

Untangling Social Compliance: Promises and Pitfalls of Social Audit Analyses

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Business and Management [D12]

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Contributor Biography

Judith C. Stroehle is a postdoctoral researcher at Saïd Business School in the Responsible Business research hub. With a PhD (University of Milan) in Economic Sociology, Judith works on multiple questions surrounding the measurement and meaning of social, economic, and corporate governance outcomes and examines impact and effectiveness of companies' activities which aim at long-term, sustainable strategy. As part of this agenda, her research is currently focused on capturing the effect of multiple capital accounting systems on management practices. She is further involved in projects focused on public disclosure and the importance of board engagement with Prof. Robert Eccles. In a related interest, she looks at elements of social construction in the measurements of ESG, Non-Financial Metrics, and non-GAAP earnings and

examines the links between non-traditional accounting, disclosure, and practice. She also has an interest in understanding how measurement and progress tracking of non-financial targets can lead to innovation and impact entrepreneurial activity. Finally, she collaborates in projects which examine the economic impact of social certification in the export sectors of emerging economies (esp. Asia and Latin America) and has a strong interest in tracing the conditions of effectiveness of corporate governance mechanisms in global supply chains.

Abstract

This case study describes the promises and pitfalls of studying social audit data in the context of a global private labor governance program in the apparel industry, the Fair Labor Association. The case underlines how a thorough study and knowledge of both governing organization and local environment are essential for the sensible analysis of audit data. The case thus showcases examples in which audit data cannot be correctly interpreted without prior knowledge of existing local legal standards, industry specificities, mechanisms of auditing, and other contextualities. The case further discusses when and where it makes sense to include secondary data for analysis and what the benefits and challenges of primary data encoding are. In this context, it also demonstrates how the process of mining and encoding of social audit data can be structured to minimize mistakes and guarantee consistency and quality in results. Generally, the case study encourages strongly to embed the analysis of quantitative audit data in a thorough literature review, and if possible, to supplement it with a quantitative study of the governing bodies' organizational mechanisms to guarantee the correct interpretation of social auditing results.

Learning Outcomes

By the end of reading this case, students should be able to understand the main challenges that come with mining, analyzing, and interpreting social audits and have learned how they can address them adequately. They should have a good idea of what it means to create your own primary dataset out of audit data and when and where it is adequate to supplement these data with secondary data sources, and how to find these. This case will also enable students to understand the importance of contextualizing audit data and how to condition interpretation depending on changing environments. After reading this case, students should be able to

- Know how to effectively structure a process of encoding primary audit data
- Describe the main difficulties of working with social audit data
- Design an adequate research framework for social audit analysis
- Correctly contextualize social audit data for interpretation
- Chose fitting indicators from secondary data sources to widen the study horizon

Case Study

Project Overview

How can we assess responsible business behavior? This question plays an ever-growing importance in our global economy, in which measurement and monitoring have become essential to maintain control, transparency, and due diligence for companies. This case describes the assessment of one tool which attempts to measure socially responsible business conduct: the so-called social audits. The question asked was simple: how effective are governance programs in managing standards which are then assessed through social auditing? The way to address this

question is less so, as private audit systems fall into a complex array of power relations and are often questioned in their ability to assess less tangible issues, such as social standards. This case will discuss the use of social audit data to examine the effectiveness of a so-called private labor governance program in the global apparel industry and point out a range of issues that one must consider when working with these data.

Context

Global value chains (GVCs) describe the governance structure which has evolved around the global fragmentation of manufacturing processes in the wake of economic globalization—a phenomenon thoroughly described by academics such as Gary Gereffi, Humphrey, and Sturgeon (2005; Gereffi & Lee, 2012). And while most international organizations, such as the World Trade Organization (WTO) and the World Bank¹ underline that GVCs have brought modern consumption and welfare to many parts of the world, they are also known for relying on cheap and low-skilled workers in less regulated labor-markets of developing countries. And since the globalization of production did not coincide with an equally strong system of global justice, there is a lot of evidence that these structures can also have negative social repercussions, such as the massive exploitation and endangerment of workers in labor-intensive factories.

