

Transnational Representation in Global Labour Governance  
and the Politics of Input Legitimacy

(Juliane Reinecke and Jimmy Donaghey)

*Business Ethics Quarterly*, 2021

**SUPPLEMENTARY MATERIALS**

**Appendix A: Empirical Data Summary Table**

| Method            | Respondents                                 | N          | Bangladesh based or Internationally based               | Further details  |
|-------------------|---|------------|---|--|
| <i>Interviews</i> | International trade unionists               | 20         | 10 Bangladesh based<br>10 internationally based         | 12 initial<br>8 follow up                                  |
|                   | Bangladeshi trade unionists: IndustriAll    | 14         | All Bangladesh based                                    | 11 initial<br>3 follow up                                  |
|                   | Bangladesh trade unionists: non-IndustriAll | 3          | All Bangladesh  | 3 initial  |
|                   | International NGOs                          | 9          | 3 Bangladesh based<br>6 internationally based           | 7 Initial<br>2 follow up                                   |
|                   | Locally based NGO                           | 1          | 1 Bangladesh based                                      | 1 initial  |
|                   | Accord staff                                | 13         | 8 Bangladesh based<br>5 internationally based           | 7 initial<br>6 follow up                                   |
|                   | Brands                                      | 22         | 14 Bangladesh based<br>8 internationally based          | 17 initial<br>5 follow up                                  |
|                   | Factory management                          | 4          | All Bangladesh based                                    | 3 Initial<br>1 follow up                                   |
|                   | BGMEA                                       | 7          | All Bangladesh based                                    | 5 Initial<br>2 follow up                                   |
|                   | International Labour Organization           | 10         | 5 Bangladesh based<br>5 internationally based           | 7 initial<br>3 follow up                                   |
|                   | Governments                                 | 4          | All Bangladesh based                                    | 4 initial  |
|                   | BD based labour experts                     | 3          | All Bangladesh based                                    |  |
|                   | <i>Total interviews</i>                     | <i>110</i> | <i>76 Bangladesh based<br/>34 internationally based</i> | <i>77 initial<br/>33 follow up</i>                         |
|                   | <i>Group meetings</i>                       | Management | 8   | All Bangladesh based                                       |
| Workers           |   | 6          | All Bangladesh based                                    | 3 facilitated by local unions; 3 facilitated by management |

## Appendix B: Semi-Structured Questionnaire for Unions and NGOs

1. Name / position / tenure / personal role
2. Could you briefly describe your organisation's role in general, and with regards to...
  - a. the response to the Rana Plaza disaster?
  - b. the Bangladesh Accord?
3. Who are the main constituency which your organisation seeks to serve?
4. In general terms, what are the main tactics which you use to improve worker rights?

### Role played in the Bangladesh Accord

5. What role did you play in developing the Accord? Formally and informally (examples)
6. Did you play any role, official or unofficial, in getting companies to sign up to the Accord?
7. What role do you play in implementing the Accord? Formally and informally (examples)

### Representation of Bangladeshi workers

8. Do you see yourself as representing Bangladeshi workers? How?
9. If your organization has not directly been elected by workers in Bangladesh, on what basis/mandate are you involved? [authorized?]
10. How do you use to ensure that you take the interests of Bangladeshi workers into account?
11. Can Bangladeshi workers hold you accountable for representing their interests? If not, how are you accountable? To whom?
12. Have conflicts occurred? If yes, why / when? How do you deal with them? (examples)

### Working with other parties in creating / implementing the Bangladesh Accord

13. How would you describe your relationship with other organisations
  - a. Bangladesh: Bangladeshi unions, employers, government/ NAP
  - b. National level: unions, NGOs, social movements, governments
  - c. Transnational level: GUFs, ILO
14. What do you see as your organisation's key contribution compared to other organisations?
15. What did other organisations bring to the table, compared to your own? (examples)
16. What do you see as the role of unions versus NGOs when it comes to representing the interests of workers in the Accord? (examples)
17. What is the division of labour between governments, private brands and organisations such as yours - and how has it been shifting? (examples)
18. What are the key challenges that the Accord has posed? (examples)
19. Have conflicts occurred when working with other parties? If yes, why / when / how? How do you deal with them? (examples)
20. What is your role in enforcing the Bangladesh Accord?
  - a. Who pursues non-compliance? (examples)
  - b. How do different actors deal with non-compliance? (examples)
  - c. What mechanisms are used? (examples)

### General

1. How has Rana Plaza changed your approach to global labour rights beyond Bangladesh?
2. Lesson drawn from Accord? What elements worked? What elements have not worked?

