

Roger Blanpain, Juan Pablo Landa, Brian Langille, Philippe Auvergnon

Flexibility and Wages a Comparative Treatment Roger Blanpain, 1990 Bulletin of comparative labour relations **Labour Regulation in the 21st Century** Pietro Manzella, 2012-01-17 The economic crisis has highlighted major ,2005 shortcomings in the EU flexicurity strategy which although suitable to tackle structural unemployment in a period of economic growth it proved unable to stand the impact of the recession which requires specific measures to maintain employment Against this background the authors of the present papers which were presented at the International Scientific Conference Labour Market of the 21st Century Looking for Flexibility and Security on the occasion of the 370th Anniversary of the establishment of Vilnius University's Faculty of Law that took place on 12 14 May 2011 investigate the development of labour regulation in the 21st century with particular reference to the relation between flexibility and security and to the need to strike a balance between these two elements The contributions address the issue in a comparative and transnational perspective and provide some insights into the development of national models of flexibility and social security Flexible Future? Paul Blyton, Jonathan Morris, 2017-11-07 No detailed description available for A Flexible Future The Global Labour Market Roger Blanpain, Michele Tiraboschi, Pablo Comparative Labor Law Journal ,1995 Arellano Ortiz, 2008-01-01 As global power relations increasingly favour international capital it becomes crucial for labour and employment lawyers to center their field in a supranational context As long as wages social security and taxes remain national matters states compete at this level in order to attract foreign investment This does not bode well for employees or the self employed Most ameliorative measures come in the form of unenforceable and soft laward guidelines and recommendations. The conference recorded in this vitally important book confronts this losing battle of local responses to global challenges The book reprints the papers submitted to that conference by twenty three outstanding scholars from fourteen countries Among the many critical issues they expose and discuss are the following and the proliferation of varieties of non standard employment and protection of migrant workers and rights by regional organizations and global and regional trends in the human resources function and work training and education policy and effectiveness of equality and non discrimination standards and involvement of employees in workplace decisionmaking and and the need for an equitable social safety net In the course of the discussion the authors examine cases from many countries including not only EU Member States both West and East and the U S but also Japan Chile South Africa and Indonesia With a focus on the nexus of multinational enterprises and international standards the book provides both a sharp image of where labour law stands in todayand s worldand revealing serious social problems in a clearer light than is usually encounteredand and a very valuable guide to directions to pursue and potential solutions offered by some of the most engaged and committed minds in the field It is an indispensable resource for legal workers in this and eye of the stormand of globalization Human Resource Management and Labour Market Flexibility Alan Williams, 1993 Contends that the role of scholarship on labor markets and

management in the changing world economy cannot be evaluated at this time and that macroeconomic and environmental values may soon have as important an influence on labor practices as the efficiency of any particular firm In that context surveys some of the theories of labor that have been developed during the economic upheavals of the 1980s No index Acidic paper Distributed in the US by Ashgate Annotation copyright by Book News Inc Portland OR Labour Law in Japan Tadashi A. Hanami, Fumito Komiya, Ryuchi Yamakawa, Chikako Kanki, 2025-07-22 Derived from the renowned multi volume International Encyclopaedia of Laws this monograph on Japan not only describes and analyses the legal aspects of labour relations but also examines labour relations practices and developing trends It provides a survey of the subject that is both usefully brief and sufficiently detailed to answer most questions likely to arise in any pertinent legal setting Both individual and collective labour relations are covered in ample detail with attention to such underlying and pervasive factors as employment contracts suspension of the contracts dismissal laws and covenant of non competition as well as international private law The author describes all important details of the law governing hours and wages benefits intellectual property implications trade union activity employers associations workers participation collective bargaining industrial disputes and much more Building on a clear overview of labour law and labour relations the book offers practical guidance on which sound preliminary decisions may be based It will find a ready readership among lawyers representing parties with interests in Japan and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations Regulating Employment Industrial Relations and Labour Law Intl Co Blanpain, 2010-01-01 The complexity of employment arrangements in various countries tends to make it difficult to understand them Nevertheless it is important to take stock periodically particularly from an internationally comparative perspective This remarkable book is a giant step in that direction It is especially valuable in the context of increasing globalisation For each of nine key jurisdictions the European Union Germany Sweden United Kingdom United States of America Canada New Zealand Australia and Japan experts present detailed information and analysis on key issues shedding valuable light on trends in such specific areas of employment relations as the following atypical work and flexible work arrangements dispute settlement procedures such as negotiation conciliation mediation arbitration and other forms of governmental or judicial intervention job security anti discrimination and gender equality recognition of unions and employers associations and forms of employee representation how collective bargaining is regulated whom the collective agreements cover and what they contain parental leave and childcare policy the capacity of individual agreements to override or not override collective agreements minimum wage levels overtime and shift work and paid leave entitlements As a general framework Part 1 offers an insightful summary of the underpinnings of current analysis of globalization including discussion of the varieties of capitalism thesis the divergence convergence debate with its models of bipolarization clustering and hybridization and elements of historical and political economic path dependency in various cultures The information gathered here furthers understanding of the increasing