Since global production is concentrated in markets with weak regulatory capacity and workers' protection through the state, many non-governmental organizations (NGOs) and social activists have turned away from national governments, demanding action and support from multinational brands to correct social issues in the factories they buy from. In response to such anti-sweatshop and environmental movements, a wave of private organizations was created by multinational brands which defined a set of rules and standards, usually called “corporate codes

of conduct,” to address these issues. To control the adherence to these standards in so-called private governance systems, the most commonly used tool is social auditing.

The effectiveness of these programs is, however, widely contested. One of the most prominent examples of their failure is the Rana Plaza collapse in 2013, where an eight-story commercial building in Dhaka, Bangladesh, collapsed due to a structural failure. In the fatal accident, 1,134 people, most of them garment workers, lost their lives. Among the companies sourcing from the Rana Plaza factory were well-known western brands such as Benetton, Mango, Primark, and Walmart, which were faced with many accusations of negligence. Beyond those buyers, the whole apparel sector was faced with immense reputational issues in terms of their international manufacturing practices and labor safety and regulations.² Why were social audits not able to catch these problems?

Audits in general are “an official inspection of an organization's accounts, typically by an independent body.”³ They are used by public and private institutions to control the adherence to certain standards, such as health and hygienic standards in restaurants and accounting standards in banks and companies. *Social* audits function under the same principle, they relate to a specific set of standards (e.g., a corporate code of conduct) and are used for example by multinational buyer-companies in GVCs to check on the adherence of these standards within the factories they buy from. In best practice, social audits are conducted on a periodical basis, unannounced and by a third, independent party. However, in reality, visits from monitors are only sporadically held and announced. And although private governance programs employ third party monitoring agencies to inspect factories, researchers such as Toffel, Short, and Ouellet (2015) find that monitors are often biased and in certain cases even corrupt.

In 2013, Richard Locke released his book on the “The Promise and Limits of Private Power,” where he discusses the success and failure of private governance programs by studying the results of a large set of such social audits from Nike and a large electronics manufacturer. As the first researcher to tie results of social audits to the (non-) effectiveness of private governance structures, he also inspired my research on the Fair Labour Association (FLA).⁴ I was struck by the fact that these multi-million-dollar governance and audit programs, which companies put their name and thus their reputation to, seem to yield so little positive result. Focused on the area of labor standards, I thus went on to seek further answers to the question of effectiveness in private governance by addressing the (1) *diversity of the standards audited* and (2) *the diverse circumstances* (i.e., national cultures, regulation, etc.) under which audits take place.

Research Design and Practicalities

To address the question at hand, I chose to study factories in the GVCs of the apparel and footwear sector. This sector offers a useful frame of research, as production processes in the assembly of garments and shoes are extremely manual and thus labor intensive (Locke, Qin, & Alberto, 2007). Auditing labor standards in this sector is thus of high relevance and yields potentially more visible results of violation.⁵

Furthermore, choosing the FLA as source of audit reports and frame of private governance offered an interesting object of study due to three reasons:

- a. *Age and prominence*: As one of the oldest private governance mechanisms to address labor standards in apparel GVCs, the FLA is a large and important organization, counting especially global apparel brands among its members. Founded in 1998 through the initiative of former US-president Bill Clinton to create an “anti-sweatshop taskforce,” the FLA counts about 60 global brands, and about 2000 smaller companies and universities

(so-called licensees). About 250 audits are conducted under FLA-code every year in 21 countries.

- b. *Context and problematics:* Throughout its history, the FLA has had many adversaries, especially among activists, NGOs, and university students, for not being rigorous enough about the control of labor violations among its members. Critique peaked in 2012, when on January 25, the *New York Times*⁶ published an extensive feature about the labor conditions at Foxconn, the largest supplier for Apple's iPads in China. The report received world-wide recognition and documented how violations of excessive overtime and the use of poisonous chemicals lead to worker medical fatalities and several attempts of workers' suicides. On January 13, only a few days before the release of this article, Apple had become a paying, full member of the FLA. The FLA was heavily criticized for both an earlier praise of Foxconn,⁷ and the membership approval of Apple, which was associated with of a very high sum of membership fees paid to the FLA.
- c. *Data availability:* The FLA has a strict transparency policy, and uploads all social audits associated with its program to its website for public availability.⁸ This availability allowed for a process of encoding which created a dataset of FLA audit reports, used for the subsequent analysis.

