standards along GSCs. Workers are often left out of the development and implementation of existing governance mechanisms (Bendell, 2005; Coe and Hess, 2013; Donaghey et al., 2014; Egels-Zandén and Merk, 2014; Raj-Reichert, 2013); while these mechanisms often include some form of bottom-up approach, this proves difficult in the absence of local unions (Bartley et al., 2016; Donaghey et al., 2014; Elliot and Freeman, 2003; Hammer, 2005; Josserand and Kaine, 2016; Raj-Reichert, 2013; Riisgaard, 2005, 2009; Riisgaard and Hammer, 2011). Unlike previous research, our findings demonstrate how workers’ agency can be prioritised even in the absence of local unions. This means that future endeavours to implement existing mechanisms or to create new ones should build in an approach that restores workers’ agency, even in the absence of local independent unions. It also means that the roles we describe can be successful in situations where classic top-down approaches are insufficient. The main factors characterising such situations are: migrant workers, unprivileged minorities (Sarikakis, 2012) and workers in the informal economy or industries that are less exposed to scrutiny by Western consumers (Josserand and Kaine, 2016).

Viet Labor is distinct in its capacity to connect local worker networks with global ones. Its uniqueness rests on the fact that members of the Vietnam diaspora reside and have developed connections in Western countries around the globe. Members’ bicultural characteristics and disparate locations facilitate the development of networks with implementation agents based in the West. This allows for timely action when local networks identify specific issues and thus facilitates Viet Labor’s multi-scalar brokering activities. As such, grass-roots organisations can contribute to a broader tendency for new, independent networks to emerge that can broker across a range of different governance initiatives by connecting the corresponding implementation agents and thus leverage the patchwork that exists. Such networks supplement others that develop at other levels of the supply chain (Berliner, et al., 2015; Reinecke & Donaghey, 2015). This is, to our knowledge, the first study to provide a detailed account of how the boundary constituted by the limited coverage of unions can be spanned. One of the unique contributions of Viet Labor to these networks is its capability to trigger and nurture local associative networks of workers in contexts where national unions or other civil society organisations cannot operate. Viet Labor is thus in a unique position to span directly the boundaries between the bottom of the supply chain and the implementation agents at the customer end, leading to contextual recoupling (Bartley and Egels-Zandén, 2016).

Viet Labor is distinct from more classic campaigns which are highly dependent on Western consumer representations and identification to a ‘cause’ that may not necessarily overlap with the needs of local workers (Josserand and Kaine, 2016). In our case, nationality provided identification that was stronger and more precise than that of broader campaigns. A further advantage of such a basis for identification was that it was shared by workers on the ground and members of the Vietnamese diaspora, thus creating the emergence of new social networks along GSCs. Other national or regional identities and forms of solidarity associated with other characteristics of inclusion and exclusion, such as age, gender, race, ethnicity, citizenship and religion (Chang, 2009; Sarikakis, 2012), may also be leveraged in creating new social networks along GSCs. The respective relevance of these characteristics to specific situations on the ground should be assessed in terms of their particular advantage in broader international campaigns (i.e. do they provide a focused identification that is likely to be more effective in rallying support?) but also in terms of access to international networks (e.g. is there a significant international network that can be mobilised?).

Grass-roots organisations also potentially benefit from more flexible access to difficult contexts. While participating in Viet Labor activities in Malaysia is relatively low-risk, this is not the case in Vietnam, where autonomous activists can be jailed, workers arrested and official implementation actors suspended from operations. This means that larger implementation agents should be cautious when trying to implement bottom-up strategies that aim at restoring workers’ agency. In cases where the risks are controlled, it seems feasible to adopt such strategies in the open. In less amenable contexts, brokers such as Viet Labor may remain necessary. It may be that micro-level, local and individualised action is the only viable option for reaching some groups of workers. Furthermore, grass-roots organisations are better equipped to operate undercover since they are not dependent on operating licences from uncooperative governments and comprise members that speak the language and are thus less constrained and conspicuous than Western activists.

However, Viet Labor is a small organisation working with specific groups of workers. Attempts by the network to accumulate resources and increase its reach remain limited by its size and lack of professional support. Funding is based on small-scale fundraising activities and ad hoc contacts with a few donors. The consolidation of local and international networks is based mainly on individual contacts rather than systematic recruitment. Viet Labor thus provides only an ad hoc solution through a logic of incremental bricolage that might prove difficult to replicate or scale up. Further research and practice should explore how global NGOs or unions could start working systematically on the connection with, and facilitation of, micro activism based on various forms of solidarity and identification. This could make a cumulative impact across different groups but also help such micro organisations to scale up by becoming more systematic in their actions and by introducing professional fundraising and networking capabilities, for instance.

