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Labor–management Relations in Emerging Economies and Developing Countries

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Abstract

Adopting a largely institutional theoretical perspective, this chapter focuses on emerging and developing economies in Africa and Asia, including labor–management relations in South Africa and other jurisdictions in both Africa and Asia. The aim is to assess the effects of changes in the labor markets and regulatory institutions pertaining to employment relations. Whilst other theoretical lenses such as socio-cultural and cross-cultural management and post-colonial approaches are important, this chapter critically evaluates the institutional effects relating to changes in the nature of work and the effects of external factors on market and employment relations institutions. Providing a definitional overview, this chapter discusses empirical evidence on determinants and outcomes of institutions. Though referring to other regions such as Latin America, in order to narrow the scope of analysis, the analysis focuses on two major emerging and developing economic regions, namely Asia and Africa. It includes a discussion of the Africa-Asia nexus or Sino-Africa interface in labor–management relations. Labor market institutions, their relative strengths and weaknesses, trade unions and collective bargaining, inequality and informalization of employment practices, are discussed.

1. Introduction

This chapter examines labor–management relations in the context of emerging economies and developing countries, drawing on examples from Africa and south/southeast Asia for discussion. The term emerging economies, and its variant emerging markets (EMs), have become prominent over the past twenty years. The chapter uses the terms emerging economies and emerging markets interchangeably. Emerging economies refer to those that have experienced rapid growth, are more integrated into the global economy, have grown their own multinational enterprises competing in global markets, and may be part of prominent political-economic alliances with other large emerging markets such as the BRICS grouping (Brazil, Russia, India, China, and South Africa). In recent years, these countries have also formed powerful political alliances or blocs in multilateral international institutions such as the United Nations (UN), World Health Organisation (WHO) and others. This chapter firstly considers the definitional question regarding developing and emerging markets, then provides an overview of labor market institutional issues and labor-management relations in emerging and developing markets. This is followed by a more detailed examination of labor-management relations in African and Asian countries. The next section provides a broad overview of this topic in other emerging and developing market regions.

Emerging markets represent a diverse, heterogeneous group of economies and societies and are an ‘important testing ground’ for existing theories, models, and concepts of business and labor–management relations (Horwitz and Budhwar 2016). Definitionally, compared with emerging economies, developing countries have less global influence, are largely country or regional players, and have governance, employment relations, and legal institutions which are less or partially developed and therefore weaker. Apart from certain sectors, developing economies have not become strong international players in trade and industry and may be at earlier development stages, experiencing difficulty in overcoming barriers to effective international competition and finding partnerships or international joint venture (IJV) alliances. This does not necessarily suggest that emerging economies have universally similar or advanced institutions, as they too differ in terms of institutional disruption, the notion of institutional voids, and the relative strengths and weaknesses of institutions (Abodohoui et al. 2018, North 1990, Wood and Horwitz 2016, Wood and Wilkinson 2016). Briscoe (2013) differentiates between various types of emerging markets and further distinguishes them from developed countries or mature markets. The late 1960s nomenclature for certain of these markets in Asia was the Asian Tiger economies. These included South Korea, Singapore, Hong Kong, and Taiwan. He notes that these economies enabled high economic growth through

export-drive strategies. Many of these have today become mature, high-income developed economies (Singapore for example). Growth in such economies was facilitated by state investment in education, skills, and infrastructure development, and incentives to attract foreign direct investment (FDI) in sectors such as manufacturing. These were often strongly state-directed capitalist economies. Hall and Soskice's (2001) varieties of capitalism framework considering different institutions as well as industrial relations systems in developed economies make a differentiation between Co-ordinated Market Economies (CMEs) (for example Northern European countries) and Liberal Market Economies (LMEs) (for example the United States and the United Kingdom) with a stronger weakening of trade unions in the former as a result of market liberalisation including labor market deregulation. The relative strength and durability of industrial relations institutions vary in both market types. Emerging and developing markets discussed in this chapter do not neatly fit into either of these categories. This is elaborated on later.

Van Agtmael argued in 2007 that it was a matter of time before a block of emerging economies headed by China increasingly calls the shots on global geo-political and economic issues, as, for example, occurred at the United Nations climate change conference in Copenhagen in December 2009. This influence is increasingly evident. Reflecting a fundamental shift in economic power from developed, mature Western economies to emerging and developing market economies, the latter account for more than 50 percent of global economic output. Emerging Market Multinational Companies (EMMNCs) such as Tata, Infosys and Wipro of India, Alibaba, Huawei, Haier, and Ten Cent from China, Embraer (aerospace) and CVRD in Brazil, Hyundai, and Samsung in Korea, Glencore mining, Nandos, Naspers (with a 30% investment in Ten Cent China), SABMiller (acquired by Anheuser-busch Inbev, the worlds' largest beer company), Sasol (synthetic fuels), and Sappi (paper, forestry), and MTN (communications) from South Africa, are now global players (Horwitz and Mellahi, 2019, Van Agtmael 2007).

In the Asian context, Briscoe (2013: 2–3) refers to the Asian Tiger Cubs, which developed in the 1980s as a sub-set of larger Asian economies. This group included countries like Indonesia, Malaysia, the Philippines and Thailand. They followed similar growth strategies as the earlier-named grouping, the Asian Tigers, with a strong emphasis on infrastructure development, growing IT capabilities, and enhancing education. Bailey (2010) and Briscoe (2013: 3) refer to the N-11 grouping, which they note might join the Asian Tigers and BRICS. These countries also have large populations, increased economic growth and enhanced Gross

Domestic Product (GDP) rates. They include Egypt, Mexico, Indonesia, Vietnam, the Philippines, Nigeria, Pakistan, Turkey, Iran and Bangladesh and sometimes South Korea, although it can be argued that the latter has developed into a developed country defined by having a per capita GDP of at least US\$34,000. Michael Geoghegan, former Chief Executive of HSBC, refers to CIVETS (the acronym coined by to cluster another group of middle-income emerging markets: Columbia, Indonesia, Vietnam, Egypt and Turkey), and MINT (Mexico, Indonesia, Nigeria and Turkey).

The BRICS countries are the largest grouping of inter-continental powerhouses of emerging middle-income economies. They have the world's largest populations, especially India and China, with rapid economic growth until a more recent slowdown. China as one of the BRICS countries has for example, become the biggest foreign direct investor in Africa in the past decade (Kalu & Aniche 2020, Mills et al 2020). This has implications for labor-management relations. According to Ye's (2020) study of 119 developing countries between 1985-2021, bilateral investment treaties have negative impact on collective labor rights as host governments in developing countries have reduced or ignored labor standards undermining workers' capacity to take collective actions to stabilize the investment environment to attract FDI.

Such developments raise particular issues relating to employment and labor-management relations, skills formation, and the integration of international multilateral initiatives such as the BRICS economies (Horwitz and Budhwar 2016). As the EMs move from the global economic periphery to the centre, it is changing the distribution and character of global jobs. As per an International Labor Organization (ILO) Report (2011), globally there are about 3 billion employees, of which 2.8 billion are employed in developing and emerging markets. In order to sustain such employment and economic growth, firms based in EMs are experiencing massive pressures for continuous salary increases, and need to invest heavily in training, since the graduates in EMs lack employable skills, despite a regular increase in the number of graduates produced. Considering the diversity of emerging and developing economies, it might be argued that as China is today the second-largest economy in the world and it is debatable if it should still be considered 'emerging' (Horwitz and Budhwar 2016). With the diversity and differences in the relative strength or weakness of labor market institutions such as trade union rights, collective bargaining and dispute resolution systems and variations in economic growth (amongst other factors), seeking a simple catch-all definition of

emerging markets is not helpful. There might come a time when the concept of emerging markets becomes less robust.

The countries that constitute EMs in whatever classification is used are then unique and different, and defy broad and simplistic generalizations. From this complexity and diversity emanate EMMNCs experienced in working with these issues in a volatile, uncertain, complex and ambiguous environment in order to survive and prosper. O'Neill (2011) suggested the term 'growth markets' for defining an emerging economy that accounts for more than 1 percent of global GDP. This extends to other recently rapidly growing developing countries including Indonesia, Mexico, Ghana, Nigeria, South Korea and Turkey. However, what sets emerging markets apart is not their size or growth but the combination of both. The combined GDP of the BRICS might exceed \$95 trillion by 2050. That is more than six times the size of Americas' economy (O'Neill 2011: 84). Hence, this significant shift in geo-political and economic power underlines the importance of critical analysis of labor-management relations in emerging and developing economies. The rest of the chapter examines various aspects of institutional conditions for industrial relations and characteristics of labor-management relations in emerging economies and developing countries in Africa and Asia.