To answer my research question “How do A. *the diversity of labour standards* and B. *the diverse circumstances* affect the outcome of social audits?” I wanted to run a simple OLS-regression on the number of violations found in the dataset of FLA audits, to assess how the number violations changes dependent on the defined diversity of interest (diversity in standards, diversity in the environment). However, before being able to operationalize my research and capture this research interests, the following steps had to be processed:

1. Understanding the FLA audit-data
2. Sampling of audit-data
3. Encoding of audit-data
4. Choice of indicators for independent variables
5. Collection of data for independent variables

Method in Action

1. Understanding the audit-data of an organization like the FLA requires a dedicated effort of sighting and engaging with all public, and if possible some internal, material which describes their philosophy and methodology of monitoring. Additionally, I found that previous engagement with the academic literature on social audits provided a powerful framework of reference and analysis while reading through these documents. Understanding how audits are created, which standards they try to capture, how they capture them, how they document them, and so on, is an inevitable exercise if one wants to engage with the results of these audits more. In the FLA's case for example, audits are supposed to identify potential violations in nine areas of labor standards: employment relationship (ER), non-discrimination (ND), harassment and abuse (HA), forced labor (FL) and child labor (CL), freedom of association and collective bargaining (FoA), health, safety and the environment (HS), hours of work (HoW), and compensation (CO). Understanding each of these categories and how they are interpreted by the FLA was key for capturing the diversity of labor standards in this research project.

Note: Working with audit data (encoding, analyzing, and interpreting) should never be done without a full understanding of the organizational context of these audits and the process of auditing through which these are created!

2. The sampling of the FLA audit data was partly influenced by the chosen research frame (chosen industry) and partly by data availability (time and scope). The final selection identified 31 buyer companies which were included in the encoding process, all with their HQ in one of six countries: Germany, Hong Kong, Japan, Sweden, the United Kingdom, and the United States. To have a relevant time-frame, I included audits from 10 years, from 2004 to 2014. This timeline was cut at 2014, as the FLA audit methodology underwent significant changes in 2014, which meant that audit reports would not be immediately comparable anymore in a time-series data set beyond that point. Finally, availability became a knock-out criterion in terms of scope: companies with less than 10 reports (over the total time-frame) were not considered for encoding. The total sample of reports to encode contained 1,005 publicly available FLA social audit reports. Exhibit A shows an excerpt from the coding report of this process.
3. Encoding of the FLA audit-data was the most crucial step within this process, as any faulty coding would lead to a misrepresentation of the data and to false results and inference. It was however also the most challenging. The tracking sheets from firms audited through the FLA program (which is done by contracted third-party auditors in most cases) are uploaded onto the organization's website either as Excel- or PDF-files. Depending on the format, the information in the reports was found in different places, which posed a big challenge to consistency in coding.

Exhibit A.

Caption: Excerpt from coding report.

The reports used to create the dataset from FLA-Audits can be found online, on the association's website under http://www.fairlabor.org/transparency/workplace-monitoring-reports . Among these reports, all member FLA-companies and -suppliers with at least 10 tracking charts uploaded between the years 2004 and 2014 were selected for encoding. Audits from the following companies were included:			
47 Brand	Gear for Sports	Nordstrom	SanMar Corp
Adidas	H&M	Patagonia	Top of the World
American Eagle Outfitters	Hanesbrands	Phillips-Van Heusen	Umbro
Ashworth	Liz-Claiborne	Puma	Under Armour
Asics	New Balance	Reebok	VF Corporation
Columbia Sportswear	New Era Cap	Russell Brands	Yee Tung Garment
Cutter & Buck	New Wave Group	S. Oliver	Zephyr Graf-X
Eddie Bauer	Nike	Salomon	

Source: Stroehle (2017): Conditions of Impact. Doctoral Thesis at the University of Milan.