Some roles might be easier to scale up in amenable contexts. For instance, Donaghey et al. (2014) allude to a programme launched by the Fairtrade movement to help workers develop the ability to negotiate their labour standards in 170 000 certified plantations. This corresponds to the organising role we discuss above. To our knowledge, this initiative has yet to be examined in detail and would be an excellent case for studying the scalability of the type of approaches adopted by Viet Labor. Empirical research should investigate other initiatives, further inspiring the strategies and policies of larger organisations.

The case of company audits could be another area for practical change and academic investigation. The action of Viet Labor illustrates how including workers can be a way to transform radically an auditing process that is currently not delivering its intended outcomes and may be hindering the potential impact of PSSs (Berliner, et al., 2015; Egels-Zandén and Merk, 2014; Locke, 2013; Raj-Reichert, 2013). Considering that GSC auditing has grown into a large and independent industry, this would mean a radical change in the culture of and approach to auditing practices on the part of both buyers and professional auditing companies. Central to such a change would be to embed a more local approach where connecting with workers and reconnecting workers would be core to auditing practice. The implication is a local presence and engagement, in contrast with the current compliance practices of regular but superficial and, possibly, falsifiable audits. This requires a genuine interest in and acceptance of the role played by workers’ agency in any effort to reform our view of implementation, an approach that could pose a challenge to many corporations.

**References**

Adidas (n.d.) *Supply Chain Approach: Monitoring* Available at: http://www.adidas-group.com/en/sustainability/compliance/supply-chain-approach/#/monitoring/.

Ahmad AM (2008) Dead men working: Time and space in London’s (‘illegal’) migrant economy. *Work, Employment and Society* 22(2): 301–18.

Anderson B (2010) Mobilizing migrants, making citizens: Migrant domestic workers as political agents. *Ethnic and Racial Studies* 33(1): 60–74.

Bair J and Palpacuer F (2012) From varieties of capitalism to varieties of activism: The antisweatshop movement in comparative perspective. *Social Problems* 59(4): 522–43.

Ballinger J (2011) How civil society can help: Sweatshop workers as globalization’s consequence. *Harvard International Review* 33(2): 54–9.

Barrientos S, Gereffi G and Rossi A (2010) Economic and social upgrading in global production networks: Developing a framework for analysis. Working Paper. Available at: <http://www.capturingthegains.org/publications/workingpapers/index.htm>

Bartley T and Egels‐Zandén N (2015) Responsibility and neglect in global production networks: The uneven significance of codes of conduct in Indonesian factories. *Global Networks*, 15(s1), S21–S44.

Bartley T and Egels-Zandén N (2016) Beyond decoupling: Unions and the leveraging of corporate social responsibility in Indonesia. *Socio-Economic Review* 14(2): 231–55.

Bendell J (2005) In whose name? The accountability of corporate social responsibility. *Development in Practice* 15(3-4): 362–74.

Berliner D, Greenleaf A, Lake M, Levi M and Noveck J (2015). *Labor Standards in International Supply Chains: Aligning Rights and Incentives*. Cheltenham: Edward Elgar Publishing.

Chang D (2009) Informalising labour in Asia’s global factory. *Journal of Contemporary Asia* 39(2): 161–79.

Chaskin, RJ (2001) Organizational infrastructure and community capacity: The role of broker organizations. *Research in Social Problems and Public Policy* 8: 143–66.

Cheng JYS, Ngok KL and Huang Y (2011) Multinational corporations, global civil society and Chinese labour: Workers' solidarity in China in the era of globalization. *Economic and Industrial Democracy* 33(3): 379–401.

Chi DQ (2012) *Employee Participation in Vietnam*. International Labour Office, Industrial and Employment Relations Department. Geneva.

Clarke S and Pringle T (2009) Can party-led trade unions represent their members? *Post-Communist Economies* 21(1): 85–101.

Clarke S, Lee CH and Chi DQ (2007) From rights to interests: The challenge of industrial relations in Vietnam. *Journal of Industrial Relations* 49(4): 545–68.

Clegg SR and Carter C (2009) Globalization and macro-organizational behaviour. In: Clegg SR, Cooper C (eds) *The Sage Handbook of Macro-Organizational Behaviour*. London: SAGE, 496–508.

Coe N and Hess M (2013) Global production networks, labour and development. *Geoforum* 44: 4–9.

Cox A (2015) The pressure of wildcat strikes on the transformation of industrial relations in a developing country: The case of the garment and textile industry in Vietnam. *Journal of Industrial Relations* 57(2): 271–90.

Davies S, Hammer N, Williams G, Raman R, Ruppert CS and Volynets L (2011) Labour standards and capacity in global subcontracting chains: Evidence from a construction MNC. *Industrial Relations Journal* 42(2): 124–38.