2. Dimensions of labor-management relations in emerging and developing economies

2.1 Labor market institutions

Drawing on examples from different emerging market countries, differences occur in labor market institutions; for example, where work practices and rules are negotiated at the firm level, enhanced productivity occurs, but reducing where industry-level negotiations occur (Lamarache 2015). Reasons for this include restrictions on managerial flexibility at centralized levels and the weak representation of employers in collective bargaining. This diversity is elaborated on in this section drawing on examples from Latin American countries and then in further detail regarding African and Asian countries. Labor-management relations diversity in developing and emerging markets is evidenced for example by findings in Latin American countries examining levels of collective bargaining in effecting productivity growth. The above research indicates that whilst differences in labor market institutions and collective bargaining agreements occur, there is a positive effect from work practices and rules negotiated at the firm level and productivity. This effect reduces at the industry level in this region.

Evidence of the effects of collective bargaining on wages in Latin American countries is more extensive than on productivity. Another study (Rios-Avila (2014) of the economic impact of trade unions on productivity in the manufacturing sector in six Latin American countries namely Argentina, Bolivia, China, Mexico, Panama and Uruguay, found that unions have a small positive effect on productivity in most of these countries except Argentina and Bolivia where either negative or no effects occurred. This was, however, offset by higher pay for union members. This is consistent with research findings in South Africa discussed later in this chapter. Consistent with Balsmeier (2017), research indicates that more highly unionized establishments tended to attract less investment in research and development as foreign investors tend to be wary of potential labor unrest, higher labor costs and productivity issues. This is supported by further research evidence from 119 developing countries over the period 1985-2012 indicating that foreign investors are wary of labor unrest. Under stringent bilateral treaties, host governments take measures to undermine workers' ability to engage in collective action, in order to reduce the risk of labor unrest (Ye 2020: 899-902). Governments may choose to undercut collective labor practices rather than laws per se.

2.2 Strengths and weaknesses of labor market institutions

In a comprehensive International Labour Organisation (ILO) paper, Visser (2019) finds a decline of jobs in manufacturing, a rise in non-standard flexible work, greater informalization of emerging market economies, circumvention of minimum labor standards and limitations or violations of trade union rights in many countries globally (op. cit.: 9). Work has become less stable and more precarious for most with the rise of the digital economy in many regions including emerging markets. Visser (2019: 17-19) notes that some 30 percent of global union membership is in Asia and Oceania (not including China) and 12 percent in Africa with union membership increases in North African countries particularly since the Arab Spring of 2011. Membership gains are variable in Latin American countries with slight gains in South American countries. Union membership in Central and Eastern Europe has declined. Socio-political, economic slow-downs with and lower recent GDP growth and health (COVID-19) are factors in diverse regional contexts which have impacted changes in the employment structure. Feldman (2009) in a large-scale survey of 45 developing countries between 1995 and 2003, found in this regard, that the types of industrial relations - adversarial versus cooperative, are associated with levels of unemployment. The statistical magnitude of the effects of industrial relations systems tended to be moderate, however. Kangasniemi and Pirttila (2013) also found that unions' impact on economic performance outcomes is not profound given the high degree

of informal non-unionized sectors in developing countries. However, these researchers conclude that excessive labor market regulation can be detrimental to economic growth. In general, unions may represent positive effects through greater ‘employee voice’ which in turn can lead to improved labor standards. However, this influence may be reduced by the changing nature of work with sector shifts requiring new skills sets, the ‘de-industrialization’ of traditional manufacturing towards service and public sector employment, with the former less likely to unionize. This reflects a rise in precarious, informal work, sub-contracting and casualization of work in most emerging markets internationally. Section 3.5 of this chapter discusses the notion of ‘de-industrialization’ in the African context.

2.3 Labor market inequality

Following the above, with higher informal sector and precarious work, noting the varieties of capitalism referred to earlier, it has been argued that a third form of capitalism should be considered for these markets, namely informally dominated market economies (Dibben and Williams 2012). These it is argued, should form part of the discourse on industrial relations policy, institutions and practices. Large populations with an average lower per capita income (such as China and India) still suggest that in terms of large-scale human development, poverty and inequality reduction, even the large BRICS countries can therefore still be considered as emerging markets. Africa has seen a decline in formal employment and occupational security, characterized by precarious job opportunities and widespread evasion of labor regulation over the past thirty years (Cao 2020; Cooke et al. 2015). These are complex, often transitional societies (→Labor-Management Relations in Transition Economies) with diverse economic models, demographic, cultural, linguistic, and ethnicity mixes, and difficult challenges of human and infrastructure development. The sections below focus on a more detailed analysis of these issues in African and Asian country contexts.

3. Labor–management relations in Africa

3.1 Institutionalization and regulation

Hayter and Lee (2018) and Horwitz et al. (2019) argue that the institutionalization of industrial relations (IR) in emerging economies is an important factor in their economic development. The relative strength of labor market institutions varies. ‘Even though trade unions and complementarities between particular IR institutions such as collective bargaining councils in

South Africa and many other African countries, appears to be facing rising insecurity in the employment relationship, increasing unemployment and inequality has limited the potential contribution of these institutions to inclusive development’ (Hayter and Lee 2018: 20). This is so in Turkey and Brazil as well.

Table 1 shows informal employment as a percentage of total employment in key emerging markets including South Africa, with the Gini Coefficient as an indicator of labor market inequality, particularly high in South Africa and Brazil. This inequality reflects historical factors such as the political transition from Apartheid labor market discrimination based on race to democracy in South Africa and reintegration into the global economy. Hence as discussed further in this chapter, labor market institutions such as collective bargaining and dispute resolution tend to pertain to a minority of workers given high levels of unemployment and low formally organized labor market participation rates. Hayter and Lee (2018: 12) describe this as a corporatist process in the ‘state’s use of national institutional processes to integrate workers’ and employers’ collective interests into labor market policy’.

Table 1. Population, Inequality Labour Force participation and Informal Employment

Country	Population	Inequality (Gini)	Labor force participation rate	Informal employment (% of total)
Brazil	207 653	51.48	62.0	43.0
China	1 378665	42.16	70.9	51.9
India	1 324 171	35.15	53.9	90.6
South Africa	55 908	63.40	54.7	34.0
Turkey	79 512	40.04	52.0	31.7

Source: World Bank (WDI) UNDP (HDI) & ILO (informal employment), Hayter and Lee (2018: 11)

Industrial relations institutions in emerging markets seek to regulate conflict in the formal sector through collective bargain and dispute resolution. Yet ‘even where organized labor has gained institutional power in some emerging markets such as Brazil and South Africa and have

had influence over economic and social policy, there has not been a concomitant institutional deepening of workplace relations and voice and wildcat strikes have occurred often in industries such as mining (Hayter and Lee 2018: 20-21). A 29.1 percent unemployment rate in South Africa presents a special challenge in trying to balance dual needs of decent work and enterprise efficiency as well as the critical imperative to attract employment creating foreign direct investment (Webster and Ludwig 2020).

This raises the important question of the role that trade unions and collective bargaining institutions play in emerging and developing markets with structural inequalities, rising unemployment, increased workplace flexibility, and rises in peripheral rather than core employment. South Africa, for example, adopted a tripartite Declaration on Wage Inequality and Labor Market Stability that introduced minimum wages and the promotion of collective bargaining. However, more currently, the adverse, indeed devastating impact of COVID-19 has raised unemployment in that country to around 30 percent. Where social dialogue between the main actors in the employment relationship does occur in emerging markets such as South Africa and Brazil, this is complicated by rising income inequality and lack of opportunity for formal sector employment and decent work, particularly in Sub-Saharan Africa (Cao 2020; see also → Labor Standards; → Decent Work and Quality of Employment).

Affecting employment relations and labor markets in emerging economies in Africa are various structural adjustment programs (SAPs) which, by the mid-1980s, comprised several policy measures aimed at finding effective solutions to macro-economic problems. These problems generally include a lack of self-reliant growth and development, low productivity and stagflation, serious imbalance of payments, huge external debts, and government budget deficits. Moreover, the SAPs have often been prescribed by the Bretton Woods institutions (the International Monetary Fund (IMF) and the World Bank), on whom the crisis-laden economies of these nations are dependent for development credit and finance (Matanmi 2000: 100). South Africa, in the context of economic recession, high unemployment, and the COVID19 virus, has reluctantly obtained a \$4.3 billion loan from the IMF in 2020. It had previously abstained from such loan options, given its concern for national sovereignty. The loan prescriptions are usually comprised of the following: devaluation, removal of subsidies on basic commodities, reduction of government expenditure, labor market reforms, reduction of trade protection, and increased incentives for the traditional sector (agriculture and mining). These measures have so far not jolted the countries into clear signs of possible recovery. Matanmi concludes that the effects of SAPs on employment relations have been unfavorable. These include union membership

decline with contracting formal employment, growing informalization and casualization, a hardening of employer positions in collective bargaining. Increasing precarious, unprotected work has been opposed by unions in countries such as South Africa. Fluid and at times volatile political economies have resulted in flexible but insecure employment models being adopted. Privatization and deregulation have not usually created supportive conditions for trade union growth and stability.

There is a vital need for institution building in African countries to strengthen employment relations systems and practices. This underlines a need to extend the human capital agenda to the arguably most important challenges facing Africa, those of human resource development, building managerial capacity, investing in training and development, and sound labor and management relations practices. There is a need to more fully understand pertinent issues such as: (a) the changing nature of the psychological contract as the labor market becomes increasingly segmented between standard and non-standard employment patterns; (b) organizational justice; (c) trust, organizational and work commitment, and workplace co-operation; (d) HRM practices and service delivery in changing markets; and (e) labor–management strategies for attracting, motivating and retaining employees.

