CHAPTER IV

REVIEW OF RELATED LITERATURE

4.1 INTRODUCTION

The present study is undertaken to study the compliance as social audit in Industry-with special reference to garment industries in Bengaluru city. In this chapter, the researcher has delineated review of studies done related to social audit as compliance and related issues. The studies have been accumulating both from Indian and International scenario.

The review of related literature pertaining to the present investigation was done by the researcher and the same is presented under following headings.

- Social audit and compliance
- Garment industries
- Trade unions
- Environmental management
- Health and safety
- Labour acts and child labour

4.2: Social Audit:

The studies on social audit are summarized below.

Aiyar, Mehta and Samji (2011), authors of the article “A Guide to Conducting Social Audits: Learning from the Experience of Andhra Pradesh” stated that Social Audits are now extensively accepted as an important device to deal with corruption and build up accountability in government service delivery. That took root with the launch of the National Rural Employment Guarantee Act in 2005 (since renamed the Mahatma Gandhi National Rural Employment Guarantee Act or MGNREGA) which authorize the regular conduct of social audits of works certified under MGNREGA in the gram sabha at least once in six months. However, remarkably little is known about the nature and form of social audits in MGNREGA, how they are conducted, the institutional architecture needed for undertaking audits of this scale, and the challenges faced. Paper is an attempt to address this gap. It does so by documenting
the process through which social audits are conducted in the state of Andhra Pradesh. We chose Andhra Pradesh (AP) as a case study since it is the only state government in the country to have formally institutionalized social audits. It thus holds important lessons on ‘how to’ conduct social audits which could be useful for states interested in institutionalizing social audits. This paper draws on AP’s experience to identify key design principles that need to be considered when developing an institutional architecture for executing social audits of this nature.

Hudson, Keasey, and Littler(1996) authors of the article "The future of Compliance in Retail Financial Services" states that if the UK retail financial services sector is to grab the chance which will emerge in the future, it will be necessary to reinstate consumer confidence in the market. This paper argues that this will only be achieved through an essential transformation in the nature of rigid compliance. The roots of the present buyer crisis of assurance are exposed by retracing the recent history of the sector; particular consideration is given to how the sector has responded to the changing political, monetary and regulatory conditions of the post-War period. It is possible to distinguish the sector prior to the 1980s as somewhat anti-competitive and deficient in modernization. Changes during the 1980s led to highly compliments the business conditions, without rigid rules, making it simple and beneficial for the sector to continue to be short term in viewpoint without considering the longer-term consequences for consumer confidence. Not surprisingly, the drive for short-term income led to the exploitation of many consumers and the subsequent scandals have reduced general confidence in the sector and also resulted in a authoritarian repercussion. Demographic changes and an emerging political consensus on a reduction in state welfare provision mean that the future industry setting is potentially very promising. However, if the sector and its constituent organisations do not evolve to regain the trust of consumers and satisfy the demands of their regulators they will face severe competition from outside competitors and an even more aggressive regulatory environment. Many of the organisations in the sector will need a complete renovate in their attitudes to compliance if they are to succeed. Present approaches to developing domestic compliance cultures may not be enough but emerging technology may soon provide a revolutionary new approach.
Rotab Khan and Darrab (2010) in their study on "Development of analytical relation between maintenance, quality and productivity" states that the study displays a wide range of output performance profiles with the planned aim of identifying the technically possible highest productivity result obtained. It has formulated an important logical link, and suggested a few recommendations. The formulated model predicts the best possible productivity result out of maintenance and quality-related practical data of a factory. The analysis enables managers to analyze, compare and identify developmental opportunities in order to enjoy competitive advantages. Factory management needs to find the technically viable point up to which maintenance and quality activity levels of a factory should be selected to achieve highest productivity with a view to fulfill company objectives for higher profitability. This research aims to report the development of an analytical relation between maintenance, quality and productivity.

4.3: Readymade garments:

Hasan (2013) in the study “The Competitiveness of Ready Made Garments Industry of Bangladesh in Post MFA Era: How Does the Industry Behave to Face the Competitive Challenge?” The challenges that initiate from changes in the global trade rule and the relative competitive environment in the global markets are reasons for deep concern for Bangladesh. Because of quota system abolition many of the less efficient suppliers will lose quota rents and market shares as they are compelled to compete with more efficient suppliers among developing countries. Since 1974, Bangladesh was enjoying a quota free access of garments under the Multi- Fibre Arrangement (MFA). But the phase out of the Multi- Fibre Arrangement (MFA) has completed in 2005 under the Uruguay round of GATT (General Agreement for Tariffs and Trade) in 1994. The release of trade in textiles and clothing has created a awful challenge to the Bangladesh Ready Made Garments (RMG) Industry. The phase-out of the MFA, appearance of competitors such as China, India, Vietnam, Turkey, Mexico and African nations have negatively impacted on the fortunes of Bangladesh RMG sector. Dependence on imported raw materials, political instability, unstable economy, high bank interest rates, lack of government incentives, lack of knowledge about international marketing, port problem, poor infrastructure and labour union are some of the internal problems of Bangladesh RMG. This sector is being incredibly
faced with the burden of obligations imposed by the developed countries in the guise of compliance issues. There are two types of views about the future of Bangladesh Ready Made Garments (RMG) Industry after MFA era. The optimistic view emphasized that Bangladesh had held a strong position in the global market due to its plentiful supply of cheap labour. On the other hand the negative view showed that there is no opportunity for Bangladesh to survive in the competition. This paper is prepared in the background of phasing out of the MFA and its impact on the export performance of Bangladesh Ready Made Garments (RMG) industry.

Kalhan (2008) in the study “Permanently temporary workers in the global readymade garment hub of Bengaluru” states that a popular hypothesis about the benefits of globalization is that growth and its assumed replacement helps the masses creep out of poverty. With an intent to test this, a field survey of workers engaged in the production of ready-made garments in Bengaluru, a major centre for international and national manufacturing supply chains, and employing 0.75 million workers, was undertaken. Its purpose was to assess the nature of job tenures, working conditions, employee benefits, family income and expenses on non-food essentials like transportation, health, education, etc. Even though the family sizes appear to be reasonably small, the overall income and expenditure balance is very unstable. Some of the noticeable facts are that the workforce is mainly female (75 per cent) and that the working hours are long, on an average being nine hours/day. Most of the weekly holidays are observed but without any pay. The turnover of workers is also very high.