## Appendix C: Key Dimensions Identified With Illustrative Quotations

| <i>Typical representatives</i>                        | <b>Representation as claim</b>  | <b>Representation as structure</b>  |
|---|---|---|
|   | NGOs: Workers Rights Consortium, Clean Clothes Campaign<br><br>Online campaign groups   | Unions: Global Unions Federations IndustriAll & UNI Global; IndustriAll Bangladesh Council and affiliated Bangladeshi union federations   |
| <b>Creation of presence of affected constituency</b>  |   |   |
| <i>Logic of creating presence</i>                     | <i>Create political presence through representative claims</i><br><br>“What the unions don’t have the capacity to do -because also it’s not their role- is public education and awareness and that sort of social movement building that the NGOs can do. And if you can work together as closely as you can to bring those things together actually it’s a really strong force for change.” (NGO B.1)<br><br>“Having dealt with the Clean Clothes Campaign...what I see is that they provide another avenue towards worker representation...[esp.] in cases like Bangladesh, where you haven’t got mature systems of industrial relations.” (Accord A) | <i>Create political presence through representative structures</i><br><br>“We’ve representative structures. Even if they’re not physically present in the meetings, I mean we are in close contact with our affiliates, particularly in Bangladesh on a very ongoing basis ... it’s because of our representative structures, it’s very easy to get that voice up through the steering committee level... They’ve (IBC representatives) got plenty of work to be doing, you know, on the ground in Bangladesh so we do try to free them up from having to attend too many of these meetings because we can do that and we don’t want to take them away too much from their role.” (GUF A) |
| <i>Consequences of different spheres of operation</i> | <i>Presence in public sphere</i><br><br>“I think the difference [public campaign] is that the NGOs were much more comfortable with a much more conflictual approach and therefore wanted much more speed in the enforcement.” (NGO B.2)   | <i>Presence in employment relationship</i><br><br>“The unions are very much in the forefront here because we’re the ones that have the direct relationship with the brands on behalf of our members.” (GUF A)   |
| <i>Completeness</i>                                   | “It really created a kind of boiling pot moment where it was like you’re either in or you’re out [of the Accord]. And I think that was most powerfully really, that labour rights and unions as a group had ever been before... the two sides really joined together in a common purpose and I think that really scared the shit out of companies ...” (NGO A.1)  |   |
| <i>Tensions</i>                                       | “If you look for example at multi-stakeholder initiatives or any of these stakeholder attempts that companies generally make, they lump everybody together. We’re all labelled civil society like it’s all the same, which is of course maddening! And there are instances where NGOs take on more than they should do because they don’t have a representative function.” (GUF A)  |   |
| <b>Authorisation by affected constituency</b>         |   |   |
| <i>Logic of sourcing authorisation</i>                | <i>Discursive authorization validated by attention to claim</i><br><br>“It’s been the campaign groups that have got companies into the Accord in the first place because they’re the ones that are much more consumer facing. I mean, the Clean Clothes Campaign is really all about getting, bringing to light, you know, labour rights issues in the supply chain for customers, consumers to then rally, mobilise and lobby companies to   | <i>Formal authorisation through membership to represent members’ interests</i><br><br>“We play a representative role, because of our structures it’s very easy to get that voice up through the steering committee level.” (GUF A.2)<br><br>“The unions they are set up by workers, workers decide on their unions. There is a democratic process and it’s even carried on from the local unions to the international unions where  |