disconnect between the prevailing institutional framework for employment relations and the sweeping changes that are taking place in the world of work With this book s analysis practitioners and policymakers will be able to overcome their dated assumptions and more effectively accommodate each others interests in the face of the complex mix of continuity and change that they are confronting The team of authors are experts in these countries They are active in policy or legal analysis business and or scholarship The Laval and Viking Cases Roger Blanpain, Andrzej ?wi?tkowski, 2009-01-01 in this book nineteen labour law scholars present country reports detailing challenges and consequences of the rulings evident in twelve EU Member States as well as in Norway and Russia Among many others the salient issues covered include the following cross border solidarity among workers collective action as a fundamental freedom the prospects for an EU minimum wage plan the social partners approach to national labour law the harmonisation of social security standards and the scope of enforcement by Member State labour regulatory authorities Labour Productivity, Investment in Human Capital and **Youth Employment** Olga Rymkevich, 2010-01-01 Unemployment levels are on the rise nearly everywhere and the rate is particularly high among young people If this trend is not reversed the potential long term economic and social damage is incalculable For this reason a particular urgency attended an international conference on the subject held in March 2009 at the Marco Biagi Foundation in Modena Italy in the course of which specialists in labour law human resources management labour economics sociology education and statistics met to present and compare research This issue of the Bulletin of Comparative Labour Relations includes a selection of the papers presented at that conference Although the selected essays present findings on specific issues in particular countries the general applicability at the global level is evident Assessing measures taken to deal with youth unemployment in thirteen countries Italy Spain Russia Sweden Bulgaria Estonia Hungary Poland Israel Nigeria the United States China and Singapore twenty five leading authorities describe and analyse such aspects of the problem as the following vocational education and training quality of employment as well as quantity links between educational institutions and local national and international enterprises consultation and co operation between employers associations and trade unions job security vs employment security funding for postgraduate programmes internships and on the job vocational training career development for future managers safeguards for workers in a framework of flexibility labour market pressure from unskilled immigrant workers earn as you learn schemes work in the informal economy and the rationale behind the phasing out of passive labour market measures for school leavers such as unemployment benefits Seafarers' Rights in the Globalized Maritime Industry Desislava Nikolaeva Dimitrova, Roger Blanpain, 2010-01-01 The enormous technological financial and structural changes of recent decades have revolutionized the international shipping industry bringing about lower freight rates shorter time in port and fast turnarounds reduction in crew size employment of cheap labour from developing countries avoidance of national regulations and taxes and diminished living and working standards on board Exploitation of seafarers has always existed but now it has become more common and