An examination of the relationships between these issues and employee work outcomes is necessary given the impact of international competitiveness on African organizations. The regulatory and institutional context of employment relations in Africa varies considerably (Abodohoui et al. 2018, Ikyanyon et al. 2020, Horwitz and Ronnie 2021, Wood and Horwitz 2016). More employment relations systems on the continent are adopting International Labor Organization (ILO) conventions. There are many challenges facing workers as well as managers in Africa today. Organizations, forced to open their markets as part of the World Bank and IMF structural adjustment programs (SAPs) and finding many foreign markets closed to their products, have borne the brunt of globalization, resulting in plant closures and high unemployment. In the worst cases, developing economies like the Democratic Republic of Congo and Somalia have been so ravaged by wars that they have no real economy, ceasing to function as modern nation states. However, there are more democratic elected governments in Africa today than fifteen years ago. Matanmi (2000) summarizes the major elements of IR in emergent or transitional economies as impacted by their colonial past, nationalism, post-colonial states, and crises of development; structural adjustment programs; the democratic challenge; and the emergent demands of social partnership (Matanmi 2000: 95-96).

3.2 Reform of employment relations, the role of the state, and international organizations

A study by Blanton and Blandon (2016) found that three aspects of globalization relate to a decoupling of labor practices and employment laws, especially in developing countries. These researchers found that social, political and global variables are negatively associated with labor rights, with a deterioration of actual labor practices even where labor laws remain relatively intact or unaffected. Their study found this to be the case in the developing world between 1986 and 2002. Employment relations regimes in Africa are, however, relatively new and evolving. The ILO, for example, has had a number of advisors working with African country governments to establish IR systems, legislative frameworks, collective bargaining, and dispute resolution systems based on ILO conventions. Since its launch in 2000, the ILO project based in Pretoria has made considerable progress in initiatives to strengthen social dialogue in six SADC countries, namely South Africa, Namibia, Lesotho, Botswana, Swaziland and Zimbabwe; these are driven by seeking to create tripartite forums and designing industrial relations and dispute resolution systems (Anstey 2004: 59). As emerging and developing economies, many African countries show uneven patterns of development and under-development, with a low average per capita national income, low living standards, and poorly developed social welfare.

African countries are not monolithic in their employment relations systems. The contiguous sub-Saharan African countries differ in levels of infrastructure development for expanding wage-employment and industrial sectors (Horwitz and Ronnie 2021). Industrial relations in Africa are often rooted in colonial or apartheid (South Africa) regimes which created wage work in the exploitation of primary natural resources such as gold, diamonds, and emergent manufacturing sectors such as clothing and textiles. Political independence expanded wage-employment sectors (largely public, but also private sectors), creating legislative frameworks that, to varying degrees, legitimize trade union rights.

The role of government in African employment relations varies from state control in formerly socialist states such as Ethiopia and Mozambique, to state direction in countries like Zambia, to a strong legislative framework permitting more voluntarist systems such as in South Africa and Namibia. Under colonialism or apartheid, trade union movements could be characterized in part as social movements that often mobilized workers against an existing political regime. South Africa was a good example of this. Leadership development emerged from trade union movements to subsequently assume prominent political and business

leadership roles following democratic government. But when government becomes hegemonic, for reasons of ineptitude or malfeasance, labor policies are sometimes inconsistent and un-enforced (Fashoyin 2000). In Nigeria, the degree of robustness of labor rights has been a function of dispositions of successive national governments, from colonialism to the present era of protracted military dictatorship.

In some African countries, public policy on IR has reflected the state's tendency to take complex industrial and labor relations decisions by fiat (for example, wage determination in the public sector, with often serious inflationary consequences), rather than allowing IR institutions that do exist to operate independently. This has accounted for the poor record of collective bargaining in the public sector, which commands the largest proportion of wage-earning population, and from where the first three trade unions of civil servants, railway workers, and teachers, emerged during the colonial period. Yet, a culture of collective relations has endured in the private sector, with collective agreements/contracts being negotiated at either industry or enterprise levels where a union has significant representation. Ikyanyon et al. (2020) have found that the influence of coercive mechanisms was significantly higher in the public sector in Nigeria largely due to poor enforcement of labor legislation. They did, however, also find evidence that private sector organizations were seeking to adopt neo-liberal approaches to HRM.

3.3 The role of trade unions

The largest unions in South Africa are affiliated with union federations such as the Confederation of South Africa Trade Unions (COSATU) and the National Council of Unions (NACTU). Unemployment is particularly high at around 25 percent, with a paradox of a skills shortage and an oversupply of unskilled workers, not dissimilar to China and Brazil. The largest proportion of union members is in the public sector, as in the case of other BRICS countries, like Russia and China (Horwitz and Ronnie 2021). The post-apartheid Labor Relations Act (1995) established both labor courts and labor appeal courts, and a statutory dispute resolution body, the Commission for Conciliation, Mediation and Arbitration (CCMA). The CCMA handles both procedural and distributive or substantive justice in considering the fairness of a matter such as a dismissal. The legislation has brought employment law in line with the constitution and ratified the Conventions of the ILO. It aims to give effect to constitutional rights permitting employees to form unions, to strike for collective bargaining purposes, and the right to fair labor practices.

The emergence of seemingly powerful trade unions has occurred in critical (often public) sectors of certain countries, for example, Ghana, Nigeria, South Africa and Zimbabwe. Many African economies are experiencing a transition from large and often over-staffed public corporations to enterprises that are more publicly accountable and private firms which have to compete globally and be profitable (Jackson 2002: 999). Strong independent unions negotiate wages and employment conditions in some African countries, notably South Africa, which has well-developed dispute resolution mechanisms such as mediation and arbitration, with the reference of certain disputes such as unfair labor practices to the labor court. The Commission for Conciliation, Mediation and Arbitration (CCMA) or bargaining councils deal with unfair dismissal and mutual interest wage disputes. This helps to regulate and channel conflict into constructive resolution, though the ready accessibility of the CCMA does involve managers sometimes having to spend considerable time and effort in conflict resolution. Since the 1980s, an increasing number of enterprises in Africa has taken a more accommodating approach, providing a voice for workers. Thus, the challenging paradoxes facing employment relations are how to balance organizational interests of workers with employer commitment to corporate effectiveness (Fashoyin 2000: 173), enhancing productivity and competitiveness, and addressing employment creation in a globalized economy (Horwitz and Ronnie 2021).

In most cases, newly independent sovereign states, though becoming more pluralistic, have lacked a democratic culture, strong institutions, and the tolerant and ethical-political leadership needed to foster commitment from the wider populace. The pursuit of often parochial interests in the face of widespread poverty and scarcity soon fanned the embers of inter-ethnic confrontation (Fashoyin 2000) and social unrest, for example in Ethiopia, despite pressures for institutional strengthening and change through democratization and good governance. The New Partnership for African Development, though somewhat uneven in its outcomes, was a political initiative taken by African governments to foster democracy, economic development and poverty alleviation on the continent. With a peer review mechanism to exert pressure on governments whose actions fail to meet its normative requirements, it is a potentially important development in Pan-African democratization. However, the collective political will of its members needs to be demonstrated and sustained. It is premised on the notion of self-directed social, economic, political, and socio-economic development for Africa, despite significant FDI and increasing presence of Chinese firms, for example in building and construction and infrastructural development in countries such as Ethiopia and Tanzania. Chinese FDI in Africa increased from US\$ 74.8 million in 2003 to

US\$37 billion in 2014 and further to US\$40 billion in 2018. China's import and export volume with Africa is approximately US\$204 billion. Currently, there are more than 3,000 Chinese companies present in 52 African countries (Abodohoui and Zhan 2020, Chinese Ministry of Commerce 2013, 2017).

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3.4 Management control and labor resistance

Foreign firms from Asian countries, in particular, have often been known to ignore or circumvent minimum labor standards in some African countries in order to maintain effective control over employees. Chinese firms have been criticized for employing low-cost Chinese labor instead of hosting country nationals (Cooke et al. 2018; Horwitz and Ronnie 2021, Wood and Horwitz 2016, Jackson and Horwitz 2017). In case study research of trade unions in the garment industries in Kenya, Lesotho (Koen 2004) found that trade unions lacked strategic leadership, sound organizational practices, capacity, and regional coordination, sometimes resulting in significant power imbalances and dependency relationships with employers and the state. Tougher stances by employers in Kenya, for example, where a well-established tradition of industrial unionism existed, have affected organizational efforts of the unions, though this has not prevented spontaneous work stoppages by non-union members in the past. Union membership subsequently increased and recognition occurred with a two-year collective bargaining agreement.

Driving the conduct of IR and unionization trends in these and other African countries is a combination of macro-economic and trade policies using import substitution, export processing zones, cheap labor, and tax incentives to attract Foreign Direct Investment (FDI), often from Asian economies such as China and Taiwan. One of the consequences is the migration of clothing and garment manufacturing operations from one country to another.