Roy (2009) in his study “Garments Industry in India - Lessons from Two Clusters” states that Garment industry worldwide is undergoing significant reformation since the final phase out of the Multi fibre Arrangement. The changes are taking place in terms of relocating production sites on the one hand and coping with the new competition on the other. In this context the paper tries to look into the status of garment industries in India and see how the assumed release of constraints in demand both through liberalization in domestic trade policies and by phasing out of multi fibre agreement has impacted upon the growth and size distribution of firms in the sector. The paper focuses on how the responses of individual firms are embedded in the evolving patterns of production organization, labour processes and institutional arrangements related to respective industrial sites.
Saini (2011) author of the article "Implications of non-tariff measures on international business operations: a case of India's textiles and clothing firms", states that the results discloses that the EU and USA-based buyers are more restrictive with significantly higher NTM incidences. The technical barriers, product and production process standards, and conformity appraisal requirement for technical barriers are the widely used NTM categories. The compliance expenditure may vary according to firm size, and an inverse relation is showed by this study. The larger and smaller firms demonstrate important differences in compliance due to their varying resource endowment. Further, the regression results suggest that the US and EU markets and firms' product profile/type are an important determinant of compliance cost.

Boggis (2003) author of the article "On the shopfloor" with clothing workers in the 1990s" undertakes a comparative study of two large UK clothing plants in the 1990s with earlier twentieth century studies of clothing workshops undertaken in the late 1950s by Cunnison & Lupton, and in the late 1970s by Edwards & Scullion. Traditionally the clothing industry is identified with a history of low pay and poor working conditions. Though increasingly subject to global market pressures, research findings from this study clarify workplaces in the 1990s with much in common with the aforesaid historical studies, offering working conditions that leave the clothing worker secluded, individualized and struggling to survive.

Fahian Anisul Huq, Mark Stevenson and Marta Zorzini (2014) authors of the article "Social sustainability in developing country suppliers: An exploratory study in the readymade garments industry of Bangladesh" states that one factor motivating implementation is labour retention – a skilled labour shortage means employees migration to other factories if seller do not progress certain social standards. Barriers to implementation include a misalignment between the requirements of western codes of conduct and the cultural and socio-economic context in Bangladesh. Enablers include a shift from auditing and monitoring to more open discussion and faith between buyers and suppliers. The paper also reveals evidence of mock compliance, e.g. suppliers keeping two sets of timesheets, and of the complexities of social sustainability. For example, while some initiatives are generally positive, removing child labour from RMG industry suppliers has simply diverted it to other, less regulated and more hazardous industries such as construction. The purpose of this is
to investigate why developing country suppliers are adopting socially sustainable practices and how the execution process is both hinder and facilitate.

4.4: Trade Union

Study by Beaumont (1981) on "Trade Union Recognition: The British Experience 1976–80" states that the Employment Act 1980 has repealed Sections 11-16 of the Employment Protection Act 1975, with the result that statutory union recognition provisions no longer exist in Britain. At the present time there are relatively few people who would mourn the passing of these provisions. From the start many employers were unhappy with what they saw as strongly pro-union provisions, while the unions became increasingly disenchanted with the lengthy procedural delays in hearing claims, and ACAS itself was unhappy with a number of court rulings that substantially restricted their discretion in hearing and deciding such claims. As a consequence there are likely to be few persons hoping for, much less calling for, the re-introduction of statutory union recognition provisions, even in a modified form, in the immediate future.

4.5 Discrimination

Jones (2013) “Trans dressing in the workplace" states that the purpose of the article is to study the hurdles faced by transsexuals in the workplace, in particular to analyze whether the applicable anti-discrimination laws in the United Kingdom are effective in preventing harassment of transsexuals in the workplace. Discusses common problems faced by transsexuals at work, including dress codes. There are few UK cases dealing with these issues and the law has so far not been effective at banning biased behaviour towards transsexuals in the workplace. A more helpful approach is necessary.

4.6 Compliance

A study by Aziz (2013) on "Managing corporate risk and achieving internal control through statutory compliance" states that with steady compliance, companies will reap infinite benefits that flow from efficient processes which will improve corporate capabilities, effective management, coordination and the overall organisation's ability to create value and ultimately, in maximising its shareholders' wealth. The objective
of this is to encourage compliance amongst the corporate community and to examine how statutory provisions will assist companies to implement internal control mechanisms and in managing risks, so as to achieve business efficiency.

Haymes, and Kleiner (2001) authors of the article "Federal and state statutory exemptions to At-Will employment" outlines the “At-Will” doctrine. Provides case law examples that have lessened the scope of this principle and charts the developments in this area. Discusses statutory exemption and provides recommendations for management to ensure compliance. Concludes that there is a need for management to implement policies and procedures to be able to show compliance and to ensure that they remain up to date with recent legislation.

4.7: Environmental management

In their study Jørgensen., Jørgensen, Hendriksen, Hirsbak, Thomsen, and Thorsen on "Environmental management in Danish transnational textile product chains" states that Several different environmental practices were identified: some companies were early which got constant plan, and few early and not sustained initiatives; few industries delayed with sustained initiatives, and some late and not sustained initiatives; and finally, some have a carry out without environmental initiatives. Dominating types of initiatives are cleaner technology, environmental management systems and cleaner products. Driving forces are governmental regulation, customer demands, market expectations and protection of corporate brands. Some companies focus on capacity building at the suppliers in developing countries, while other companies seem to focus the complex activities at domestic suppliers. Two new facilitating actors in environmental management in product chains were identified. The purpose of this is to examine environmental responsibility of companies from industrialized countries when they source materials and products in countries with less environmental protection.

Towers, Perry and Chen(2013) authors of the article "Corporate social responsibility in luxury manufacturer supply chains: An exploratory investigation of a Scottish cashmere garment manufacturer“ states that Corporate social responsibility has become an increasingly important part of the luxury garment producer's operation. The luxury brands are now placing additional demands on the cashmere producer to
exhibit compliance with CSR standards which in turn requires the company to adjust its operating procedure and management processes. The current levels of transparency and audit ability of the CSR management method throughout the layers of the business were less sophisticated than currently found in many mid-market garment manufacturers and retailers. Corporate social responsibility (CSR) has become a central part of the sourcing and supply activity in the textile industry. The role of supply chain management is fundamental to CSR implementation as it has become a key customer requirement and business driver. This research seeks to investigate how the luxury sector is addressing these demands through a single in-depth exploratory study of a Scottish based luxury own-brand and branded cashmere garment manufacturer.

Abou-Elela, Nasr, Doma, Ibrahim and Badr (2005) authors of the article "Sustainable wastewater management in an Egyptian industrial city" states that Statistical analysis of the collected data revealed that 119 enterprises were distributed among different industrial sectors. The size of factories according to number of employees is categorized as micro, small and medium. Characterization of industrial wastewater produced from 37 plants indicated that 50 percent thereof do not comply with the Egyptian environmental laws, for industrial wastewater discharge into the public sewage network. In this study, three factories were selected to solve their environmental problems. Treatability studies or pollution prevention approaches for the selected factories were carried out and the recommended solutions were implemented and proved to be cost-effective. The main purpose of this is to provide technical support for industrial firms in a new Egyptian industrial city in order to meet the terms with the National Regulatory Standards for wastewater discharge into the public sewerage network.

