

NAALC Labor Rights Dispute Resolution Dataset, 1994-2013

LIBRO DE CÓDIGOS / CODE BOOK

Name = Unofficial name of case at US NAO

Coded from USNAO website of case submissions:

<http://www.dol.gov/ilab/trade/agreements/naalc.htm>, accessed February 11, 2015

Year = Year petition filed at any NAO

Unionsol = Unions sponsor cases without other types of groups

(0) Unions accompanied by non-union groups

(1) Unions alone listed as sponsors

Coding derived from listing of case sponsors on page one of Public Submissions

Union = Union included as a listed sponsor of petition

(0) No labor union was included

(1) Any labor union was included

Coding derived from listing of case sponsors on page one of Public Submissions

Casenum = Official case number

Composite of code for country where case was filed followed by year filed followed by number of cases filed that year

Example: US200104 means 4th case filed in 2001 at US NAO

Transnat = Cases were coded as transnational when either of two conditions held: One condition was that petitions were co-sponsored by groups that, while based in one country, had an organizational presence, such as a field office or staff, in another country. This rule categorized as transnational those cases in which, for instance, petition sponsors were nongovernmental organizations based in Canada, but had programs in Mexico, along with petitions sponsored by groups that had an international presence, such as Human Rights Watch.

The second condition was that petition sponsors had formed an organizational linkage with another group in a different country, even if both groups were nominally based in a single country themselves. One example would be a petition jointly sponsored by a group based only in Mexico and a group based only in Canada.

Cases were coded as national cases where neither of these conditions held, as when sponsors were based wholly in the United States, Canada, or Mexico, or when sponsors did not demonstrate organizational ties to groups in another country.

Coding of case sponsors derived from sponsor list on page one of Public Submissions

(0) Petition is filed by national groups

(1) Petition is filed by transnational groups

Accept = NAO decision on whether to accept a case for formal review

(0) Case declined for review by NAO

(1) Case accepted for review by NAO

(.) Missing

Res = The resolution of the case, as listed in USNAO website of case submissions.

(0) Case declined review

- (1) Ministerial Consultations
- (2) Ministerial Consultations that mandated outreach programs as part of resolution
- (3) Ministerial Consultations with mandated changes to policy and/or practices in targeted state as part of Joint Declarations signed after Consultations
- (4) Redress of violation of *collective labor rights* specific to case as part of resolution
Examples: union reinstated, or, new union elections held, or reversal of previous labor board rulings
- (5) Redress of violation specific to *individual labor rights* listed in case as part of resolution
Examples: workers rehired after union motivated firings, or, workers paid back pay or severance or overtime
- (6) Punitive action mandated as part of resolution
Examples: fines levied against state trade sanctions
- (.) Missing

The resolution of the case, as listed in USNAO website of case submissions:
<http://www.dol.gov/ilab/trade/agreements/naalc.htm>, last accessed February 11, 2015

Doubles = Case filed twice in two NAOs

- (0) Case was not double filed
- (1) Case was filed twice

FOA = Violations of freedom of association, or the right to bargain collectively, or the right to strike appear in lists of violations of NAALC principles in text of *Public Submission*

- (0) Petition does not allege violation
- (1) Petition alleges violation

HS = Violations of health and safety standards appear in lists of violations of NAALC principles in text of *Public Submission*

- (0) Petition does not allege violation
- (1) Petition alleges violation

Migrants = Violation of labor rights of migrant workers appear in lists of violations of NAALC principles in text of *Public Submission*

- (0) Petition does not allege violation
- (1) Petition alleges violation

Child = Use of child labor appears in lists of violations of NAALC principles in text of *Public Submission*

- (0) Petition does not allege violation
- (1) Petition alleges violation

Mnstd = Minimum standards of employment, or wages, or working hours violations appear in lists of violations of NAALC principles in text of *Public Submission*

- (0) Petition does not allege violation
- (1) Petition alleges violation

CAB = Impartial treatment by labor arbitration boards appear in lists of violations of NAALC principles in text of *Public Submission*

- (0) Petition does not allege violation

(1) Petition alleges violation

Discrim = Instances of discrimination at work appear in lists of violations of NAALC principles in text of *Public Submission*

(0) Petition does not allege violation

(1) Petition alleges violation

Strike = Interference in the right to strike appears in lists of violations of NAALC principles in *Public Submission*

(0) Petition does not allege violation

(1) Petition alleges violation

Wages = Irregularities in the payment of wages appear in lists of violations of NAALC principles in text of *Public Submission*

(0) Petition does not allege violation

(1) Petition alleges violation

Wcomp = Irregularities in the provision of workers' compensation appear in lists of violations of NAALC principles in text of *Public Submission*

(0) Petition does not allege violation

(1) Petition alleges violation

Numspon = Number of groups sponsoring case

Coding derived from listing of case sponsors on page one of text of *Public Submission*

Testimon = Petition includes testimony by workers in any form

(0) Petition does not include testimony

(1) Petition includes testimony

(.) Missing

Mexcase = Case filed against Mexico

(0) Case filed against other state

(1) Case filed against Mexico

UScase = United States case

(0) Case filed against other state

(1) Case filed against US

Cancase = Case filed against Canada

(0) Case filed against other state

(1) Case filed against Canada

Sector = Industrial sector of firm listed in complaint

Maquila = Firm involved in petition is a maquiladora/ in-bond assembly plant

(0) Not a maquiladora

(1) Maquiladora

Numviole = Number of violent acts against workers and/ or union leaders listed in petition

(.) Missing

Count variable: coded as sum of individual acts of violence committed against individual workers and/ or union leaders, with each act coded as one act multiple mentions follow estimations as above

Dumviole = Petition includes mentions of any act of violence against workers and/ or union leaders

- (0) Petition does not include mentions of violence
- (1) Petition includes mentions of violence
- (.) Missing

Numprin = Number of total labor principles listed as violated in the case, of 11 possible principles listed in the NAALC Agreement

Citations:

Nolan Garcia, Kimberly A. (2013). Codebook: NAALC Labor Rights Dispute Resolution Dataset, 1994-2013, vol 2.1.

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.

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