|   |  |   |
|---|--|---|
|   | intervene and take responsibility for workers in their supply chain.” (Accord B)   | they are joining in federations: there is a democratic basis!” (Brand A)  |
| <i>Consequences of different sources of authorization</i> | <p><i>Plasticity of claims allow NGOs to claim authorization to pursue issues more flexibly.</i></p> <p>“As an NGOs we’re just like, you know, we don’t have that necessarily, that bigger picture. We’re much more kind of this is the thing we’ve got to do now and then!” (NGO B.1)</p> <p>“An NGO has the spontaneity where War on Want just go and lay a coffin outside of Primark until they sign the Accord.” (TUC A)</p> <p>“IndustriAll needs to talk to all their [affiliate] members, I [NGO activist] can just pick the member I want to talk to.” (NGO B.2)</p> | <p><i>Rigidity of pre-existing structures provide the mandate that authorises representatives.</i></p> <p>“We see our role as assisting with the implementation of the Accord in terms of using our relationships with the brands and retailers [...] and to do that through the power also of our national affiliated unions.” (GUF B)</p> <p>“Our immediate thing at that stage was that we had our list of ten companies who hadn’t signed and we were working through them, going tick, tick, tick, put pressure on these companies to sign [...] And we weren’t geared up for suddenly kind of flip it immediately to ‘and now pay the compensation’.” (TUC B)</p> |
| <i>Complementarity</i>                                    | <p>One of the things that’s been really critical is making sure that workers have a voice and a role to play in terms of the development of the agreement itself and how it will work on the ground. So we’ve been in touch with IndustriALL and other labour unions and have worked closely with them in the negotiating process to make sure that the things we’re asking brands to do reflect things that workers on the ground say that they want.” (NGO A.1)</p>  |   |
| <i>Tension</i>  | <p>“A lot of the problems also stems from weak unions in countries and stronger civil society organisations and that’s still a problem, where you’ve got NGOs stepping in and taking on a union role, often because the union just isn’t there or isn’t adequate. But when that becomes the NGOs thinking that that is their role then we have a very big problem with that. [...]we constantly are struggling with to make sure that boundaries are not stepped over.” (GUF A)</p>  |   |

---

### Accountability to affected constituency

|  |   |   |
|--|---|---|
| <i>Logic of sourcing accountability</i>                    | <p><i>Reputational accountability based on attention</i></p> <p>“[It] was indeed its visibility, if you attacked H&amp;M publicly you get much more resonance in a lot of media markets than when you attack I don’t know, some small Belgian brand that only Belgians have heard about”. (NGO B.2)</p> <p>“We are the ones who are doing public reporting and documentation ... and what we bring to the table is that we are kind of the watchdog for most of the brands. So ... the brands understood that the public would know what they were doing, the public would know what they were saying and so they would be held accountable in negotiations in that way.” (NGO A.1)</p> | <p><i>Structural accountability based on membership</i></p> <p>“[Unions] have a responsibility to their members...if you work for C&amp;A in Belgium, you’re represented by your union, you have a collective agreement, you have constructive labour relations. If now your union suddenly goes out there publicly hammering that company that can put lasting damage on your national labour relations.” (GUF B)</p> <p>“We didn’t do it publicly, we did it in the way that trade unions do which is the relationships with the companies [and] by having very intense discussions with them.” (GUF A)</p> |
| <i>Consequences of different sources of accountability</i> | <p><i>Freedom to agitate</i></p> <p>“When it comes to the challenges I think the campaign groups are caught in a dilemma and almost want their cake and eat it, so they want to be talking with us at the table but they still want the opportunity to campaign.” (Brand B)</p>   | <p><i>Constrained freedom to agitate</i></p> <p>“Unions are very much more used to sitting at round tables, they’re working on these cases in the framework of a much bigger picture. So if you’re a union that’s talking about workers in a H&amp;M supply chain in Bangladesh you also represent workers in H&amp;M supply chains</p>   |

“In my experience for NGOs a lot of time enough is never enough, whatever you do it’s always criticised and this is there, well, this is their business model, they have to be active, they have to campaign and create attention because otherwise they’re not visible” (Brand A)

in Sweden and in India maybe and in South America.” (NGO B.1)

“We [unions] have to make sure it’s okay and we’re not going to jeopardise any negotiating processes, or we can’t say anything if the union says don’t do that in public against this company, that’s going to totally ruin some agreement that’s being negotiated.” (TUC A)

*Complementarity*

“I’d say my opinion which thus far has been borne out by the evidence, I think, is that it’s far better to have Clean Clothes Campaign being part of it than you know, standing outside the tent chucking stones at it so to speak. And like I say I’ve been very pleased with the way that the relationship has gone ever since from as far as I can see it.” (Brand C)

*Tension*

“They are in this campaign mentality and immediately switch into public action while we from our background are more used to negotiating things [...] If you have a relationship with a company, you have to first try, I believe, to negotiate an agreement before you exert public pressure because that does put a danger on your relationship.” (GUF B)