Den Hond F and De Bakker FGA (2007) Ideologically motivated activism: How activist groups influence corporate social change activities. *Academy of Management Review* 32(3): 901–24.

Den Hond F Stolwijk S and Merk J (2014) A strategic interaction analysis of an urgent appeal system and its outcome for garment workers. *Mobilization* 19(1): 83–111.

Donaghey J, Reinecke J, Niforou C and Lawson B (2014) From employment relations to consumption relations: Balancing labor governance in global supply chains. *Human Resource Management* 53(2): 229–52.

Egels-Zandén N and Hyllman P (2006) Exploring the effects of union–NGO relationships on corporate responsibility: The case of the Swedish clean clothes campaign. *Journal of Business Ethics* 64(3): 303–16.

Egels-Zandén N and Hyllman P (2011) Differences in organizing between unions and NGOs: Conflict and cooperation among Swedish unions and NGOs. *Journal of Business Ethics* 101(2): 249–61.

Egels-Zandén N and Merk J (2014) Private regulation and trade union rights: Why codes of conduct have limited impact on trade union rights. *Journal of Business Ethics* 123(3): 461–73.

Eisenhardt KM (1989) Building theories from case study research. *Academy of Management Review* 14(4): 532–50.

Elliott KA and Freeman RB (2003) *Can Labor Standards Improve under Globalization?* Washington: Peterson Institute Press.

Fisher SL, Graham ME, Vachon S and Vereecke A (2010) Don’t miss the boat: Research on HRM and supply chains. *Human Resource Management* 49(5): 813–28.

Fleming L and Waguespack DM (2007) Brokerage, boundary spanning, and leadership in open innovation communities. *Organization science* 18(2), 165–80.

Furnari S (2014) Interstitial spaces: Microinteraction settings and the genesis of new practices between institutional fields. *Academy of Management Review* 39(4): 439–62.

Geishecker I and Gorg H (2004) *Winners and losers: Fragmentation, trade and wages.* Revisited IZA Discussion Paper No. 982. Available at: [http://ssrn.com/abstract=494083](http://ssrn.com/abstract%3D494083).

Hammer N (2005) International framework agreements: Global industrial relations between rights and bargaining. *Transfer* 11(4): 511–30.

International Labour Organization (2008) *Meeting the Challenge: proven practices for human trafficking prevention in the Greater Mekong Sub-region*. Bangkok: ILO.

[Josserand EL](https://www.uts.edu.au/staff/emmanuel.josserand) and [Kaine SJ](https://www.uts.edu.au/staff/sarah.kaine) (2016) Labour standards in global value chains: Disentangling workers' voice, vicarious voice, power relations, and regulation. *Industrial Relations* 71(4): 741–67.

Kaine SJ (2014) Union Voice, In A Wilkinson, J Donaghey, T Dundon, & R Freeman (eds.) *Handbook of Employee Voice.* Cheltenham: Edward Elgar, 170–187

Klink D (2015) Compliance opportunities and the effectiveness of private voluntary standard setting: Lessons from the global banana industry. In: Marx A, Wouters J, Rayp G, Beke L (eds) *Global Governance of Labour Rights*. Cheltenham: Edward Elgar Publishing, 230–56.

Koch-Baumgarten S and Kryst M (2015) Trade unions and collective bargaining power in global labor governance. In: Marx A, Wouters J, Rayp G, Beke L (eds) *Global Governance of Labour Rights*. Cheltenham: Edward Elgar Publishing, 150–69.

Lee S, Eyraud F (eds) (2008) *Globalization, Flexibilization and Working Conditions in Asia and the Pacific*. Oxford: Chandos Publishing.

Levi M, Adolph C, Berliner D, Erlich A, Greenleaf A, Lake M, Noveck J (2013) *Aligning rights and interests: Why, when and how to uphold labor standards.* Background Paper for the World Development Report 2013. Available at: http://siteresources.worldbank.org/EXTNWDR2013/Resources/8258024-1320950747192/8260293-1320956712276/8261091-1348683883703/WDR2013\_bp\_Aligning\_Rights\_and\_Incentives.pdf.

Locke RM (2013) *The Promise and Limits of Private Power: Promoting Labor Standards in a Global Economy*. New York: Cambridge University Press.

Marx A, Soares J and Van Acker W (2015) The protection of international labour rights: A longitudinal analysis of the protection of the rights of freedom of association and collective bargaining over 30 years in 73 countries. In: Marx A, Wouters J, Rayp G, Beke L (eds) *Global Governance of Labour Rights*. Cheltenham: Edward Elgar Publishing, 13–41.

McCann D (2008) The regulation of working conditions in Asia and the Pacific: Flexibility, fragmentation and workers’ rights. In: Lee S, Eyraud F (eds) *Globalization, Flexibilization and Working Conditions in Asia and the Pacific.* Oxford: Chandos Publishing, 81–112.