Exhibit B represents an example-screenshot of such a report in the Excel format. In the top section, we find information about the buyer as well as the factory; in the lower section, we find a list of different codes with the specific violations found under each section.

In both report formats, Excel and PDF, the information about each labor standard was counted from the assessment in each report. Hereby, each point of violation indicated under a specific standard was counted as one. In this example, there are three violations to be found for Code Awareness, 0 for Forced Labour and 4 for Child Labour. In total, 23 variables were encoded from these reports, a list of which can be found in Exhibit C.

Exhibit B.

Caption: Screenshot, excerpt of an example FLA audit report.

[insert Figure 1 here]

Source: Excerpt of full report, FLA online (2016)

<http://www.fairlabor.org/transparency/workplace-monitoring-reports>

Exhibit C.

Caption: Variables encoded from the FLA audit reports.

Factory code	Unique identifier for each factory under audit
Company	FLA buyer- or supplier-company, who is buyer at the audited factory
HQ	Country of headquarter of the FLA buyer or supplier-member
Companies, other	Other buyers, sourcing at the factory under audit
Monitor	Agency of monitoring who conducted audit
Country	Country of production, where factory under audit is located
Workers	# of workers at the factory under audit
Products	List of products manufactured at the factory under audit
Month	Month of audit

Year	Year of audit
Production process	List of production processes conducted at the factory under audit
Freedom of Association	# of FoA violations counted at the level of the factory under audit
Harassment and Abuse	# of HA violations counted at the level of the factory under audit
Non-Discrimination	# of ND violations counted at the level of the factory under audit
Health and Safety	# of HS violations counted at the level of the factory under audit
Compensation	# of CO violations counted at the level of the factory under audit
Employment Relations	# of ER violations counted at the level of the factory under audit
Hours of Work	# of HW violations counted at the level of the factory under audit
Child Labour	# of CL violations counted at the level of the factory under audit
Forced Labour	# of FL violations counted at the level of the factory under audit
Other	# of Other violations counted at the level of the factory under audit
Discontinuation	Dummy variable, indicating whether the contract was discontinued after audit
Discontinuation, reason	Reason for discontinuation of contract

Source: Stroehle (2017) Conditions of Impact. Doctoral Thesis at the University of Milan, Italy

To respond to the diversity in reports of PDF and Excel format, I established two diverse encoding routines, which yielded in the same numerical results. For example, in the PDF reports, the information about firms and audit was always taken from the first page. In the Excel reports,

the information about firms and audit was taken from a box on top of the Sheet. I wrote this into a word document to be able to continuously make sure that my encoding process would follow the same routine and thus yield unchanged results.

4. The choice of indicators for independent variables in a quantitative study is all about knowing what you want to learn. The independent variables are your predictors, so you chose the phenomenon or context that you are interested in and how it affects your outcome. In my case, I was interested in the environment in which auditing takes place. Informed by the literature, I chose two broader dimensions of indicators—the corporate environment (private context) and the local environment (public context). This informed choice gave the theoretical edge to my research, it is therefore extremely important that the choice of these indicators is based on a hypothesis which you have created out of a theory and previous literature. Only then can you make a credible claim, why your indicators should have a significant and relevant impact on your observed outcome (in this case the violations in social audits of the FLA).

The ease or difficulty of collecting data for your independent variables is entirely dependent on the type of indicators you have chosen. In the case of this study, half of the indicators for the independent variables were taken from the audit data itself and half of the indicators taken from public sources, such as the WTO and the International Monetary Fund (IMF).