Lee and Kim (2009) authors of the article "Current status of CSR in the realm of supply management: the case of the Korean electronics industry" The results of the study show that “environmental” pressures and standards are widely accepted and implemented for supply management in the Korean electronics industry. However, “social” pressures and standards are still not commonly used and there is a lack of implementation in the entire supply chain in the industry. The main reason for adopting CSR standards is to identify risks and problems in the supply chain, and to
avoid or at least reduce the consequences for the final producer. Although most producer in the Korean electronics industry demand certified environmental standards such as ISO 14001 from their suppliers, there is generally a lack of amalgamation of social standards in supplier management or requirements. The purpose of this is two-fold: to survey research on supply management and corporate social responsibility (CSR) reported over the past two decades; and to carry out an empirical study of the current status of supply management and CSR in the Korean electronics industry.

Taplin (2014) author of the article" Who is to blame?: A re-examination of fast fashion after the 2013 factory disaster in Bangladesh" states that by examining the full context of the incident, it becomes apparent that there were systemic issues that effectively encouraged many parties to engage in workplace policies that almost inevitably can lead to accidents or at least labor abuses. Finally, blame is allocate to Western consumers whose voracious craving for “fashionable” goods merely feeds a trade system that was set up to resolve earlier supply chain problems and ended up taking advantage of changing international trade rule. This seeks to examine the various factors responsible for the recent misfortune at a clothing factory in Bangladesh. Rather than focusing on the actual factory holder, it assess the broader structural and institutional factors, plus a particular Western vendor strategy of fast fashion, that together explain the practical predictability of such tragedies.

Ahmed, Montagno and Firenze (1998) authors of the article "Organizational performance and environmental consciousness: an empirical study" states that this investigates the relationship between environmental strategy and company performance using samples from a nationwide survey. The companies were classified into two groups; environmentally conscious and non environmental companies. Environmental companies reported better performance scores and also are more inclined to incorporate various performance improvement strategies and techniques into their operations.

Taylor (2003) author of the article "EDITORIAL: Spinning wheels" states that by integrating ethical conduct into the corporate vision statement and company strategy there should be increased opportunities for smaller enterprises to export and larger enterprises to increase stakeholder interest. The article further reveals that the United Nations has proposed a series of stages for achieving conduct codes that treat
enterprises working with communities in unequal circumstances equally. The author concludes that the wheels are in motion, therefore, for include the interests of all stakeholders.

Zutshi, and Sohal (2003) authors of the article "Stakeholder involvement in the EMS adoption process" summarises the findings of the qualitative part of a large study aimed at exploring the extent of involvement of organisational stakeholders (employees and suppliers) during the environmental management system (EMS) adoption process. Interviews with nine senior/middle managers from Australian manufacturing and service organisations revealed the growing awareness of the impact of their products and processes on the ecological and social environments. Moreover, implementation of an EMS or waste management system (WMS) is accepted as a learning curve by both the organisation and its stakeholders, including its employees. Organisations at the same time are also contemplating the need for certifying their existing EMS against international standards such as ISO 14001 based on the cost-benefits resulting from the certification.

Vinten (1996) author of the article "The objectives of the environmental audit" explores the concept of the environmental audit. Emphasizes its importance as one contribution that attempts to prevent the destruction of the world in which we live. Stresses that it is everyone’s responsibility - that of both individuals and the companies and organizations in which they function. Describes stages of the audit process that have been flourishing in practice.

Bureau of Waste Prevention (1997) in its article “An Evaluation of the Massachusetts Compliance Assurance Demonstration Grant” Major facilities normally included in federal grant requirements plus state-identified facilities, including smaller, less commonly regulated facilities and specific categories of facilities identified by state as being environmentally important (e.g., fuel dispensers). Annually, Massachusetts conducts multimedia inspections at approximately 1,000 industrial facilities; it also inspects 1,000+ asbestos abatement jobs and 200+ solid waste management facilities. To evaluate enforcement and compliance trends in Massachusetts under the Compliance Assurance Demonstration Grants in 1995 and 1996, which provided increased flexibility to Massachusetts DEP to target facilities other than USEPA priority sources (primarily major sources) based on the criteria described in the report.
Key new measures of environmental program outcomes deemed useful by MA include the “outlaw rate” (unpermitted, unregistered, or unlicensed activities at a facility), and the “multimedia hit rate” (violations discovered in more than one medium). In general, MA found the highest enforcement, outlaw, and multimedia hits rates among categories with the greatest degree of targeting flexibility. The overall “outlaws’ rate” in 1996 was 12% of all inspections, four times the rate in 1995. More than one in ten inspections under the flexible targeting approach discovered “outlaw” activity. The average “multimedia hit rate” in 1996 was 40%, meaning that of all enforcement actions issued; two in five cited more than one regulatory program. This was double the rate in 1995. In addition, several specifically targeted sector initiatives such as fuel dispensers, and facilities in unsewered areas, proved to have high actual noncompliance rates. Interspersed throughout the report are charts and graphs presenting supporting numbers and percentages for the classes of facilities addressed in it.

The report shows that the overall enforcement rate in MA rose yearly from 39% in 1994, to 58% in 1996. It describes the reason for this increase as an open question, though the state believes the seeming increase in noncompliance reflects better targeting and improved inspections (e.g., more knowledgeable and experienced inspectors), rather than a bleaker environmental picture. The fact that enforcement rates among facilities that had been visited for several years actually decreased supports this view. To assess the impact of the Facility-Wide Inspection to Reduce the Source of Toxics (FIRST) protocol. The FIRST protocol is a multimedia inspection approach developed by a joint MA DEP-EPA workgroup, under which multimedia inspections are conducted by specially trained single-media inspectors. The inspections begin with a review of facility production processes, allowing the inspectors to assess compliance with requirements from all media programs as well as identify potential pollution prevention opportunities. Clean Air Act (CAA), Clean Water Act (CWA), Resource Conservation and Recovery Act (RCRA), Massachusetts Toxics Use Reduction Act (TURA) and solid waste requirements.