Attempts at strong union action and organization have elicited harsh responses, including factory closures and relocations. Conditions in factories organized by unions are often exploitative due to pressures from the retail top end of the supply chain in terms of profit margin squeezes, low-cost products, and stringent delivery times of suppliers (Koen 2004: 56).

An empirical evaluation of firm-level cross-country data from 23 emerging and developing economies reveals a negative association between workforce unionization and investment in capital and research and development. This association was found to be more pronounced where trade unions operated in stronger employment law regimes with associated protections of union rights (Balsmeier 2017). Unions in South Africa have sought to play a tripartite role through the National Economic Development and Labor Council (NEDLAC) a corporatist body to influence state labor market policy and negotiation with employers in regulating and providing minimum protections for non-standard work.

Modern organizations in Africa fall into three categories (Fashoyin 2000). The first comprises public enterprises, in which the state controls 50 percent or more of the share capital. Organizations in this category are set up to discharge specific functions and attain objectives which are more readily achievable outside the civil service system. In most African developing economies such as Tanzania, Nigeria and Zambia, this has been a dominant type of organization in the modern sector. Although privatization programs have reduced the role of the state in business enterprises in this category, with larger concentrations of workers in this sector it tends to be unionized with pay disputes occurring, for example in South Africa in 2020-2021.

The second category includes private indigenous enterprises, an area in which African entrepreneurs are dominant. These often occur in the informal sector of most economies; for example, a large pavement hawker sector in Nigeria, and small and medium, often informal, enterprises in South Africa's townships. Enterprises in this category are comparatively small in size and are prominent in certain industrial sectors such as commerce, manufacturing, and service. In this same category are a large number of micro-enterprises in the informal sector. This sector has been particularly prominent since the introduction of economic reforms and industrial restructuring, which have led to a substantial contraction in the formal sector since the 1980s. In this category of African businesses, management principles are marginally or informally practiced. The third category includes multinational companies such as Johnson & Johnson, most oil MNC's such as Shell and BP, foreign subsidiaries, and Joint Venture (JV)

organizations. Organizations in this latter category occur in all sectors, particularly in manufacturing, textiles, and automobile assembly. Industrial relations in this sector though more likely to be unionized, are not homogenous. Human resource and industrial relations policies and practices may circumvent or avoid minimum wage regulations and labor standards and ILO conventions in Chinese firms as discussed further elsewhere in this chapter.

Several African countries subscribe to ILO conventions on freedom of association and the right to collective bargaining and decent work (Cao 2020). However, implementation is often ineffective. Trade unions are sometimes restricted in the scope of their activities, due to both the limited spread of wage or paid employment and to unfavorable state policies which impede their ability to effectively use bargaining machinery. With an often authoritarian or paternalistic style of management, collective bargaining does not always receive the approval of management (Fashoyin 2000:172-173). The Ghana Employers Association (GEA), for example, with some 330 members, is an important employment relations actor. Established in 1959, the GEA represents employers' interests to the government, promotes good relations and better understanding between employers and employees, and assists affiliated employers in negotiations with organized labor. The GEA coordinates and represents the views and reactions of its members on IR problems and reactions to proposed legislation. Through the ILO's 'Improve Your Business Project', the GEA has helped members to address business and management problems of small enterprises (Aryee, 2004: 130).

3.5 Labor market flexibility and informalization

Employment relations in South Africa have undergone major changes over the past two decades (Horwitz and Ronnie 2021, Maree 2016, Wood and Horwitz 2016,). An adversarial race-based dualistic system evolved following labor legislation in 1924, which led to trade union rights excluding Black Africans. In 1980, unions representing African workers were legitimized. Inclusive bargaining councils were established through the Labour Relations Act (1995). African unions grew to over 3 million members from 2001 from less than 10 percent of the formal sector workforce in the late 1970s. Formal sector coverage by collective agreements is around 36 percent in South Africa, with 22 percent overall labor force density.

However, the development of non-standard employment including casualization and informalization of work as in other BRICS countries has had an adverse effect on stable employment and resulted in both increasing precarious work and reduced union density over the past eight years (Webster and Ludwig 2020). In the mining industry, for example, collective

bargaining contracts/agreements dropped to below 50 percent from 58 percent in 1997 (Horwitz and Jain 2008). Large-scale absorption into a shrinking formal sector labor market is problematic with economic growth initially relatively high at around 5 percent until 2015 but in decline since and with the severe impact of COVID19 is projected negative -8.0 GDP in 2020, with similar negative growth in all of the BRICS economies except China (The Economist 7 August 2020: 72). This understandably is having severe socio-economic impacts in regard to employment decline, especially in the formal sector. Increasing poverty, social instability and deepening in earnings inequalities are likely effects. The resilience of labor market institutions such as trade unions, collective bargaining councils and legal dispute resolution machinery will be sorely tested in the coming years in both emerging and developing African countries (Horwitz et al. 2019).

In a detailed analysis of labor institutions in developing countries, Freeman (2010) found substantial differences in the extent and manner in which labor institutions impact economic outcomes and growth. This is consistent with the findings of Dibben and Williams (2002) and Maree (2016), quantitative evidence from Freeman's study found that far less is known about informal labor markets (than formal employment settings) in which most workers in developing countries work. This raised the key question of developing labor market policies and institutions that enhance productivity, improve health and safety and provide better social services and protections to an underclass of informal sector workers. Freeman (2010) based on evidence from Latin American countries of Mexico, Brazil and Chile, concluding that although the social dynamics may vary, formal /informal boundaries are porous with many workers shifting from one sector to another in response to economic changes. Whilst developed economies have seen positive economic growth in the past this is not necessarily related to increases in formal sector employment. In emerging markets self-employment informal sector growth has occurred across regions in Africa and South America with considerable institutional variation in terms of labor market flexibility.

In South Africa with a more regulated labor market, employers have the right to form and join employers' organizations and recourse to lockout for the purpose of collective bargaining. Strike action is protected only if a specified dispute procedure is followed. Collective agreements are negotiated at either industry (though industry Bargaining Councils) or enterprise levels where a union has significant representation. The statutory Commission on Conciliation, Mediation and Arbitration (CCMA) or Bargaining Councils deal with unfair dismissal (disputes of rights) and mutual interest wage disputes. This helps regulate conflict,

though the ready accessibility of the CCMA does involve managers sometimes having to spend considerable time and effort in conflict resolution, to lodge and resolve a dispute. While both centralized industry level and decentralized enterprise or plant bargaining may occur, increased devolution and fragmentation of bargaining have occurred in the past decade and a half. In the past decade, the number of bargaining councils has declined to less than 80 from more than 110 as employers withdraw from them, favoring plant or enterprise bargaining and increased employment flexibility. This has occurred, for example, in the building and construction industries, with new forms of employment emphasizing flexibility using independent subcontractors, outsourcing, part-time and temporary work, and increased casualization and informalization of work.

A study seeking to assess the impact of labor market policies and institutions on economic performance found that union members covered by bargaining councils earn between 10 and 20 percent more than non-union employees (Butcher and Rouse 2001). However, these agreements are often extended to non-union workers who earn a premium of between 6 and 10 percent. Although positive, these premiums were not statistically significant. Amongst Black workers, bargaining council and union wage gaps were highest for low-paid workers. In sum, unionized workers were found to earn higher wages than non-union workers in South Africa. These findings are consistent with Kerr and Teal (2012) whose research providing panel data evidence indicates a large average earnings differential across employment types. Whilst a union premium occurs, there is a large premium for public sector employees. Also, in support of Dibben and Williams (2012) and Freeman's (2010) studies in South America, a simple binary dichotomy between formal and informal sectors does not reflect the fluidity of labor mobility between these sectors. As formal sector organizations restructure and retrench employees, with the changing nature of work, lack of transferable skills and high levels of unemployment in the economy, workers may move quite quickly into precarious, poorly paid work or unemployment. Some might in time find their way back into better paid formal work.

These findings also underline changes in labor market policy and structures in African countries with both the state and employers in BRICS countries either promoting or turning a blind eye to ineffective monitoring of legislative protections and collective agreements; as increased cost reduction and flexibility are sought there has been a consequent deterioration in employment standards, social protection, and rising casualization in the labor market. Examples include the decline of regional centralized bargaining structures in the building and construction industry in South Africa (Horwitz and Ronnie 2021). Over 60,000 retrenchments

have occurred in the clothing industry, largely due to cheap imports from lower-cost producers in Asia and Chinese and Taiwanese manufacturers in countries in Southern Africa (for example Zimbabwe) paying below the legal minimum standards and violating fair employment standards (Bhabhe et al. 2020). The South African Clothing and Textile Workers Union (SACTWU) has struggled to fight this trend and lobbied the government to negotiate some import restrictions on Chinese clothing to try and preserve jobs (Horwitz and Ronnie 2021).

