

NAALC Labor Rights Dispute Resolution Dataset, 1994-2013

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This is original data, coded from *Public Submissions* (or, *Public Communications*) and *Public Reports of Review* for each case.

Public Submissions (*Public Communications*) are the petitions filed by interested parties to a National Administration Office (NAO) established by NAFTA to manage the labor dispute panel process of the North American Agreement on Labor Cooperation (NAALC).

Public Reports of Review are reports of the findings of investigations undertaken by NAOs into labor rights violations for each petition received and reviewed. The full listing of cases, including information about cases that were submitted to an NAO but not formally reviewed, is available from the US NAO, at <http://www.dol.gov/ilab/trade/agreements/naalc.htm> (accessed February 11, 2015.).

Data includes all cases filed at any NAO from 1994, the first year NAFTA is implemented, through October 12, 2013.

number of cases in dataset: 42

number of variables: 30

CODING METHODOLOGY:

The unit of analysis for the data in this study is a petition filed at an NAO in the United States, Mexico, or Canada. From 1994 to 2013, 42 petitions were filed; in 4 cases, submissions were filed simultaneously in 2 NAO offices for concurrent reviews. Petitions filed at separate NAOs are considered separate cases in the data. Cases in which secondary issues were added in a later submission are also included here as separate cases.

Every petition that has been submitted to the NAALC is represented in the data.

If cases are still under review, they are coded through to the last completed stage:

a) cases appear in the data if *submitted* to any NAO

b) if not yet *accepted/rejected* for formal review, subsequent codes for the second stage Accept and third stage Resolution are missing data (.)

c) if case *accepted/rejected* and not yet reviewed by an NAO, code is missing (.) for resolution

d) if case is withdrawn (including Canadian provincial cases) code is: missing (.) for any stages occurring *after* the withdrawal

Notes on specific cases:

a) **North Carolina II** (CAN 2008-1) is a case that was described as "missing" by Buchanan and Chaparro (2008)¹ as a result of the reorganization of the US NAO in 2006-2008. Contact with the main filing groups, the United Electrical, Radio and Machine Workers of America and the Canadian Association of Labour Lawyers (CALL) provided some information about the characteristics of the case as listed here, but the *Public Communication* is not available to the public. This case is coded where possible using information gathered through author interviews with CALL in 2010.

b) **SEIU Alabama HB 56** (MEX2012) is pending the decision to accept for review or not with the Mexican NAO as of 13 October, 2013.

c) no cases were filed in the years 2002, 2007, 2009 or 2013

Coding routine:

Each of the following variables was coded by reading the *Public Submission* and *Public Report of Review* for each case, following coding rules as below to convert text to quantitative measures.

Where multiple instances of events or acts were mentioned, but without specific numbers reported, the following proxies were used:

- (2) basic plural number taken from context
- (12) "a dozen"
- (24) "dozens"
- (5) "repeated/ repeatedly"
- (10) "several," or "many," or "a number of"
- (200) "several hundred," or "hundreds"
- (2000) "several thousand," or "thousands"

¹ Buchanan, Ruth, and Rusby Chaparro. 2008. "International Institutions and Transnational Advocacy: The Case of the North American Agreement on Labor Cooperation." *UCLA Journal of International Law and Foreign Affairs* 13(129): 129–59.

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Additional information on coding is available in Nolan Garcia, Kimberly A. 2011.

“Transnational Actors and Labor Rights Enforcement in the North American Free Trade Agreement,” *Latin American Politics and Society* 53:2, pp 29-60.