frequent Shipowners can cut costs in various ways but the most profitable and easiest to achieve are those at the expense of labour costs in particular costs for maintaining proper living conditions on board the ship This bulletin examines in detail the structure of the shipping industry focusing on problems concerning the working and living conditions of seafarers on board merchant ships serving the global sea transport system Exploring all levels of maritime policymaking on a global and European level the author analyses seafarers rights in the light of international enforcement mechanisms and particularly in the light of the recent ILO Maritime Labour Convention He also considers relevant case law as well as advisory opinions and policy statements from various pertinent agencies especially in the EU context Among the issues raised and discussed in depth in relation to their effect on seafarers labour standards are the following ship manning companies illicit crewing agencies flags of convenience hours of work and rest wages occupational health and safety accommodation food water and catering recreational facilities filing of grievance and port controls The author shows that expansion and progress of the maritime industry notwithstanding there is a great need for effective enforcement mechanisms in this area This is the first detailed analysis to connect the working and living conditions of seafarers with international supranational and national maritime legislation A giant step towards establishing a global monitoring system to enforce international maritime conventions regarding seafarers labour standards it is sure to make an important contribution to both international labour and employment law and the law of the sea The Legal and Institutional Framing of Collective Bargaining in CEE Countries Ivana Palinkaš, 2018-04-09 The formerly communist countries of Central and Eastern Europe CEE have witnessed a profound transformation of their labour laws since the 1990s and especially after their accession to the European Union Today in comparison to the other Member States they continue to have weak trade unions and employers associations and an underdeveloped system of collective bargaining Moreover the recent economic and financial crisis highlighted the need to invest further efforts in bringing the CEE industrial relations closer to the old Member States in order to facilitate a more meaningful enforcement of the EU wide economic and social policies This is the first book to scrutinise this important matter in depth Focusing on four current CEE labour law regimes in Slovenia Slovakia the Czech Republic and Poland that also have different collective bargaining trends and can be said to exemplify some of the main legal and institutional frameworks for collective bargaining that the CEE countries have developed the author addresses the following major issues the transition from a centralised to an open market economy and the degree of continuing residual characteristics the extent to which labour laws since the 1990s have enabled an adequate institutionalisation of industrial relations to allow free and voluntary collective bargaining at the national sectoral and company levels and the effectiveness of the standard setting role of trade unions and employers associations insofar as they have persisted or come into play The analysis always keeps in focus the development of labour laws in relation to a number of such interlinked elements as market transformation type of privatisation of state ownership and attitudes towards welfare It draws on both the relevant literature and on twenty five

interviews with legal and policy experts from social partners organisations and staff within the ministries for social affairs in the selected countries In support of the study s general finding that the laws in CEE countries could provide more stimulus for sectoral and cross sectoral collective bargaining the author offers deeply informed recommendations and insights into legal shortcomings and pinpoints how the existing legal frameworks can be enhanced Any professional or academic in the field of industrial relations and particularly those concerned with complex transitions such as those occurring in the CEE countries and elsewhere in the world will find this book of great value Game Changers in Labour Law Frank Hendrickx, Valerio De Stefano, 2018-03-01 The renowned international labour law scholars contributing to this incomparable volume use the term game changers to refer to evolutions concepts ideas and challenges that are having or have had major impacts on how we must understand and approach labour law in today s global economy. The volume derives from an international conference organized by the Institute for Labour Law at the University of Leuven Belgium in November 2017 This initiative is pursued in the spirit and with the methods of the late Emeritus Professor Roger Blanpain 1932 2016 a great reformer who continuously searched for key challenges in the world of work and looked as far as possible into the future engaging in critical reflection and rethinking the design of labour law While seeking to identify the main game changers the authors explore new pathways and answers which may help to understand and shape the future of work This is the 100th of Kluwer's Bulletin of Comparative Labour Relations a series Professor Blanpain launched nearly fifty years ago The contributors address and reflect on such vital issues and topics as the following the gig economy core labour law values freedom of association non standard employment the rise of the service sector employment and self employment the European Pillar of Social Rights app based work algorithms as controls in the workplace collective bargaining rights and the right to strike the role of temporary employment agencies and termination of the employment relationship There are also chapters devoted to specific issues in France Italy the United Kingdom Estonia China and the United States Roger Blanpain consistently reminded us that labour relations are power relations Although this book shows that the power balance is tipped towards employers in today s world what is nevertheless very clear is that labour law can play a crucial role in re enlivening equitable outcomes fairness decent work and social justice in our contemporary and future societies and that academia can help to understand guide and shape that future For this reason this book will be invaluable to professionals in labour relations whether in the academic policy or legal communities **Trade Union Rights at the Workplace Roger** Blanpain, Thomas Klebe, Marlene Schmidt, Bernd Waas, 2012-01-01 For employees collective protection has never been more urgent Everywhere pressures resulting from worldwide competition and technical innovation are downgrading and relocating jobs closing companies and fuelling workers fears of less than secure working conditions de qualification and job loss More and more trade unions confront the challenge of asserting their rights across borders However in order to establish the necessary preconditions for any transnational solidarity it is necessary to define and clarify both what is distinctive and what