These problems have occurred in several developing African countries such as Angola, Ethiopia (Calabrese 2020), Botswana, Malawi, Mozambique and Zimbabwe (Bhebhe et al 2020, Buhlungu et al. 2008, Dibben et al. 2017) where legislative protection and institutional regulations have often proved weak, with little compliance from foreign investors enabling circumvention and avoiding minimum wage and employment protections. These industry examples reflect the increasingly precarious nature of employment and the flexible labor market. In South Africa, even with a strong protective Labor Relations Act (1995) institutionalized Labor Court, and CCMA, as well as minimum standards legislation in the form of the Basic Conditions of Employment Act (1997), and arguably the strongest union movement on the continent, precarious, non-standard work has increased while formal standard work has declined. As in China, the South African government has sought to limit the scope of employment agencies and provide increased protections for part-time workers. These practices are associated with a recent decline in private-sector union density of some 20 percent and some evidence of deterioration in employment standards in certain sectors, even though the Basic Conditions of Employment Act (1998) provides for establishing minimum standards of employment.

In South Africa, these conditions cover areas from the designation of working hours to termination regulations and have been extended to farm and domestic workers. Work days lost through strike action have also declined since 1994, although spontaneous, periodically violent work stoppages have increased for example, in the mining and other sectors in countries such as South Africa and Botswana. While under apartheid African unions fought for fair labor practices, worker rights and better pay and conditions of employment, they also were at the forefront of the struggle for political rights. Once political and labor rights complemented each other in the first democratic elections in 1994, this labor paradox was resolved. This resulted in an intense policy debate within the union movement as to its repositioning in the new South Africa. The workplace as an arena for political struggle has largely been replaced with an emphasis on measures to preserve and promote good employment conditions and Human

Resource Management (HRM) through training and development and employment equity (Horwitz et al. 2004; Horwitz and Ronnie 2021).

In South Africa, the Employment Equity Act (EEA) (1998) focuses on unfair discrimination in employment and HRM practices. Employers are required to take steps to end unfair discrimination in employment policies and practices. It prohibits unfair discrimination against employees including job seekers on any arbitrary grounds including race, gender, pregnancy, marital status, sexual orientation, disability, language, and religion. Designated employers (these who employ 50 or more people) are required to submit an employment equity plan setting out goals, targets, timetables, and measures to remove discriminatory employment practices and achieve greater workforce representation, especially at managerial and skilled category levels. Similarly in Ghana job role localization in the oil and gas industry is becoming increasingly a priority adapting to legislative requirements and the wider national context (Pegram et al. 2019).

The EEA in South Africa does not set quotas, but rather enables individual employers to develop their own HRM and equity plans. Criteria regarding enhanced representation include national and regional demographic information and special skills supply/availability. Additionally, the Broad Based Black Economic Empowerment Power Act (BBBEEA 2004, 2013) promotes Black equity ownership in firms with a points scorecard system for achieving targets which include procurement, employment equity, enterprise development, and training and development (Horwitz and Jain 2011). Though enhancing the Black stake in the economy through share ownership of large organizations, BBBEEA has been controversial in that it has not always had a 'trickle-down' benefit. The Employment Equity Act includes provisions against unfair discrimination in selection and recruitment, aptitude testing, HIV/AIDS testing, promotions, and access to training and development opportunities.

Given the diverse ethnic demography of South African society, most of the underclass are black Africans. South Africa, like other emerging and developing economies faces a double transitional challenge - to redress the historical inequalities by building a democracy based on human rights, ethical leadership and tolerance, whilst simultaneously and speedily developing its human capital capacity to compete in a harsh global economy. Skills formation and entrepreneurial development are vital, especially in a country with huge transitional challenges (Horwitz et al. 2004, Horwitz and Jain 2011). National skills policies have introduced mechanisms such as a payroll levy to finance human resource development in order to meet

national, sector, and organizational development objectives. Sector-specific skills formation through sector training authorities and a national qualifications framework are encouraged by law. Economic empowerment and employment equity are not possible without human resource development and education as a fundamental national priority.

However, large-scale labor absorption into a shrinking formal labor market is unlikely, given the shift of employment to service and informal, non-core work mainly outside the ambit of employment equity legislation. In Uganda for example, formal sector jobs are created for barely a tenth of the 700 000 young people who reach working age each year (The Economist 16 Jan. 2021). A dual formal and informal labor market occurs in most African countries with precarious work in the latter increasing in these informally dominated market economies, this as formal sector employment reduces. Dibben and Williams (2012) for example, found that in countries such as Mozambique, informal sector employment is not covered adequately by institutional and labor market policies, laws and minimum protections. In other African countries such as South Africa, labor market regulations are more developed as previously noted. However, with the increase in precarious work, casualization and other forms of labor market flexibility, in general workers in this important part of African economies need to be included in state policies and regulations.

Though declining, HIV/AIDS has had an adverse impact on employment, employment and health care costs, and union membership. HIV/AIDS also has a deleterious effect on absenteeism, training, career and succession planning, and adverse effects on state and union-negotiated medical schemes. The priority of practical policy initiatives by government, private sector firms, and labor market institutions such as sector training authorities and bargaining councils, must be large-scale initiatives to train and retrain for enhancing employability in the changing labor market.

A key challenge in employment relations is the need to shift from a legacy of adversarial relationships to workplace cooperation to successfully compete in the marketplace (Horwitz 2016). There is evidence in some sectors such as auto assembly that this is understood by both parties. However, similar to Koen (2004), Zeng (2020:5) referring to several African countries, notes that Africa's manufacturing industries are finding it difficult to compete with Chinese firms, often state-owned enterprises, who deploy labor directly from China. This has resulted in a crowding effect on local firm employment, and crowding out of non-competitive local firms. That said, the notion of a wider 'de-industrialization' of the South African economy

particularly manufacturing and mining and the growth of the services sector, with new technologies and the digital economy, require quite different skill sets which most of the current workforce especially the older workers in African countries do not have. The notion of ‘de-industrialization’ particularly of manufacturing is not, however, necessarily an inevitable decline and may be premature given that many African governments such as Ethiopia, Ghana, Kenya, Rwanda Senegal, seek to attract investment promoting the manufacturing sector. This could well be fostered by the continental-wide free trade agreement introduced in 2021. A decline in the manufacturing sector’s share of GDP may have bottomed out since 2010. Employment in African countries in this sector has risen from 7.2 percent to 8.4 percent with output also increasing by 91 percent since 2010 (The Economist, 20 March 2021).

In summary, in Africa, the employment relations agenda will have to increasingly concern itself not only with managerial-working class relations, but with a growing and socially excluded underclass (Horwitz and Ronnie 2021). This agenda in African countries, such as South Africa, will need to shift beyond traditional collective bargaining and adversarial conflicts to organizational transformation, performance improvement, human resource and skills development, needed for modernizing, transforming economies. In this context, traditional

and power/conflict models may be inappropriate as are traditional distributive forms of collective bargaining based on an adversarial tradition. Abodohoui and Zhan (2020) argue that, notwithstanding criticisms, there are positive influences of China in African business such as the deployment of ‘Chinese managerial soft power’, the influence of Chinese business cultural values on African skills development and managerial practices, the importance of networking, pragmatism and strong work ethics. Similarly, Abodoui et al. (2018) and Cao (2020) argue that there is much to be learned from both adverse and positive impacts of Chinese investments in Africa. The latter include employment creation, skills development, technology transfer, and enhancing Sino-African relations.

Similarly, Berning and Ambrosius (2018) argue that few studies focus on the role of Chinese MNCs in the creation of economic growth and livelihoods at the firm level. They note that the contribution of human resource management in this regard has been neglected. One such empirical study (Wegenast et al. 2019) found that Chinese firms in mining operations in sub-Saharan Africa are less likely to foster regional employment due to their competitive advantage in using expatriate workers and lower readiness to invest in local skills formation

with discontent occurring amongst local mining communities because of adverse working conditions and remuneration as well.

In Africa, new perspectives will also be needed in understanding host-local country partnerships and regional labor markets, cross-cultural and values similarities, differences and areas of convergence; this given the tenets of social cohesion in Chinese Confucianism and collectivism of African ubuntu (Abodohoui and Zhan 2020, Jackson and Horwitz 2017, Kamoche et al. 2012, Nkomo et al. 2015, Zang 2020).

4. Labor–management relations in Asia

Similar to the above discussion in the African context, labor–management relations in emerging and developing economies in Asia needs to be understood in the broader context of their political and economic reform, labor market, IR systems and the role of institutional actors. This section brings to the fore some key characteristics underpinning labor–management relations across several Asian countries, drawing on examples primarily from emerging economies such as China, India, Vietnam and Thailand, as well as Myanmar, a major developing country (in terms of population) which has been gradually opening up to the global economy since the early 2010s. China opened up its economy in the late 1970s, whereas India formally liberalized its economy in 1991, although partial economic liberalization commenced earlier (Leblebicioğlu and Weinberger 2021). In Vietnam, its economic reform (*doi moi*) officially commenced in 1986 to develop a socialist-oriented market economy (Collins et al. 2020; Nguyen 2017). Like China, the role of the state in Vietnam remains paramount, not only in its economic development, but also in the building of its IR institutions through, for example, the direct and indirect control of the trade unions, the introduction of administrative regulation, and interventions in labor dispute resolutions (Collins et al. 2020; Pringle and Clarke 2011). Thailand is a newly industrialized economy and one of the major economies in Southeast Asia.