Massachusetts Department of Environmental Protection (1997) in its article “Evaluation of the Environmental Results Program Project” states that the evaluation was intended to provide an indication of how successful full ERP implementation
might be. ERP is a new regulatory reinvention initiative pioneered by the Massachusetts Department of Environmental Protection (DEP). Its goals include improving compliance rates and encouraging pollution prevention by replacing state-required permits for small and medium-sized companies with a whole-facility, performance-based annual compliance certification approach based on uniform performance standards. The ERP certificates must be signed by the highest ranking company officials under penalty of perjury. Steps in the ERP process are: 1) develop performance standards that are sector-specific and easily understood; 2) develop workbooks and conduct workshops to educate the sector on their new performance standards and certification responsibilities; 3) require facilities to certify that they are covered by the program, and to submit annual certifications that performance standards are being met; 4) conduct DEP audits, inspections, and enforcement, and 5) implement a “before” and “after” program evaluation. This report is an evaluation of the original ERP pilot involving 18 facilities. Federal media statutes (Air, Water, RCRA), plus state Toxics Use Reduction Act (TURA). As a metric of ERP success, the evaluation found that the overall compliance rate of participating firms rose from 33% in the spring of 1996, to 78% one year later. For the purpose of this study, the compliance rate was calculated as the number of facilities found with no violations divided by the total number of facilities inspected. It does not consider nature, significance, or number of violations. For future ERP evaluations, DEP will use other evaluation criteria that will compare environmental business practices and consider the significance of environmental problems found. For comparison purpose, a statewide compliance rate of 42% was found by DEP inspectors at industrial facilities over the period from October 1, 1995 to September 30, 1996.

In its article Illinois Environmental Protection Agency (IEPA)(1998) “Annual Environmental Conditions Report – 1997” covers all environmental statutes executed by IEPA. It highlights on one section of the Report explaining the progress in setting Clean Water Act (CWA) goals and assessing performance towards achieving those targets. The 1997 IEPA Annual Environmental Conditions Report, which Illinois committed to prepare as part of its FY 98 Performance Partnership Agreement (PPA) with USEPA, is intended to help focus attention on environmental results. Under this system, environmental goals and indicators are used as a management tool to help program managers achieve expected results. To do this, IEPA search to better
characterize state environmental conditions, relate overall IEPA program goals to specific environmental objectives, document performance, and show prominent environmental quality trends. There were 325 facilities in the original 1995-1996 target group, excess polluant load discharged estimated is .79%, which is decreased to 0.49% in 1996.

Once the critical watersheds were identified, and facilities with significant levels of noncompliant load, IEPA prioritized its efforts to remove the most important environmental pressures from these loads and achieved its stated goal for the initial facilities ahead of schedule. IEPA characterized its initial effort as an effective tool for decreasing excess pollutant loading. Hence, in 1997 there was increases in the target group to 747 facilities, which covered all major dischargers (269) and minor facilities of concern (478) within priority watersheds. Further analysis showed that 99.79% of the excess loading related to conventional pollutants, and 0.21% to priority pollutants.

In its report Florida Department of Environmental Protection(1998), “Secretary’s Quarterly Performance Reports” report (quarterly) on the results of Florida’s performance measurement system, an innovative system consisting of four tiers of performance measures used to evaluate the Department’s progress in fulfilling its mission. The Quarterly Reports are: 1) management tools to judge effectiveness; 2) targeting tools to identify problem areas that need attention; and 3) stakeholder/public accountability tools to demonstrate exactly how, and to what degree, the environment is being protected.

A prime segment of the Tier 2 measures track compliance rates and trends. The target of the compliance rate section is to report statistically valid compliance rates. Compliance is calculated via physical inspections, tests, and reports, and review of annual operating reports. Compliance rates are based on the number of facilities verified found to have no significant violations divided by the total number of facilities inspected. Significant violations are defined to include: (1) illegally exceeding emission limits, discharges, or disposals; (2) lack of required monitoring tools and techniques (3) operating without valid permissions; (4) Inability to handle and maintain required pollution control equipments; and (5) sustained repeat in breaching of rules. Within each inspection cycle, only the first “random” or routine
inspection result for a facility is used to determine compliance within that period. “Targeted” (e.g., complaint-based or follow-up) inspection results are not included, as they would create a bias toward higher noncompliance within the data. With the exception of the Air program whose rate is based on a rolling average of the previous 12 months of inspections, compliance rates are only calculated when 100% of the facility population has been inspected. As the percentage of facilities inspected increases, the resulting compliance results become more representative.

The Tier 2 compliance actions included the following:

- Title V major air source compliance rates
- Drinking water system monitoring compliance rates and trends
- Domestic wastewater facilities monitoring compliance rates
- Pretreatment program compliance rates
- Industrial wastewater facilities monitoring compliance rates
- Petroleum storage tank facility compliance rates
- Underground Injection Control (UIC) facility compliance rates

As the performance system evolves and the databases become facility-linked, DEP expects to add more measures that would assess the performance of minor air sources, small quantity generators, specific sectors, etc. Historically, COMET only gives inspection information as to how many facilities were available or not available for compliance.

Morandi (1998) author of the article “State Environmental Audit Laws and Policies: An Evaluation” in his study revealed that neither an audit privilege and immunity law, nor an audit policy, appeared to influence the level of audit activity by facilities. Majority of the (>75%), 988 facilities surveyed were performing audits. NCSL found no statistically significant difference in auditing rates based on whether the state in which the facility operates has an environmental audit law, an audit policy, or no law or policy. In fact, more services responded that they are doing audits in states with no audit law or policy than in states with an audit privilege and confrontation law. They also looked at whether there had been any raise in pay during auditing among the surveyed facilities over the last four years, when the environmental audit laws began
to be enacted, The number of facilities beginning to conduct audits increased by a few percentage points over that time period, as did the number of audits conducted by all of the facilities surveyed. Again, however, NCSL found no statistically significant difference in the raise in auditing rates over the four year period for amenities based on whether they were located in a state with an audit law, an audit policy, or neither. The majority of company officials surveyed confirmed that the state audit law had no impact on their companies’ audit programs. It also shows that the existence of an audit privilege and immunity law does not appear to influence the discovery of violations by facilities. The majority of facilities surveyed had not disclosed violations that had been discovered during an audit. Whether the facility was located in a state with an audit privilege and immunity law does not appear to have made a difference. Finally, NCSL also found that states generally are unaware of auditing rates. Therefore, they are unable to determine whether their own state laws or policies have impacted their compliance rates.

Gray and Deily (1996) authors of the article “Compliance and Enforcement: Air Pollution Regulation in the U.S. Steel Industry” using 1980-1989 data, the authors assess the association between compliance, examination, and enforcement at integrated steel mills, with an emphasis on the links between enforcement of air pollution regulations and firms’ compliance decisions. The authors also probed to know why certain firm characteristics might affect compliance behaviour. An area of emphasis in the study is the effect of potential plant closings on compliance and inspection decisions in a declining industry which is also a major employer. Analyzing these issues in a declining industry allowed the authors to explore regulators' sensitivity to plants under extreme monetary pressure. They found that enforcement, whether measured as total enforcement actions or inspections alone, increased compliance by incorporated steel mills. Lagged enforcement, in particular, increased compliance at the steel plants. This result was steady with the findings of a prior analysis of OSHA enforcement finding that inspections reduced injuries for up to 3 years. The authors conclude by stressing the significance of evaluating compliance behaviour and enforcement decisions, at both the plant and firm levels, together in order to better understand how they affect each other.
Dasgupta, Hemamela, and Wheeler (1997), authors of the article “What Improves Environmental Performance? Evidence from Mexican Industry” authors adopted new method to examine the consequence of guideline, environmental management policies, and firm characteristics on the environmental performance of Mexican industries to determine why plant-level compliance in developing countries differs extensively. Recent studies in Asia suggest the importance of three aspects: formal regulation, informal regulation and plant and firm characteristics affecting the cost and the incentive to subside.

