Not from the editor: [social responsibility and liability]

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Published in:
CLR News

Citation for published version (APA):

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Social Responsibility and liability
Equal treatment and the protection of workers’ rights have always been leading principles of the trade union movement. The development of what the ILO calls non-standard employment relations has created new challenges in this field for the trade unions and for progressive politicians. In recent years improvement of the position of temporary agency workers has become one of these challenges. In several countries the approved method of collective bargaining has been introduced in the temp sector and this has lead to a “normalisation” of the industrial relations in a sector that till recently had no “workers’ voice“. Most recently our Swiss colleagues concluded their first collective agreement for the temp sector. And now there is positive news from the European front. In October the European Parliament concluded the second reading of the Temporary Agency Workers’ Directive. The aim of the Directive is the equal treatment of temporary agency workers. Compliance with working conditions on the workplace has to be guaranteed and exemption to this principle is only acceptable if it is based on collective bargaining. So there is work to do.

Liability in the case of subcontracting in the construction industry: a preliminary exploration of the question was the title of a contribution that I wrote for CLR-News in 1998. It was a short report of a first investigation with regard to the theme of social responsibility in a production chain. In the meantime this item has come back under different names and in different forms: soft law on corporate social responsibility, codes of conducts and legal instruments like joint and several liability. In this issue of CLR-News Karin van den Brand reports on the latest outcome of a study commissioned by the Dublin Foundation. The result is a basic inventory of legal practices in this area in the EU and the European Parliament has picked up the recommendations for an initiative of its own. But we start this issue of CLR-News with a unique case that was delivered by Peter M Lawther. His paper considers the vulnerability and exploitation of migrant labour as experienced on the Maldives recovery project, lead by the British Red Cross Society. The BRCS Maldives response to this situation is outlined, together with the capacity of the BRCS to demonstrate social responsibility and to provide leadership to tackle such issues. His example demonstrates the importance of contract compliance and respect for workers rights, a basic
element in the fight against bogus agencies and plain exploitation. Circumvention of labour standards is not only an act of social injustice; it can also lead to distortion of competition and to an erosion of well-established industrial relations. Social responsibility is a value that has to be promoted, in the EU and at the global level, with soft law and with enforceable legal instruments. From this perspective George Fuller reports on the promotion of labour rights on the Olympic sites in London. Our first review in this issue, on how to make corporations accountable, fits in well with this perspective.

The other contributions have at first glance no common denominator. However, the review on self-employment adds to earlier publications and to the debate about the impact of non-standard employment relations. The reviews of Krugman’s work and of the Low wage report for Denmark can also be seen as rounding off earlier writings in CLR News. We have received a lot of positive feedback in recent months and we are waiting for your contributions.