Thailand’s economic development in recent decades was considered to be one of the successes in Asia (Warr and Nidhiprabha 1996). The political and economic transition of Myanmar started much later than other Asian countries included in this discussion, with the general election in late 2010 following decades of military rule; the ensuing journey has been slow and challenging, marked by ‘periodic political restructuring’ (see Campbell 2019: 40). While China and India are more embedded in the global value chain, Vietnam and Myanmar are more embedded in the regional value chain, attracting manufacturers from mainland China,

Hong Kong, Taiwan, South Korea. and Japan. A common feature in the global/regional economic integration of these countries is the intensifying competition that directly undermines workers' employment terms and conditions. This is a major cause of labor discontent and activism on the one hand, and on the other, a source of pressure for labor law reforms to afford workers more rights and decent work without distracting capital investment, as discussed below.

4.1 Informalization of employment

In many of the emerging and developing economies in Asia, the states have been selective in their labor law reform, deliberately encouraging/endorsing the growth, or continuation in the case of India, for example, of informal employment, drawing largely from unskilled/semi-skilled migrant workers to provide labor market flexibility and competitiveness for capital. Such a political-economic strategy has resulted in a heterogeneous landscape of labor relations (Campbell 2019; Chan 2020; Pringle and Clarke 2011; Fry and Mees 2016). It not only weakens the position of organized labor in formal employment, but also leaves a large force of workers outside legal protection, either by the lack of coverage or ineffective enforcement. Indeed, such a trend of precarity is found in many countries in the global North and South (Campbell 2019), particularly in Asia (Cooke and Brown 2015; Landau, Mahy and Mitchell 2015; Kalleberg et al. 2013). Lee and Ofreneo (2014:707), for example, identified three major trends in the labor market of Southeast Asia: 'increasing labour precarity in the formal sector; expanding informal and vulnerable employment; and the continuing expansion of migration for work in the region'.

It is worth noting that countries like China, Vietnam, Thailand, and Myanmar have been introducing regulations to various extents to redress the precarious conditions of flexible employment, with differing effects (e.g. Campbell 2019; Cooke 2021; Landau et al. 2015). In China, for example, regulation has been introduced, including the amendment of the Labor Contract Law in 2013 and the adoption of the Interim Provisions on Labour Dispatch (2014) to tighten the use of agency workers to stem creative non-compliance of labor laws from employers. In Vietnam, concerns over labor outsourcing led to the inclusion in 2012 for the first time of a section of the Labor Code recognizing and regulating agency work. Based on the principle of ILO standards, this regulation includes licensing requirements, and restrictions on types of jobs that labor outsourcing can be used for and a range of rights for agency workers (Landau and Cooke 2018).

It is also important to note that despite similarities, these Asian countries do exhibit markedly different characteristics in the operation of their informal labor markets. For example, in Myanmar, informalization occurs alongside the state efforts to formalize employment, albeit in a selective mode (Campbell 2019), whereas the employment terms and conditions of those in informal employment in China are arguably better in comparative terms than their counterparts in the same industries in other emerging economies and developing countries. This is in part due to the relatively more developed nature of the Chinese economy and in part due to the growing regulation that extends its coverage to workers in informal employment, albeit not as effective as it should be.

4.2 Reform of industrial relations systems and the role of the state

In some of the more developed economies in Asia, such as South Korea and Taiwan, their major economic development period in the 1980s, was accompanied by strong labor militancy, which has led to the reform of their IR systems, including labor law and trade union reform (Lee 2021; Park 2018). The pursuit of corporatist forms of IR is commonly found in these economies (Park 2018). Such a broad pattern can also be observed later in the emerging and developing economies in Asia, such as India and more so Myanmar, as they opened up their economy for FDI and international competition (Noronha and D'Cruz 2021; Park 2018).

The IR systems of China and Vietnam shared many similarities prior to their economic reforms, which started in the late 1970s for China and the 1980s for Vietnam. To a large extent, this is owing to their socialist history that defined many of the characteristics of their labor regime (Fry and Mees 2016; Pringle and Clarke 2011). Significant reforms have since taken place, with the promulgation of new labor laws and amendments of existing ones. Official trade unions are expected to play a more proactive role in defending workers' rights and interests, but in China, this task comes second to maintaining political stability and social harmony, the top priority (Cooney, Biddulph and Zhu 2013; Cooney 2007; Fry and Mees 2016; Pringle and Clarke 2011). The IR systems of China and Vietnam diverge on the role of the official trade unions in organizing strikes and labor dispute resolutions. For Fry and Mees (2016), the Vietnamese IR system has moved further away from the traditional socialist model than it has in China (Chan 2020). While the Vietnamese trade unions can organize strikes lawfully, the Chinese official trade unions do not have the clear legal rights to organize strikes but are expected to participate in labor dispute resolutions (Chang and Cooke 2015).

In Thailand, statist—advocates of ‘a political system in which the state has substantial centralized control over social and economic affairs’—have had a strong influence on ‘practices of employment relations’ (Brown 2016: 204). In fact, statism is characteristic of developmental states like China and Thailand, where the role of the state remains central in many aspects of politico-economic life, including enforcing rules and resolving labor unrest—arguably, statism has never been far away from the capitalist economies either (Wood and Wright 2015). According to Charoenloet (2015: 141), the IR framework of Thailand is highly fragmented ‘with too many federations and councils’, which ‘has diluted the capacity of trade unions to effectively mobilize support to organize workers’ (see also Brown 2016 for a detailed discussion of the development of employment relations in Thailand in recent decades). Nonetheless, Charoenloet (2015: 141) argued that the ‘government should take tripartism seriously so that workers, employers and the government work towards putting Thailand on the path of high road to industrialization’.

Since 2011, Myanmar has gone through an extensive process of employment relations reform, including the setting up of trade unions, employer associations and industrial tribunals. This institution building has stemmed more from external pressure than internal desire to improve workers’ working conditions through defining their collective and individual rights (Gillan and Thein 2016). The Labour Organization Law was promulgated in 2011, followed by the Settlement of Labour Disputes Law in 2012, and the Minimum Wage Law in 2013 by the then newly elected legislature (Campbell 2019; see also Arnold and Campbell 2017 for the historical development of Myanmar’s labor law system). These laws have facilitated the proliferation of grassroots trade union organizations and established a daily minimum wage for low-paid workers. In particular, the Labour Organization Law ‘established employers’ right to lock out employees and workers’ right to organize, bargain collectively and strike’ (Park 2018: 330). The promulgation of a series of new legislation since 2011 in Myanmar has resulted in the legalization of trade unions and ‘a flurry of labour mobilization in the country’s industrial zones, with significant growth in formal union density’ (Arnold and Campbell 2017: 802). However, these ‘*enabling* forms of labour regulation, in both policy and practice’ have been introduced in parallel with countervailing pressure that the government faces—to restrict labor activism in order to provide an attractive investment environment (Arnold and Campbell 2017: 802, original emphasis). That said, this tension between industrial peace and capital accumulation is not unique to Myanmar; rather, it is encountered in other industrializing and globalizing economies.

Despite hope for more democratic governance under the leadership of ‘Aung San Suu Kyi, who took office in Myanmar in February 2016’, ‘entrenched military and capitalist interests’ that had been consolidated for decades prior to the current regime mean that past influence remains strong in Myanmar’s political and economic transformation, including the rebuilding of the IR system (Arnold and Campbell 2017:802). Nevertheless, domestic capitalists have incentives to improve their image to international investors and corporate clients, amongst others, by adopting international labor standards and demonstrating pro-labor practices, such as recognizing the trade unions (Arnold and Campbell 2017).

At a macro level, for the most part, the reform and development of China’s IR system in its post-state-planned economy era has been achieved independently of the influence/intervention from foreign bodies and international labor organizations, as the Chinese government has largely kept them at arm’s length (Chan 2020). In comparison, Vietnam’s IR system has become considerably more pluralistic than China, including recognizing the right to strike within the regulatory framework (Chan 2020); whereas Myanmar’s IR system ‘has been shaped by various actors outside of government circles, including ... ILO personnel, Myanmar trade unionists, foreign governments, transnational corporations, domestic capitalists and Myanmar workers’ (Arnold and Campbell 2017: 801).