Nadeau (1997) in his article “EPA Effectiveness at Reducing the Duration of Plant-Level Noncompliance” assess the impact of USEPA enforcement and check activities in reducing the time spent by pulp and paper facilities, already identified by USEPA as being out of compliance with air regulations, in observed, continued non-compliance.

When plants increase production levels and capacity utilization, they appear to pay less attention to meeting environmental requirements as a consequence of focusing on production demands. A 1% increase in a plant's capacity utilization rate leads to a 3.3%-4.15% increase in the expected length of time a plant is out of compliance.

There is an inclination for larger non-compliant plants to spend more time out of compliance; a 10% increase in size is correlated with a 1.76% increase in the length of the period in non-compliance.

The differences between plants using Kraft processes, as opposed to other processes, are very small with respect to length of time spent out of compliance. Kraft plants have shorter average noncompliance, but only at the minuscule 0.49% to 0.69% level firms. While these simplified assumptions may not always imitate actual globe situation, according to the author, they are not critical to his statistical model because the statistical equations were not derived directly from the theoretical assumptions. The assumptions were used rather to provide a rational theoretical framework for the statistical model. Therefore, the author could have developed the same model without the assumptions.

Russo and Fouts (1997) authors of the article “A Resource-Based Perspective on Corporate Environmental Performance and Profitability” states that previous
experimental studies as to whether improved environmental performance results in optimistic fiscal performance for a firm have shown mixed results. Some published reports indicate no relation, while a few have shown that better environmental performance improves productivity. This study tests the hypotheses that: high levels of environmental performance are associated with enhanced profitability; and the greater the industry growth, the greater the positive impact of environmental performance on firm profitability. The analysis found a link between high levels of environmental performance and organizational profitability, as measured by return on assets. Firms with the highest levels of environmental performance were rewarded with bottom-line profitability gains. The study indicated that the relationship is influenced by industry growth, which enhances the positive impact of environmental performance on firm profitability. Based on their study, the authors advise corporate decision makers to regard pollution limits as least amount standards and struggle to go beyond compliance levels because predicting future legislation and consumer mandates positions the pro-active firm for the future.

Resource-based theories of competitive advantage are rooted in the belief that firms acquire competitive advantage by most efficiently utilizing all of their internal resources: substantial, indefinable, and worker-based. The authors suggest that “end-of-pipe” strategies are less effective and profitable because they affect only the physical assets of a company. Once “end-of-pipe” hardware is installed, it does not basically vary production or service release processes, leaving the firm in essentially the same resource and capability situation, and unprepared for future regulatory changes and demands. Therefore, “end-of-pipe” strategies do not provide a competitive advantage. According to the authors, managers of such firms tend to support legislative and political lobbying aimed at slowing down the speed of environmental legislation.

“Beyond compliance” strategies, on the other hand, enable a firm to increase both human resources and organizational capabilities. The prevention mode of environmental management may require systemic changes to existing organizational processes, particularly when prevention is achieved through the redesign of production and delivery systems. The authors suggest that the process of developing a pollution prevention policy enhances organizational commitment and learning, cross-
functional integration, and employee skills and participation, all of which can be characterized as emerging prime resources in the modern competitive environment. “Beyond compliance” strategies also enable firms to develop a reputation for environmental leadership. This quality, which consumers are increasingly seeking in the marketplace, builds consumer loyalty. It also assists in employee recruitment.

The authors cite one survey which showed that 68% of executive respondents agreed that a poor environmental record makes it difficult to recruit and retain high caliber staff.

Afshah, Laplante, and Wheeler (1997) authors in their of the article “Regulation in the Information Age: Indonesian Public Information Program for Environmental Management” present an argument that, in the new information age, regulation should change from strictly setting rules and imposing standards of behavior, to collecting and distribute appropriate information and controlling the power of communities and markets to persuade environmental improvement. The achievement of the Indonesian PROPER PROKASIH program is used to demonstrate the broader potential of such a program. Regulation of water pollution was initiated in 1991 with a Ministerial Decree on discharge standards. Regulation of air pollution and hazardous wastes was instituted in the mid1990’s. BAPEDAL selected 187 firms for participation in PROPER, its program to assess how public disclosure of environmental performance could induce plants to improve compliance. The goal was to use the power of public pressure to supplement the agency’s limited enforcement capacities in order to increase rates of compliance.

BAPEDAL chose the following rating system, one which could be readily understood by the public, as an indicator of a firm’s environmental performance:

- Black -- non-compliance with regulatory water pollution limits, with no effort to achieve compliance.

- Red -- non-compliance with regulatory water pollution limits, with some effort to achieve compliance.

- Blue -- actions sufficient to achieve the standard, but no accomplishments beyond compliance.
• Green -- pollution level significantly lower than the discharge standards, and polluter also properly disposes of sludge, keeps good records, and maintains its waste water treatment system.

• Gold -- facility meets all requirements of a Green rating, plus achieves similar levels of pollution control for air and hazardous waste.

The reaction of many companies in the first disclosure of ratings indicated some companies were sensitive to public perceptions, and could be encouraged, both by public pressure and recognition, to improve environmental performance. In June 1995, the Ministry evaluated the 187 facilities as follows: Gold - 0; Green - 5; Blue - 61; Red - 115; Black - 6. The Red and Black factories were confidentially notified of their rating, and were given until December 1995 to get better, at which time their ratings would be publicly disclosed. By December, 1995, there was a 6% decrease in the number of Red facilities (from 115 to 108), and a 50% decrease in the number of Black facilities (from 6 to 3). There was a subsequent 18% increase in Blue facilities. Improvements in plant performances generally continued over the following nine months. When information was next released in September 1996, 34 factories progressed to a Blue or Green rating, an increase of 29%. The number of Black facilities remained approximately the same (according to the authors, as the program continued, a number of plants were added; also, some plants graduated from the Black category, while other new firms with Black ratings replaced original firms who had improved their Black ratings). There is unreliable confirmation that at least one of the poorly rated facilities took action to improve to a Blue rating because of its plans to begin publicly trading its stock, and its concern about the potentially pessimistic impact that a poor rating could have on its offering.

In some instances, this rating system was the mechanism by which factory owners first became aware of the environmental performance of their factory. The program also had the effect of educating factory employees about environmental regulations and the status of their company.