Maurer I and Ebers M (2006) Dynamics of social capital and their performance implications: Lessons from biotechnology start-ups. *Administrative Science Quarterly* 51(2): 262–92.

Meardi G (2007) More voice after exit? Unstable industrial relations in Europe. *Industrial Relations Journal* 38: 503–23.

Niforou C (2014) International framewwork agreements and industrial relations governance. *Economic and Industrial Democracy* 35(2): 367–86.

O’Rourke, D (2003) Outsourcing Regulation: Analyzing Nongovernmental Systems of Labor Standards and Monitoring. *The Policy Studies Journal* 31(1): 1-29

O’Rourke D (2006) Multi-stakeholder regulation: Privatizing or socializing global labor standards? *World Development* 34(5): 899–918.

Pawlowski SD and Robey D (2004) Bridging user organizations: Knowledge brokering and the work of information technology professionals. *MIS Quarterly* 28(4): 645–72.

Pekdemir C, Glasbergen P and Cörvers R (2015) On the transformative capacity of private fair labour arrangements. In: Marx A, Wouters J, Rayp G, Beke L (eds) *Global Governance of Labour Rights.* Cheltenham: Edward Elgar Publishing, 209–29.

Perrone V, Zaheer A and McEvily B (2003) Free to be trusted? Organizational constraints on trust in boundary spanners. *Organization Science* 14(4): 422–39.

Puma (2015) *Annual Report* <http://report.puma-annual-report.com/en/company-overview/sustainability/social-sustainability/> accessed 21 March 2017

Raj-Reichert G (2013) Safeguarding labour in distant factories: Health and safety governance in an electronics global production network. *Geoforum* 44: 23–31.

Raworth K and Kidder T (2009) Mimicking ‘lean’ in global value chains: It’s the workers who get leaned on. In: Bair J (ed.) *Frontiers of Commodity Chain Research*. Stanford: Stanford University Press, 165–89.

Reinecke J and Donaghey J (2015a) The ‘Accord for Fire and Building Safety in Bangladesh’ in response to the Rana Plaza disaster. In: Marx A, Wouters J, Rayp G, Beke L (eds) *Global Governance of Labour Rights*. Cheltenham: Edward Elgar Publishing, 257–77.

Reinecke J and Donaghey J (2015b) After Rana Plaza: Building coalitional power for labour rights between unions and (consumption-based) social movement organisations.*Organization* 22(5): 720–40.

Riisgaard L (2005) International framework agreements: A new model for securing workers’ rights? *Industrial Relations: A Journal of Economy and Society* 44(4): 707–37.

Riisgaard L (2009) Global value chains, labour organization and private social standards: Lessons from East African cut flower industries. *World Development* 37(2): 326–40.

Riisgaard L and Hammer N (2011) Prospects for labour in global value chains: Labour standards in the cut flower and banana industries. *British Journal of Industrial Relations* 49(1): 168–90.

Robinson P and Rainbird H (2011) Beyond the organisation and the nation state... and the employment relationship, same as ever was? Global value chains and the challenges for Industrial Relations research. British Journal of Industrial Relations, 50th Anniversary Conference. University of Birmingham, UK.

Sarikakis K (2012) Access denied: The anatomy of silence, immobilization and the gendered migrant. *Ethnic and Racial Studies* 35(5): 800–16.

Stadtler L and Probst G (2012) How broker organizations can facilitate public–private partnerships for development. *European Management Journal* 30(1): 32–46.

Swider S (2014) Building China: Precarious employment among migrant construction workers. *Work, Employment and Society* 29(1): 41–59.

Vogel D (2008) Private global business regulation. *Annual Review of Political Science* 11: 261–82.

Weil D (2008) A strategic approach to labour inspection. *International Labour Review* 147(4): 349–75

Wijen F (2014) Means versus ends in opaque institutional fields: Trading off compliance and achievement in sustainability standard adoption. *Academy of Management Review* 39: 302–-23.

Wright CF and Kaine S (2015) Supply chains, production networks and the employment relationship. *Journal of Industrial Relations* 57(4): 483–501.

Yang Y (2016). Walmart Workers Launch Wildcat Strikes across China. *Financial Times*, 7 July. Available at:

https://www.ft.com/content/d1dd7376-4408-11e6-9b66-0712b3873ae1 (accessed 1 August 2016

1. Pseudonyms are used in vignettes and quotes to protect the identity of the individuals mentioned. [↑](#footnote-ref-1)
2. The Accord on Fire and Building Safety in Bangladesh is an exception to this since it has the unique property of being legally binding (Renicke and Donaghey, 2015). [↑](#footnote-ref-2)
3. [↑](#footnote-ref-3)