is fundamental in the different legal frameworks affecting trade union activity That is what this book sets out to do The essays presented here are an outcome of an international and comparative conference organised and sponsored by the newly established Hugo Sinzheimer Institute of Labour Law HSI Frankfurt am Main which took place in Frankfurt in January 2011 at the premises of IG Metall the world's largest trade union The book offers an overview of trade union rights in each of seven industrial countries Belgium Hungary England Germany France the Netherlands and the United States A concluding chapter by Manfred Weiss notes the futility of a harmonization approach stressing rather a strategy of accepting variety which nevertheless embraces close cooperation Issues covered include the following direct and indirect recognition of the rights of the unions at the workplace the right of access of trade union representatives not employed in the establishment competition from non unionized firms and low labour cost operations new styles of management hostile to trade unions employers use of the courts to prevent industrial action illegalized by new legislation relations among trade unions works councils workers representatives and employers organizations the role of the union at a time of change of company ownership and effects of public resistance to cuts in public services and to job losses At a time when the protection of the global voice of workers is of the utmost importance sensitivity to existing cultural differences is crucial to effective international engagement and cooperation among trade unions As an important contribution in this respect this book will be of great value to labour and employment lawyers and other professionals involved in law and policy affecting labour and industrial relations Publisher's website **Employment Policies and Multilevel Governance** Roger Blanpain, Juan Pablo Landa, Brian Langille, Philippe Auvergnon, 2009-01-01 Compares multilevel manpower and social policy in five EU member states with one chapter also on the Canadian federal model The Role of the Court of Justice in EU Labour Law Silvia Rainone, 2023-05-17 In an unresolved ongoing debate the Court of Justice of the European Union CJEU is often included among the institutional actors responsible for the declining condition of labour law in Europe Has its case law been more protective of employers interests than of workers rights This innovative book greatly enhances the discussion by bringing to light the judicial lawmaking logic other than those pertaining to the balancing of social and business values that drive the CIEU's reasoning in its interpretation of the labour law provisions enshrined in the European Union EU law with particular attention to the directive on transfer of undertakings Addressing fundamental issues such as uneven bargaining power labour as a commodity coexistence of workers rights and the market economy in the context of judicial lawmaking the author clearly defines the tensions at work What normative models underlie the approaches of EU institutional policymakers with respect to labour law Does the CJEU have its own vision of the socioeconomic model to which the Union should adhere How does the CIEU s interpretative approach stand in relation to the transformation processes that regulators impose on labour law Is the CIEU particularly attentive to the preferences expressed by national governments especially those from the most politically influential states or rather reflect the political pressure of the European Commission What is the role of trans judicial