Woodward-Clyde International Americas (1997) in its report “Colorado Compliance Study ‘evaluate Colorado’s (CO) air compliance program’ provides proposal to create a more efficient air compliance and enforcement effort. Evaluation focused on
the Air Pollution Control Division (APCD), Stationary Sources Program, and Field Services Unit. Objectives: (1) to increase a comparative data base in order to evaluate CO’s program and compare it to other state and local air compliance programs; (2) to survey existing programs and literature to identify and evaluate innovative compliance strategies.

The main view of the compliance officers interviewed for the study was that field inspections remain the most effective and reliable tool for determining compliance with most types of air requirements. These compliance plans include a working and protection of plan for all controlled tools and practices, and a planned record keeping format for demonstrating compliance on an ongoing basis. An additional activity which enhances compliance includes facility self-certifications, and audits and inducement for voluntary disclosure.

### Examples of State and Local Compliance Strategies Described in the Study

<table>
<thead>
<tr>
<th>State</th>
<th>Compliance Strategies</th>
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<tr>
<td>Kansas</td>
<td>Requires source-specific inspection forms, which provide guidance to inspectors as to applicable requirements and permit limits. Multiple facilities owned by the same company can receive reduced inspections if the first few facilities inspected are in full compliance.</td>
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<td>Minnesota</td>
<td>Targets inspections using referrals from its Records Review Unit based on CEM and continuous opacity monitoring data.</td>
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<tr>
<td>Indiana</td>
<td>Uses “new permit” inspections to instruct facilities on how to self-certify.</td>
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<tr>
<td>Minnesota &amp; SCAQMD</td>
<td>Require sources to self-certify their CEM equipment, reducing labor-intensive inspector time.</td>
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<tr>
<td>Several States</td>
<td>Precede C&amp;E inspections with so-called “white hat” (i.e., practice) inspections which provide compliance assistance.</td>
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Southwest District action team (1996) in its article “Southwest Environmental Action Team: Helping Ohio’s Generators (SWEATHOGS): A Case Study for a Self-Directed Work Team” measure RCRA compliance rates in Greene County, Ohio; find out common characteristics of non-compliant generators; decide what compliance assistance methods work best, and why. 91% of the inspected facilities were in compliance with dangerous waste rules and regulations. 82% of facilities had changed
their generator status, compared with how they were listed on the Ohio Hazardous Waste Generator Identification list for Greene County. The breakdown of the 82% follows: 35% of the generators who previously appeared on the Generator Identification list as either LQGs or SQGs had become CESQGs, due either to decreased generation of hazardous waste or to an incorrect original designation. 17% were found to be no longer generating any hazardous waste at all. Some were found to have gone out of business. 13% had either moved or increased their waste generation to the extent that they had moved into a higher-volume generator category, (e.g., from SQG to LQG).

9% of facilities were found to be out of compliance. These were largely manufacturers, drycleaners, and auto body repair shops. Within the inspected group of facilities, 9 of the 24 companies (37.5%) with a dedicated “environmental compliance person” had violations, but only 6 of the 88 companies (6.8%) that did not have compliance people had violations. These results, mentioned in a separate cover letter associated the SWEATHOGS report, suggest that one cannot assume a RCRA generator is more likely to be in compliance simply because it has a dedicated environmental compliance person on site.

62% of non-inspected survey respondents reported that they did not know who to call for help regarding RCRA regulations. The most often cited useful compliance tools were reading materials, and training. 50% of inspected survey respondents indicated that they understood what was expected of them prior to their inspections. All indicated that they understood what was expected of them after the inspections. The inspected respondents confirmed that self-auditig checklists and phone contact lists would be helpful to them in their compliance efforts.

As a result of having conducted the SWEATHOGS project, the productivity of the inspectors and compliance assistance providers was described as having risen by 270%. They also reported increased job interest and better communication.

Krahn (1998) author of the article “Enforcement vs. Voluntary Compliance: An Examination of the Strategic Enforcement Initiatives Implemented by the Pacific and Yukon Regional Office of Environment Canada 1983-1998” analyze the effectiveness of Environment Canada’s voluntary compliance and enforcement methodologies, and
to evaluate how best to modify current practices to increase enforcement efficiency for other industry sectors.

On the basis of the three case studies and a review of the reduction levels achieved by facilities in an additional sixteen industrial sectors, Krahn concludes that the fundamental factor inducing compliance with best management practices or standards is strong enforcement. He describes a pattern of improvement in levels of environmental performance and compliance correlating, first, with the change from voluntary to mandatory standards, and second, with increasingly stringent levels of enforcement:

- After promulgating best management practices for an industry, while inspectors are still being trained for the new program, the “most progressive” members in the target industry group exhibit a high degree of co-operation. Typically, 10%-15% of the facilities will be in a reasonable state of compliance during this phase.

- Once regular inspections begin and warning letters are issued to managers of facilities in violation, 80% to 90% of the facilities normally reach a high level of compliance. Facilities comply because the letters place significant liability on corporate directors, and the result is substantial administrative pressure to resolve the issues.

- Once enforcement has been initiated, some facilities with significant negative environmental impacts will make efforts to comply.

Since enforcement is the critical factor in achieving best management practices at a facility, the failure of voluntary programs -- as in the case study of the heavy duty treated wood industry -- should be anticipated.

During a period of voluntary implementation of a code of practice, only “negligible improvements” in toxic discharges occurred within the antisapstain wood preservation industry. Over a six year period, even after Environment Canada released information on significant discharges by the industry, the voluntary program did not result in meaningful operational changes. In a review of regulations affecting 19 industry sectors, those industries which relied on self-monitoring or voluntary compliance programs averaged only a 60% implementation rate for best management practices. By contrast, industries which had to comply with a regulation and which were
subjected to federal (or combined federal/provincial) inspections and/or sustained enforcement initiatives averaged 94% compliance rates. Discharges of harmful substances by these industries frequently decreased by over 90% from the pre-enforcement periods.

He also determined that approximately 1/2% to 5% of the facilities in any industry group will normally wait for enforcement or prosecution prior to attempting to comply. Of these facilities, 1/2% to 1% will normally be penalized through an enforcement action. Overall, the benefit of a comprehensive compliance promotion and enforcement program was determined to be an approximately 30% improvement in compliance with best management practices.

World Business Council for Sustainable Development (1998) in its article “Environmental Performance and Shareholder Value” examines the relationship between environmental and financial performance, and to provide practical guidance and information to equity investors by explaining the links between ecological and economic efficiency (“eco-efficiency”).

The WBCSD study finds that companies can improve their bottom line by, among other things:
1. integrating environmental drivers into their overall business strategy;
2. paying close attention to how consumers value environmental product qualities;
3. subjecting environmental investment proposals to the same appraisal process as any other investment proposal to promote sound environmental investments;
4. increasing energy efficiency per unit produced;
5. reducing negative impacts (emissions, discharges, wastes) on eco-systems;
6. recycling ‘waste’ material; and
7. reducing the cost of credit to entities with clean environmental records.