The advantage of taking secondary data sources for the independent variables in an analysis is that one can widen their contextual horizon and look at relationships between phenomena, of which not all have been captured in the audit data itself. The challenge of external data sources is however always data quality and completeness. Data quality can be addressed by using known and widely used sources from public institutions. Looking at previously published research can

help to understand which variables and sources are viable to use. The exact study of the analyses in research such as Short, Toffel, and Hugill (2016), Toffel et al. (2015), and Locke (2013), for example, were a big help in decisions made on the research design, fitting independent variables and data sources. Data completeness on the other hand is an issue especially in large cross-country and time-series data sets, where certain information is only available for a subset of cases or years. The researcher has to be careful in weighing the importance of an indicator, if it means losing data for the estimation.

Practical Lessons Learned

Two main lessons can be learned from this example of designing a research project with primary social audit data, which can help to ensure the quality of findings and the accuracy of interpretation.

First, it is extremely important that the researcher really knows *the organizations* he or she studies and understands *the environment* in which the auditing he or she seeks to analyze is taking place. This point might seem obvious, but its importance cannot be understated. A scenario will demonstrate this. When auditing discrimination, for example, one might think that a high percentage of women workers in factories is a positive sign: women are not being discriminated when jobs are distributed. This is, however, a misinformed interpretation. Garment factories in the third world largely employ more women, as they are more likely to accept work which offers bad conditions and poor pay due to their discrimination on the wider job market. A researcher will need a good knowledge of the industry and local environments in which governance takes place, to interpret these findings correctly. A rigid study of the governance system and the standards applied will additionally be of high importance. The researcher will, however, also need to understand the organizational component of these findings. Who defined

the standards (legitimacy of governance goals), which legal standards were used as benchmarks (local or global) and who is conducting the auditing visits (the organization itself or third-party monitors)—all these details make a big difference in the outcomes and necessity of reflection upon audit reports.

Knowledge of all this will also help to contextualize the validity of methods and findings in audit reports. A good example here is the auditing of rights to freedom of association. Here, we often find counter-intuitively that violations are higher in factories where unions are present, and worker representation is thus in fact better. The reason for this is that violations against unions are only recorded where unions are present, not where they are absent. In turn, zero recorded violations could indicate a severe level of repression in this area, no union representation at all and very low legal benchmarks in the country of production. Again, an uninformed researcher would completely misinterpret these audit results. An understanding of potential misrepresentation in audit reports and the knowledge of the local context can thus only be achieved by understanding both the governance organization and its environment.

How can this be achieved?

- a. *Embed your research.* The analysis, and paper, which this case-study focuses on was conducted as part of a larger research project with a mixed-method approach. This means that a thorough in-depth case study of the collaborative structure, governance mechanisms, history, and context of the FLA pre-dated the analysis of its output. Such an approach is highly recommended. Whereas I realize that not all studies may seek a mixed-method approach, I argue that at least an in-depth literature and document research on the organization's level is unavoidable to reliably interpret social audits results within private governance programs.

- b. Learn from your context study and apply this knowledge to your research design.

For example, due to the in-depth knowledge about the FLA's history, the study of its social audits offers an explicitly problematic context which allowed me to directly address the questions of social audit effectiveness in my discussion. Its history also suggested that I should assume a bias in the inspected audit data with an underrepresentation of violations in all categories.

All inferences of this research thus stood in the context of the qualitative knowledge I obtained about the organization, the industry and the context of the governance program in which social auditing took place.

Second, when working with primary audit data, which is still in need of cleaning, quantification, or encoding, there are certain rules of thumb that can help secure data quality in the process creating medium-sized or larger sets of data:

- a. Write down the routines which are being used to encode in order to ensure that the process remains the same from beginning to end and that it also remains stable when you are not able to work on the data for a period of time. A simple 5- to 10-step process description which you have printed out next to you and use as guidance through the encoding work, can reduce small and unnecessary mistakes.
- b. Don't work more than a couple of hours at a time on the encoding, as concentration will swerve, and mistakes are sure to happen. Rather, work for, for example, 2 hr on the encoding, alternate with something else for 2 hr, go back to encoding for a while and then alternate again. This mix-and-match approach will allow you to stay focused and pay higher attention to detail in the process. Write

down exactly how many reports you want to have in your data set, so you can track your own progress and success in achieving this goal.