dynamics in shaping the CJEU s reasoning in labour law cases The study is extraordinarily thorough drawing on a wide range of policy documents scholarly and doctrinal research and the entire body of the CJEU s case law on transfer of undertakings The legal arguments that the CIEU has developed over the years are mapped and classified according to their affinity with the labour law functions that underlie them With its comprehensive assessment of the normative implications of EU policymaking in the labour and social domains its thorough exploration of the CIEU s judicial lawmaking dynamics and its extensive empirical legal analysis of the CJEU s case law on transfer of undertakings the book has no peers in revealing the forces that guide the CJEU s decisions in the realm of labour law Of particular value to scholars and researchers interested in EU social policies and constitutional law the book will also prove of immeasurable value to labour law practitioners aiming to use the case law of the CIEU as well as to in house counsel industrial relation specialists and trade unionists Collective **Bargaining Developments in Times of Crisis** Sylvaine Laulom, 2016-04-24 In many EU Member States the various economic crises of recent years provided grounds for a rarely equalled level of state intervention in the regulation of labour relations with an explicit aim the decentralisation of collective bargaining An extensive body of research summed up and analysed expertly in the chapters of this very important book reveals that the process of decentralisation has more often than not led to a situation where salaries and labour conditions are ever more frequently determined by direct negotiations between employer and employees with the State becoming the sole guarantor of employee protection even as it encourages decreasing labour costs to ensure that companies remain competitive The comparative approach offered in this book adds to this synthesis by providing examples of speci c recent developments in fourteen Member States and Turkey Among the numerous topics and issues that arise are the following opt out clauses that derogate unfavourably from sectoral agreement standards extension of the employer's unilateral decision making power memoranda of understanding imposed by the troika EU ECB and IMF and stand by arrangements imposed by the IMF However notwithstanding the strong emphasis on changing the structure of collective agreements by shifting the centre of gravity closer to the company research and promise in the reconstituted support for sector level agreements increasingly found among very small businesses networked businesses and work via digital platforms This is the rst book to take stock of the current state of collective bargaining in Europe It is an essential study for labour and employment law practitioners and an exemplary analysis of immeasurable value to policymakers and academics in the eld European Board-Level Employee Representation Jeremy Waddington, 2018-06-23 It is often assumed that employee representatives exert power at the company board but it is rarely made explicit how power is exercised and to what effect This book the first to assess national differences between board level employee representatives in their exercise of influence and power examines coordination among board level employee representatives trade unions representatives from other institutions of labour representation within the company management and other board members Drawing on a large scale survey distributed to board level employee representatives

eleven expert contributors analyse for seven European countries Denmark France Germany Hungary Norway Slovenia and Sweden how such issues and topics as the following affect the participation of employee representatives at the board capacity of board level employee representatives to exercise power over long term strategic corporate decision making how changed circumstances impinge on the role of employee representatives how coordination of workers interests has been established and maintained if at all how board level employee representatives are selected influence of board level employee representatives on corporate restructuring effect of corporate codes of governance impact of the establishment of groups of companies and protections against dismissal and discrimination of board level employee representatives Each country chapter reviews the legislation that underpins board level employee representation the timeliness and quality of the information provided and the capacity of the representatives to apply information made available with the purpose of establishing whether the legislation tends to constrain or facilitate the exercise of in uence and power This book takes a giant step towards answering the question of how board level employee representatives can fulfil their roles in a manner consistent with the intentions of the policymakers who framed the legislation Moreover it approaches the possibility of developing pan European legislation on board level employee representation that would accommodate national variations For these reasons the book will be welcomed by European policymakers concerned with industrial relations or corporate governance as well as by practitioners and academics in a wide swath of European legal and social studies Transformations of Work: Challenges for the Institutions and Social Actors Giuseppe Casale, Tiziano Treu, 2019-02-15 Market volatility and uncertainty have put welfare and social security policies back centre stage and point up the need for closer links with employment policy The inability of existing income support systems to respond to the increasing fragmentation of people's working careers the needs of people in difficulty and the spread of various forms of poverty calls for well coordinated and efficient responses This volume highlights the best practices in the various regions of the world in the contexts of international and EU labour law industrial relations and social security Authoritative reports by leading scholars of labour law and social security originally presented at the twenty second World Congress of the International Society for Labour and Social Security Law ISLSSL held in Turin in September 2018 cover the following research themes in depth informal workers migrant workers global trade and labour organization productivity and well being at work transnational collective agreements new forms of social security and the role of the State and industrial relations In its insistence that despite the radical changes in the world of work and business brought about by globalization and digital technologies the decisions of institutions and public and private actors can lead to a more coherent system of international economic and social governance this timely volume shows the way forward Practitioners policymakers and scholars in the relevant fields will bene timmeasurably from its expert analyses and recommendations

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