4.3 The role of the trade unions and international organizations

There are considerable differences in the role of domestic and international labor organizations in the Asian state’s IR systems. Under their socialist regime, trade unions in China and Vietnam, like other socialist countries such as the former Soviet Union, were tasked to represent the interests of the working class under the leadership of the Communist Party, promote productivity by organizing productivity enhancement activities (e.g. skill competitions, problem-solving teams), maintain workers’ discipline, and play the welfare function on behalf of the company. As such, they were an integral part of the Party–state apparatus, with a responsibility to harmonize the labor–management relationship rather than representing workers independently (Pringle and Clarke 2011). While companies may have no choice but to recognize a trade union, this recognition may be a management strategy to be compliant with the Party-state’s requirement to set up a union rather than to given them collective bargaining strengths (Chan et al. 2017). Nevertheless, extant empirical studies show evidence that trade unions have a positive impact on workplace productivity and employee welfare in China. For example, Fang and Ge’s (2012) empirical study found that the presence

of trade unions and their productivity-oriented role (e.g. by questioning the legitimacy of management decisions and by putting forward productivity-enhancing suggestions) encouraged firms' innovations and R&D investment. Similarly, using 'provincial-level data from the period of 1994–2008', Budd et al.'s (2014: 185) study of 'the relationship between union density and wages, employment, productivity, and economic output in China' suggests that 'union density does not affect average wage levels, but is positively associated with aggregate productivity and output'. These findings support the argument that the Chinese official union organizations act mainly 'as agents of the enterprise and the state in delivering productivity enhancements at the expense of, rather than through the cooperation of, workers' (Budd et al. 2014: 203). However, Booth et al.'s (2021) survey study of rural migrant workers in China found that workers in workplaces with active unions tend to earn more, are more likely to have a written employment contract with social security coverage, receive fringe benefits, and express work-related grievances through official channels. They also feel more satisfied with their lives and are less likely to have mental health problems.

In Thailand, formal unionization is closely associated with state regulation, because 'it requires the state to provide the enabling legal mechanisms and, often, to facilitate unionisation through labour laws that protect union organising' (Vandergeest 2019: 337). Similar to China, unions in Thailand tend to serve as a mechanism of control and cooperation between the state and employers (Campbell 2018; Chen and Gallagher 2018; Vandergeest 2019). However, compared to China, the development of Thailand's IR has been more receptive to international influence (Brown 2016).

Prior to 2011, unions were effectively banned in Myanmar. Nevertheless, 'exiled labour and student activists established the Federation of Trade Unions of Burma (FTUB) in 1991', and as the military rule continued, 'Thailand-based Myanmar labour organizations, including FTUB and Yaung Chi Oo [Workers' Association in 1999], received financial support and training from Euro-American labour unions' (Arnold and Campbell 2017: 808). Although the 2011 Labour Organization Law legalizes the formation of trade unions for the first time since the 1960s (Park 2018), and although the ILO provided a considerable amount of input in these laws, the Myanmar government did not fully adopt the ILO's legal model (Arnold and Campbell 2017). In fact, some of the clauses are believed to be 'not in line with international standards' (Arnold and Campbell 2017: 808).

Myanmar's labor organizing is complexified by 'the multitude of unions and non-union labour organizations'; however, 'the Confederation of Trade Unions of Myanmar (CTUM) has been by far the most strongly supported by international labour organizations', such as the American Federation of Labor and Congress of Industrial Organizations, the International Trade Union Confederation and IndustriALL (Arnold and Campbell 2017: 810; see also Park 2018). Such international affiliation and good relations developed by some domestic unionists have enabled financial and other resource support and capacity building to develop unionism in Myanmar (Arnold and Campbell 2017). The weak IR capacity in Myanmar and the government's desire to seek 'international collaboration and economic integration' gave space for ILO and international union organizations to play a role in the country's IR institutional building (Gillan and Thein 2016: 274; see also Henry 2015). However, these developments do not necessarily lead to trade union independence in Myanmar—it has been reported that some union leaders are aligned with the government, reporting regularly to the authority on labor movement activities, in addition to the corruption of unionists 'seeking financial profit, status and power' (Arnold and Campbell 2017: 810). Nor has international influence and capacity building led to a unified labor movement strategy among the Myanmar labor organizations. Instead, some favor the social dialogue approach promoted by the ILO as part of its 'Decent Work' program; others 'privilege institutional and regulatory reform'; still others push for a more adversarial bargaining approach such as strikes (Arnold and Campbell 2017: 810). Those domestic unions that do not receive international financial support are more likely to develop links with the Myanmar government authorities and employers' associations to solve problems between labor and management in a practical manner (Arnold and Campbell 2017). In general, though, the discourse of Myanmar's unions and labor NGOs has been found to be rather corporatist, in contrast to workers' militant actions, in that talk of "'harmonious" employment relations, institutionalized negotiation and tripartism have dominated trade union discourse' (Park 2018:325). There is also evidence that 'tripartism has been frequently invoked by unionists and labour activists as a way to push officials in local labour departments to intervene in workplace negotiations' when employers refused to sit at the negotiation table (Park 2018: 338). 'At the same time, corporatism has gained currency at a policy level and has become the frame used to discuss IR institutions' (Park 2018: 339). In short, the ILO's role in nurturing Myanmar's nascent labor movement and in fostering social dialogue and tripartism in the country's new IR system has been widely acknowledged (Park 2018).

The role of lead firms in the global value chain in promoting labour standards in emerging and developing Asian economies should also be mentioned. However, corporate social responsibility programs that lead firms were expected to help promote in the manufacturing plants in developing Asian countries are not always effectively implemented, in part due to the dual pressure of the lead firms to keep costs low on the one hand and to uphold labor standards on the other (Anne 2018). Due to the weak bargaining power of the supplier firms in developing Asian countries vis-à-vis the lead firms, the cost of implementing labor standards has often been borne by the former (Cooke 2011).

Regulatory reforms and IR institutional building, as discussed above, enable workers to channel their grievances into ‘restrictive bureaucratic mechanisms’ (Campbell 2019: 62). But these mechanisms have not been sufficient, nor do they provide comprehensive coverage for the workforce in different forms of employment or sector. As such, aggrieved workers have often resorted to self-organizing industrial actions, notably wildcat strikes, to seek justice or to advance their rights and interests.

4.4 Management control and labor resistance

In addition to informal employment and the extensive hiring of migrant workers, performance-related pay in the form of piecework is common in manufacturing plants in the emerging and developing economies in Asia. It has been argued that piece rate policy is very much a deliberate management strategy to exploit and discipline the workforce (Lee 1998; Nguyen 2017). Under the performance-related pay system, management unilaterally sets a high target of workload or set piece rate at a low price which means that workers have to produce many pieces in order to receive a liveable wage. While some workers receive a very low basic wage to be topped up by performance-related pay, others have no basic wage as a safety net. These labor practices strengthen management control, keep wages low and working hours long, and fragments workers’ collective strengths, as workers are often driven by the opportunity to earn more and compete with their peers (Campbell 2016). Management control inevitably invokes labor resistance, even for those with very weak power.

Wildcat strikes took place, often in industrial zones and export processing zones filled with foreign-invested plants, in many Asian countries, and much more so in Vietnam and Myanmar than others (Arnold and Campbell 2017; Anne 2018; Clarke 2006). While in China, the law remains silent on the legality of strikes (Chang and Cooke 2015), the restricted or lack of clear rights to organize strikes means that they are mostly wildcat strikes. For example,

despite the enactment of the Labour Code in 1994 (Clarke 2006) with several amendments and extensions since (Nguyen 2017), wildcat strikes have been ‘a constant’ and ‘the ongoing approaches of the Vietnamese government and its social partners in strike resolution are ineffective and inconsistent with International Labour Standards’ (Khanh 2015:115; see also Chi, 2017). As Siu and Chan (2014:71) observed, ‘Vietnam has witnessed more strikes than any other Asian country in the past decade, despite its vibrant economy’, and despite the continuing pressure from foreign investors on ‘the Vietnamese government to suppress strikes’, it has not been doing so. In Myanmar, most of the strikes in the last decade were also considered to be ‘technically illegal under current laws’ (Park 2018:346).

While strikes also took place in the state sector, such as by teachers in poor townships and cleaning workers hired by local governments in China (*China Labour Bulletin* 2019), by and large, wildcat strikes have often involved workers in manufacturing plants funded by foreign and domestic private capital. Strike workers included those with little bargaining power, such as internal migrant workers in China, young graduate interns in India, and young women and men in garment factories in Vietnam and Myanmar.

Industrial actions were motivated by several issues, mainly violation of workers’ rights, poor working conditions, and low pay. In the earlier periods of economic liberalization, wildcat strikes were predominantly rights-based; since the 2010s, strikes have also increasingly been interest-based (e.g. Chang and Cooke 2018; Khanh 2015). In Vietnam, a high inflation rate has meant that workers were not able to make a minimum level of living even though their pay levels met the statutory requirements (Khanh 2015; Nguyen 2017). In China, the younger generation of the migrant workers demand better working conditions and living standards than their parents’ generation and would vote with their feet or go on strike (Lyddon, Cao, Meng and Lu 2015); others, such as crane drivers, also organized strikes to demand pay rises as adequate compensation for the nature of their work (long hours, harsh working conditions and skills) (*China Labour Bulletin* 2019).

Weak collective bargaining mechanisms and cultural insensitivity in management practices and company regulations implemented by foreign-funded companies are also main reasons for wildcat strikes, as reported in Vietnam (Cox 2015; Khanh 2015) and India (Noronha and D’Cruz 2021). Employers’ evasion in the contribution of social security in order to cut costs (e.g. by not signing employment contract or not making a full contribution in China, and paying wages in the form of allowances which are not classified as wage payment and therefore

no need to pay social security contribution in Vietnam) has been the main source of labor discontent (Cooke 2021; Khanh 2015).