- c. Once you are half-way to your set goal, go back and draw a random sample from the list of encoded audits to double-check the data. If you find mistakes in more than 10% of your sample cases, you need to go back over the data. If you only find few mistakes, you will know where to pay better attention in the future.

The challenge of encoding audit reports of this kind is to realize whether and when you have to account for biases. Controlling for the right variables is an important decision which can be informed by previous literature. Finally, it is extremely important that the choice of indicators you use for measurement in your analysis is based on a hypothesis which you have created out of a theory and the findings of former studies. This will ground your assumptions and give your work the credibility it deserves.

Conclusion

This methodology case discussed a research project in which social audit data from a private governance program in the global apparel value chains was mined, self-encoded, and then used for analysis. We saw how the research was framed, decision about the selection of cases was made and what one should look out for, when encoding, analyzing, and finally interpreting data from social audits.

Even though it can be quite a tedious process to mine and encode primary data for research purposes, we cannot underestimate the value it brings in offering cumulative insights into areas where already aggregated data or secondary sources do not exist. From the experience of my research project, three key take-aways become apparent for research involving processes of mining and encoding. First, one must not work with audit data before having a thorough

understanding of the organization which designs the audits, the key members and their motives and the organizational mechanisms involved. Second, it is useful to structure the encoding alongside an easy set of process steps which the encoder can refer to for each case. Data need to be randomly checked for errors and finally evaluated for plausibility before an analysis can start. Third, in order to correctly design analyses and interpret results of research involving audit data, researchers need to understand how the standards are constructed to which auditing refers and have a thorough knowledge of the context in which these data are created and used (local environments, legal requirements, industry particularities, etc.). These insights will make a significant contribution to the relevance of inference and protect the researcher from obvious misinterpretations in his results.

Exercises and Discussion Questions

1. What are the promises of using social audit data in the assessment of private governance effectiveness?
2. Which potential challenges can we expect when social audit data is used for the assessment of private governance effectiveness?
3. Why is it important to consider organizational aspects and local environments in the interpretation of audit data, and how can this be done?
4. What are the benefits and downsides of using primary audit data?
5. How can you ensure that your encoding process of primary audit data is qualitatively high and consistent across the whole data set?
6. Why is it useful to complement primary data sources with secondary data in the analysis of audit reports?

Notes

1 The World Bank, for example, states on its website that

Participation in global value chains (GVCs), the international fragmentation of production, can lead to increased job creation and economic growth. The World Bank Group is (thus) helping developing countries catch the GVC wave and realize the benefits GVCs can deliver.

(<http://www.worldbank.org/en/topic/global-value-chains>. Last accessed July 26, 2018).

2 See, for example, the *Guardian*, 2013–2016: <https://www.theguardian.com/world/rana-plaza>.

3 Oxford Dictionary, 2018. <https://en.oxforddictionaries.com/definition/audit>, last accessed July 26, 2018.

4 Published in Stroehle (2017).

5 Which will be our indicator of success in the analysis.

6 Duhigg, C. and Barboza, D. (2012): In China, Human Costs Are Built Into an iPad. New York Times. www.nytimes.com/2012/01/26/business/ieconomy-apples-ipad-and-the-human-costs-for-workers-inchina.html?scp=4&sq=foxconn&st=cse.

7 After taking a guided tour of Foxconn in February, FLACEO Aurret van Heerden reportedly said that Foxconn’s “facilities are first-class; the physical conditions are way, way above average of the norm,” that “Foxconn is really not a sweatshop” and that “workers are very outspoken, and they’re not intimidated at all.” In: Steven Greenhouse (2012): Early Praise in Foxconn inspection brings Doubt. *The New York Times*. www.nytimes.com/2012/02/17/business/early-praise-in-foxconn-inspection-brings-doubt.html?r=1.

8 Reports have to be uploaded latest 12 month after inspection and can be found in anonymized form, but with reference to the buying company on

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Further Reading

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