For instance, case study details given by Dow Chemical touted how, over the past 10 years, Dow achieved average returns of 55% from voluntary, as opposed to compliance-driven, environmental and safety investments. A major vehicle for this success was Dow’s “Waste Reduction Always Pays” program, described in the study helped in countless cost-effective projects. One of the projects involved process changes in oxide derivatives plants, resulting in an 88% reduction in incinerated
wastes, a 98% improvement in yield, and annual cost savings of over $600,000 in raw material and incineration costs.

The public’s perception of a firm’s eco-friendliness can give a major enticement for firms to progress their environmental performance. This is illustrated by an example supplied by Sony, demonstrating the relationship between environmental performance and market share. A Dutch consumer magazine gave a popular Sony television model a “reasonable,” as opposed to a “best buy,” rating because of environmental factors. Thereafter, the market share for the Sony model in the Netherlands dropped by 12%, while the two brands which received a good rating enhanced their respective market shares by 57% and 100%. Additional findings show that consumers ranked environmental concerns before innovation as a factor influencing corporate image.

Cohen (1998), author of the article “Monitoring and Enforcement of Environmental Policy” states that the compliance and enforcement literature summarized in this report includes public and private mechanisms for compelling firms and individuals to comply with formal environmental regulations, including informal rules of conduct and social norms. These companies and individuals are situated in business sectors throughout the economy and are subject to virtually all environmental laws. It reviews compliance and enforcement literature addressing why firms comply with environmental requirements; the effect of government sanctions, economics, and social factors on compliance decisions; how to maximize the utility and deterrence of inspections, enforcement actions, and other compliance tools (including market forces and publicity/information); and other similar issues. It begins by addressing the fundamental question of why firms comply with environmental laws. Next, it considers various economic theories of government behaviour and how the theories have been used to explain observed enforcement behaviour. The report then reviews normative theories of optimal penalties as they relate to environmental regulation, including recent studies examining complexities associated with sanctioning both organizations and their employees. It concludes by describing the most critical gaps in our knowledge of these areas and offers suggestions for future research.

Tietenberg, and David (1998) authors of the article, “Empowering the Community: Information Strategies for Pollution Control” states that The report addresses environmental disclosure strategies throughout the world that involve public or
private attempts to increase the availability of pollution information to workers, consumers, shareholders, and the public as an environmental management strategy. The programs apply to a wide array of corporations and individuals. They indicate that disclosure strategies involving public or private attempts to increase the availability of information on pollution represent the “third wave” of pollution control policy after legal regulation and market-based instruments. In their study, they study pollution caused by production and consumption of products in four settings: households, consumers, workplaces, and communities. They also identify four key functions to implementing a disclosure strategy: detecting environmental risk; assuring reliable information; disseminating the information; and acting on the information. To find out whether and when such strategies are effective, the authors analyze innovative environmental information disclosure strategies in the counties like United States of America, Latin America, and Asia such as occupational hazard communication, toxics release information/community-right-to-know, and voluntary and required naming.

Disclosure strategies are effective, but the form of disclosure is crucial. Revealing overall performance seems to encourage pollution abatement, but focusing only on some pollutants may simply promote substitution of undisclosed forms of pollution.

- Voluntary information disclosure programs tend to attract the largest firms with the greatest emissions. There is no evidence, however, to suggest that these firms “free ride” on prior emissions reductions, or participate to divert attention from poor compliance with mandatory rules.

- For one class of polluters, public facilities, combining disclosure with empowering private enforcers has apparently been more effective in curtailing pollution than traditional public enforcement.

- Large reduction in stock market value seem to motivate firms to improve their environmental performance. Public announcements seem to affect firms’ stock market evaluations, but the effects are lower for known polluters. Differing results from Canadian and United states programs suggest that it is the predominant enforcement culture which may determine whether it is the initiation of the action, or the announcement of a final settlement, that has the greatest impact on the firms’ market value.
The available “green pricing” information indicative of some consumers are willing to pay more prices for products with lower environment effect even when they are not directly affected by the resulting pollution.

Americus (1984) author of the article "Coatings update: pollution, toxicity, regulation, and the paint industry, Part 1" there is no question that the consumer is better protected from chemical hazards of all sorts than he was ten years ago. The question of the importance of this better protection, however, is extensively debated. There is strong evidence that the chemical industry, of which the coatings industry is an important part, contributed very little to actual mortality, at least from a statistical point of view. The problems, where they existed, were regional problems which, to be sure, brought discomfort and oft-times far more to a small segment of the population. But these had only slight affect on accident and death rates statistically. It goes without saying that workers should not be allowed to go into vinyl chloride tanks to clean them since it is well-established that this practice may lead to angiosarcoma and ultimately to death. Certainly asbestos should be removed from air and water and workers should not be exposed to it. These are obvious areas where alertness to pollution and toxicity will effect changes for the good. But the nagging question is: How much can we afford in order to regulate hazards out of existence, particularly in cases considerably less clear-cut than the two just cited? And if we really want to effect a statistical improvement in death rates, why do we not work harder to eliminate the use of tobacco? To say that the situation is complex is only to repeat a truism.

Sindhi and Kumar (2012) authors of the article "Corporate environmental responsibility – transitional and evolving" tries to put forward typology of factors for corporate environmental responsibility for easy comprehension and to propose a conceptual framework taking into account factors, barriers and benefits of corporate environmental responsibility. The article suggests how corporate environmentalism is evolving in a developing country context.

Markell’s (2006) book reviews a framework for assessing citizen satisfaction with decision making processes and applies the framework to assess the commission for environmental cooperation’s citizen submissions process. This process empowers citizens to file complaints claiming that a country failed to effectively enforced.
4.8: Health and Safety

Barnes and Kozar (2008), authors of the article "The exploitation of pregnant workers in apparel production" a gist of the literature shows that although all 4 nations have established labor laws to protect workers, pregnant women continually face abuse and discrimination in the garment industry. Many forms of exploitation/violence occur, including forced abortions, unpaid and/or required overtime, lack of required benefits, unfair hiring and promotion practices, and forced job assignments requiring intense physical labor which proves dangerous to the health and well-being of the worker and child in the uterus.

Carby-Hall (1989) author of the article "Health, Safety and Welfare at Work" states that one of the common law duties owed by the employer is his duty to take adequate care for the safety of his employee. This common law duty is an implied term in the contract of employment and is therefore contractual in nature. Because of the difficulties which may arise in bringing an action in contract for breach of the employer's duty of care, the employee who has sustained injuries during the course of his employment.