The Asian hierarchical culture, in which management put themselves above the workers, 'leading to their reluctance to negotiate in good faith' (Park 2018: 345) or exercise contempt and maltreatment of workers (Saini 2016), has been another fuse for labor resistance. In Vietnam, one of the common reasons for workers' grievances and industrial actions stemmed from the company's broken promises to improve terms and conditions, such as pay rises and welfare benefits (e.g. Nguyen 2017). A similar situation is found in Myanmar (Arnold and Campbell 2017).

In addition to the legal restrictions on organizing official strikes, workers' lack of trust in the trade unions is another reason for self-organizing. In China, the trade unions have no right to organize strikes (Chang and Cooke 2015). In Myanmar, it was reported that the unionists, who were internationally-connected or supported, were mainly interested in recruiting members and attending international conferences and other perks, rather than organizing the workers to advance their rights and interests (Arnold and Campbell 2017). While the Chinese union officials are charged by law and the state to be actively involved in resolving labor disputes by playing a mediating role, the Myanmar union federations have been reported to distance themselves from strike actions during crackdowns for fear of political repercussion (Arnold and Campbell 2017). Nonetheless, unions have assisted in the negotiation and formation of new unions, regardless of the success of strikes or not; paradoxically, tightened management control after the strike triggered further labor resistance and strike actions (Park 2018). Lack of awareness of the trade unions and their role in representation/organizing also contributed to self-organizing (Park 2018).

A shared characteristic of the wildcat strikes found in China, Vietnam and Myanmar, for instance, is that strikes took place first after the company failed to listen to the workers' requests/demands; collective bargaining then followed. This is in contrast to strikes being the last resort after negotiation fails, as prescribed in some national labor laws (e.g. Vietnam; see Clarke 2006). This phenomenon also indicates that a workplace dialogue/voice mechanism and more broadly, a tripartite system, has not been established properly. In China, although the government's promotion of collective consultation and collective agreement approach has led to an increase in the number of collective contracts signed, many of the agreements were said to be meaningless for the workers, as they were a formality and covered mainly statutory

requirements. Moreover, most workers were not involved or even aware of the collective bargaining process, although there were also some good collective agreements through genuine bargaining that have benefited the workers (Lei 2017). A similar situation was reported in Vietnam (e.g. Khanh 2015).

In at least China and Vietnam, although political stability takes precedence before economic development and workers' welfare, when workers' discontent becomes a serious challenge, the government authorities pressurize businesses to settle the disputes (Anne and Liu 2016; Cooke 2011), but labor activists may also be punished (Chan 2020). Regulatory loopholes and enforcement slippages mean that outcomes of dispute resolutions may not serve (full) justice for the workers (Chen and Xu 2012; Nguyen 2017). Nonetheless, collective actions have been gainful for many workers (Tran et al. 2017). Due to lead-time squeeze, pressure to deliver goods on time to lead firms has often forced employers to make concessions in order to resume production (e.g. Anne 2018). Labor organization also has a negative impact on workers. As observed by Charoenloet (2015: 140), efforts 'to build bargaining power for workers through trade unions may lead to the exclusion of the workers involved in the production process' due to victimization from the employer. In addition, employers may use outsourcing/subcontracting (e.g. to homeworkers) to bypass unionism, as was found in Thailand (Charoenloet 2015).

Not all workers are able to use strike actions, regardless of their legality, to protest against workplace maltreatment and exploitation. In countries where undocumented or partially documented migrants are employed in substantial numbers, these migrant workers are often tied to the 'employer'. Some of them are subjected to abusive management practices but have little power to resist, as was found in the fishery industry in Thailand, where a large proportion of workers were tied migrants from Myanmar (Vandergeest 2019; Vandergeest and Marschke 2020). Neither national migration policies nor IR regulation protects these workers to improve their employment terms and conditions. For example, the Thai government prohibits non-nationals to register a union (Vandergeest 2019). Employers also use wage arrears to tie labor to the job, or more precisely, the fishing vessel (Vandergeest 2019). International and domestic NGOs, such as the Labor Promotion Network, a key NGO working with fish workers in Thailand, have emerged to partially fill the representational gap and provide a voice for the (migrant) fish workers. However, these sources of influence and activities, albeit critical to the workers, may not be sufficient to push for a more established regulation of labor relations in the fishery industry to improve workers' terms and conditions

on a long-term basis (Vandergeest 2019). More broadly, the right of migrant workers to join unions is often denied by national labor laws (Marks and Olsen 2015). According to Marks and Olsen (2015: 111), in ex-Communist states such as Lao PDR and Vietnam, trade unions have traditionally taken a ‘nationalist, protectionist stance’, and migrant worker concerns ‘have been seen as beyond the scope of unions’ responsibility and capacity’. This argument can be extended by suggesting that this position of the unions towards cross-border migrant workers may be more widespread than in ex-Communist states.

Undocumented international migrant workers often live in dormitories on-site or near their workplace and have little interaction with the outside world for fear of police inspection and deportation. Such precarity strengthens ethnic solidarity to some extent, but at the same time entrenches modern slavery practices (Campbell 2016; Vandergeest and Marschke 2020). These situations are not only found in Asia but also in Africa and even developed European countries (Michailova, Stringer and Mezias 2020). In contrast, in southern China, the dormitory regime for internal migrant workers not only enabled strong management control over the workers’ work and non-work hours to maximize production time (Pun and Smith 2007), but also created space for workers to develop solidarity and organize industrial actions without the trade unions (Lee 2007; Pun 2012). Many of the wildcat strikes were self-organized by the migrant workers.

In summary, institutional similarities, diversities, and divergence across the emerging and developing economies in Asia are manifested in the procedural and substantive reform of their IR institutions following their economic liberalization, in the economic and labor market conditions, the changing role of the key institutional actors, and, to various degrees, the opportunity for international organizations to be involved. The adoption of national and international labor regulation and infrastructural and other investments by the state and capital are all part of the efforts aimed at increasing economic efficiency (e.g. through pacifying labor by meeting their livelihood demands), and global/regional economic integration (Arnold and Campbell 2017; Arnold and Pickles 2011). In the Asian countries discussed in this section, the notion of corporatism, including social dialogue and tripartism as promoted by ILO, has found its way into the national IR institutional framework and discourse, if much less embedded in practice. This may actually work to the disadvantage of the workers, since their industrial actions outside this framework may be seen as uncooperative and unacceptable (Park 2018).

5. Summary

A key characteristic of labor–management relations across the emerging and developing economies featured in this chapter is that such relations have been shaped by many factors. These include historical and contemporary, external and internal weak regulatory institutions, and are manifested through a combination of labor militancy and milder forms of activism on the one hand, and unequal and exploitative employment practices on the other, as these economies seek to insert their key sectors (such as automotive and textile) into the global and regional value chain (Arnold and Campbell 2017). There is a much higher level of labor militancy, measured by strike actions, in some countries (e.g. Myanmar, Vietnam) than others. Equally, there have been more scope for the involvement of international labor organizations in some countries (e.g. Myanmar, Thailand, India) than others (e.g. China), due to the historical legacy and relative powers of the state, capital, and other institutional actors in the respective countries. While a corporatist rather than a confrontational approach has been encouraged by the states to various degrees, this has not been fully established in most countries discussed in this chapter (→Labor-Management Relations in Transition Economies; → Labor-Management Relations in Autocratic Regimes).

Many emerging and developing economies in Africa and Asia have gone through economic liberalization, labor regulation, and institutional building (improving laws, new laws, amendments of laws) to attract FDI. This development is in parallel with the informalization of employment, which is largely unorganized or inadequately organized to contain labor costs and increase competitive advantage. Deficiency in the labor dispute resolution system, weak institutions, regulatory non-compliance by employers and the lack of effective union representation means that self-organizing and wildcat strikes remain a common approach for workers to make their voice heard and seek to advance their rights and interests. Although governments in these countries are facing pressure to improve labor standards, labor militancy in the form of strikes, for example, is still largely repressed in some countries in order to maintain political and social stability for capital investment and economic development, though more so in Asia than in Africa. At the same time, divergence in national IR systems is occurring among countries that had shared political traditions (such as China and Vietnam).

The role of the global value chain has been paramount in the economic development of Asian and African countries, as exemplified in the manufacturing sector in Vietnam and Myanmar and the Thai fishery industry. The insertion into the global value chain brings the

opportunity for international NGOs' involvement in IR institutional building and regulating labor relations, more so in some countries (e.g. Myanmar and to a lesser extent Thailand) than others (e.g. China). Moving forward, in emerging economies and developing countries, union and employer strategies will need to focus on skills and human resource development. The collaboration together with the imperative to strengthen IR institutions in a rapidly changing world of work will also be vital for effective competition in a disrupted marketplace.

Cross-References

Labor-Management Relations in Transition Economies

Labor-Management Relations in Autocratic Regimes

Labor Standards

Decent Work and Quality of Employment

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