Pence et al (2003) authors of the article "And all who jumped died: the Triangle Shirtwaist factory fire" states that the Triangle Shirtwaist factory fire in New York City in 1911 was the veritable genesis of laws safeguarding workers. The events of the 18-minute fire which ended up in 146 deaths of young, immigrant garment workers are summarized, as are the factory owners’ responses to the fire, along with the rationalizations they used to defend their lethal actions, which included moral justification, accusing the accuser, blaming the victim, advantageous comparison, responsibility displacement, responsibility diffusion, dehumanization, and blame attribution. Reviews workplace reforms initiated as a direct result of this fire and discusses why such historical disasters are not happening to re-occur if three simple lessons are noticed, first, it is unfortunate that it has required major trauma or carnage to awaken the public to the realities of existing dangers; secondly, mere compliance with existing statutes is often insufficient for protecting workers; and lastly, organizations which fail to self-monitor will often be subjected to external control and regulation.
Perry (2012) author of the article, "Exploring the influence of national cultural context on CSR implementation" states that connecting the local cultural context can support and progress CSR implementation at the factory level: in Sri Lanka, the Buddhist philosophy provided the moral underpinning and hence facilitated supplier engagement with CSR implementation. The existence of governmental support reduces the likelihood of CSR transgressions by adding an additional level of accountability for suppliers. Furthermore, the level of socioeconomic development also affects CSR implementation, as managerial competency increases with higher education levels. Study determines how national cultural context may be harnessed to support corporate social responsibility (CSR) implementation when sourcing fashion garments from developing country manufacturers.

Firoz, and Ammaturo (2002) authors of the article "Sweatshop Labour Practices: The Bottom Line to Bring Change to the New Millennium Case of the Apparel Industry" reviews the overall issue of sweatshop labour practices, with a particular focus on the apparel industry. Although, sweatshop labour exists in the United States, the media focus in recent years has centered mainly on overseas manufacture. The study reviews individual companies and the practices of which they have been accused. The issue of labour compensation will also be explored, as low wages is the main reason for many apparel manufacturers to source their production overseas.

Adhikari, Hirasawa, Takakubo, and Pandey (2012) authors of the article "Decent work and work life quality in Nepal: an observation" states that currently, although the country has been successful in reducing the number of people under the poverty line, there are challenges in meeting the DW goals. In the case of QWL, since there is rising dissatisfaction among employers and employees in the present economic and political circumstances, they are interested in short-term benefits.

Adhikari (2012) author of the article "Status of corporate social responsibility in selected Nepalese companies" states that the cases presented in the paper show a low intensity of CSR in Nepal. Both government and employers are somehow not serious in implementing labor laws. At the company level, employees' awareness of CSR can bring a positive attitude towards the company. This aims to examine the status of corporate social responsibility (CSR) in Nepalese companies.
Barrett, Brown and James (1983) author of the article "Achieving Health and Safety at Work: The Problems of Evaluating Management Effectiveness", investigates the implementation by companies of certain new provisions of the Health and Safety at Work Act, 1974. These provisions are contained in Section 2 of the Act and require employers, inter alia, to inform and train their employees in safety matters and to consult on these matters with work-place safety representatives appointed in pursuance of the Act.

Walsh (1974) author of the article "Planning for safety" states that Accident prevention and the avoidance of occupational ill health are important from the legal, humanitarian, social and business efficiency aspects. If genuine concern for people is the prime motivator then, armed with the knowledge contained in this article, any company can establish a good safety record.

Roberts (1991) author of the article "The Food Safety Act: A Question of Resources" states that the position, with respect to resources, of the Food Safety Act is highlighted insofar as it relates to the statutory defences: extended powers for enforcement officers; statutory codes of practice; the European dimension. Local authorities are no longer masters of their own destinies but, for some, carrying out the new statutory duties may be at the expense of other statutory duties.

Fairbrother (1996) author of the article "Organize and survive: unions and health and safety - a case study of an engineering unionized workforce" states that the question of health and safety at work is a central issue for trade unions. In Britain it is an area of concern where there were important legislative initiatives in the 1970s and 1980s, although surprisingly this has received relatively little attention in the debates about trade unionism. This neglect results in an aspect of union activity about which little is known. Explores through a detailed longitudinal study of a middle-range engineering firm, from the late 1970s into the 1990s, the ways in which trade unions organize and act on health and safety questions. Argues that it is almost “routine” that workers face dangers and hazards at work, a central feature of the work and employment experience of most workers. However, this is often difficult to deal with as individual issues, or as matters which are subject to collective consideration. On the one hand, workers often appear to accept the dangers and hazards they face. On the other hand, managements are preoccupied with questions relating to production and finance,
rather than the day-to-day problems faced by workers. This tension suggests that the future wellbeing of workers in unionized workplaces lies not so much with legislative provisions and rights at work, but in education and the organizing ability of workplace unions, raising and addressing what often seem like individualistic problems in collective ways.

4.9: Labour acts and child labour

Zutshi, Creed, and Sohal (2009) authors of the article "Child labour and supply chain: profitability or (mis)management" states that Child labour is one of a number of areas of concern in global supply chains. Continued exploitation of child labour indicates an imbalanced state and consequently forces can be unleashed through standardization, collaboration and communication amongst all stakeholders to ensure protection of the vulnerable. This paper is part of the broader analysis informing incremental changes to supply chain management to preserve the rights and welfare of children in the present and future generations. The purpose of this is to provide a realistic assessment, with an historical perspective, of the current practises and progress made by organisations towards elimination of child labour in global supply chains.

Toh and Quinlan (2009) authors of the article "Safeguarding the global contingent workforce? Guestworkers in Australia" states that foreign temporary workers can face significant difficulty in accessing their OHS rights and entitlements. This represents a challenge for government as well as unions and human resource professionals trying to manage workforce diversity. The purpose of this is to examine occupational health and safety (OHS) and workers' compensation legal entitlements and policy issues raised by the use of foreign temporary workers under the 457 visa scheme in Australia.

Davenport and Low(2012) authors of the article "The labour behind the (Fair Trade) label" states that hidden behind the three dominant archetypes used to promote fair trade is a relationship between fair trade “producers” (small farmer, craft enterprise and plantations) and permanent and temporary/casual labourers. The trickle-down of fair trade benefits to these workers is uneven at best and falls far short of the expectation of empowerment of all “producers” that fair trade promises. This critically examines the marketing of fair trade, arguing that the use of the term
producer conflates a number of categories of actors, not all of whom benefit equally. The authors contend that the two existing archetypes – the noble peasant farmer and the independent artisan – and the emerging archetype of the “empowered decision maker” serve to obscure and mask complex labour relationships.

Byrne (1983) author of the article "Women and Mining — Policies for Opening Up Blue Collar Work" states on one occupational area—mining—and suggests some implications of the available evidence of women's entry to this male bastion of work and power in society. Two key areas are: the need to enforce national standards in the labour market to remove discrimination against admitting women to “male” occupations and the development of positive-discriminatory training for women currently under-represented in or barred from a male-dominated employment sector.