

Roger Blanpain, Manfred Weiss (Eds.)

Changing Industrial Relations and Modernisation of Labour Law

*Liber Amicorum in Honour of
Professor Marco Biagi*

Changing Industrial Relations And Modernisation Of Labour Law

Tiziano Treu, Adalberto Perulli



Changing Industrial Relations And Modernisation Of Labour Law:

Changing Industrial Relations & Modernisation of Labour Law Marco Biagi, 2003-01-01 Thirty three distinguished authorities in the field of labour and industrial relations law gather here to enhance and complement the work of the late Marco Biagi a man who at the time of his violent and untimely death had shown himself to be the most insightful and committed international scholar in this complex and controversial and as it proved even dangerous field The topics covered range over many of Professor Biagi s special interests including the following the formulation of a new basis for labour law that could resolve new issues employee protection in corporate restructuring the trend toward individual enterprise bargaining a new European employment policy and what it might entail the growing phenomenon of flexibilisation the effects of an aging workforce the crucial nexus of free trade labour and human rights the promise of EU enlargement and protection of part time workers There is a lot of insight innovation and just clear thinking in this wide ranging and far reaching book It will be of exceptional value to scholars lawyers and others concerned with the extensive and unpredictable changes under way in today s world of work

The Modernization of Labour Law and Industrial Relations in a Comparative Perspective Silvia Spattini, 2009-01-01 Not all labour law and industrial relations scholars agree on the efficacy of the comparative approach that the analysis of measures adopted in other countries can play a constructive role in national and local policy making However the case deserves to be heard and no better such presentation has appeared than this remarkable book the carefully considered work of over 40 well known authorities in the field from a wide variety of countries including Australia France India Israel Peru Poland and South Africa The volume contains papers delivered at a conference sponsored by the Marco Biagi Foundation at the University of Modena and Reggio Emilia in March 2008

Labour Law and Industrial Relations in Recessiary Times Anthony Forsyth, 2014-01-14 This volume includes a number of papers written in English and published in the last fifteen years in which the Italian labour market faced many changes The book not only provides the international readership with a frame of reference in both conceptual and legal terms that helps to appreciate the Italian Labour Law currently in force but also represents a contribution to moving beyond the self referential nature of the Italian debate on the reform of labour laws As such the book supplies the reform process of the Italian labour market with an international and comparative dimension which in accordance with the programmatic approach of Marco Biagi will also feed the debate at the national level

Between Soft and Hard Law Frans Pennings, 2006-01-01 Whether or not we ever attain universal social justice there can be little doubt that the international community has set meaningful standards and that significant progress has been made over the last century The leading standard setter throughout this period has been the International Labour Organisation ILO with its nearly 200 conventions on labour law and social security law Yet it is often asked how effective are these standards Do any ILO Member States actually offer to quote the Philadelphia Declaration of the ILO Conference of 1944 social security measures to provide a basic income to all in need of such

protection and comprehensive medical care Perhaps not but some come close thanks to the application of ILO standards This much needed volume is the first detailed analysis of the legal meaning of ILO conventions within the ratifying Member States In unprecedented depth a panel of distinguished authorities explores the role of ILO conventions in preparing and amending national legislation in parliamentary debate and in national case law For comparative purposes five countries the United Kingdom France Germany Spain and the Netherlands are studied in depth Among the points of discussion that arise are the following the social dumping that results from distortion of competition the ILO s supervision procedures protection of international migrant workers temporary exceptions for developing countries and the possibility of modernising texts of older conventions A useful annex reprints the texts of the ILO Constitution and the so called up to date conventions pertaining to social security which are currently being promoted for ratification by the ILO At a time when the very meaning of such terms as work and social security is being challenged by prevailing economic and political forces this full scale reappraisal of a body of international law that although soft has had a pronounced positive effect on the progress of social justice is to be welcomed It is well worth the close attention of government policymakers and regulators company lawyers and interested academics everywhere

Death of Labour Law? Martin Vranken, 2009-02-15 *Death of Labour Law* questions the on going relevance of labour law in Australia and other Western industrialised societies in the twenty first century The tension between economic flexibility for business and social stability for workers is set against the backdrop of the Rudd government s Forward with Fairness reform agenda and similar proposals for change in the European Union Martin Vranken retraces the birth and subsequent growth of labour law and argues that it is essentially a mechanism for employee protection not labour market regulation *Death of Labour Law* offers a fresh perspective on the current debate about labour law and the role of the state in Australian industrial and workplace relations

Collective Bargaining Developments in Times of Crisis Sylvaine Laulom, 2024-12-19 The first edition of this book published in 2018 analysed developments in systems of collective bargaining in fifteen mainly European Union countries related to the post 2008 crisis mixing comparative and national presentations Since then other crises of unprecedented magnitude have hit all countries the totally unexpected COVID 19 pandemic with its massive consequences the energy crisis the environmental crisis and the Ukrainian war crisis followed by inflation However an essential change has taken place at the European level in this area since the publication in 2018 of the first edition a change of such magnitude that it can be described as a paradigm shift The adoption of the Directive on Adequate Minimum Wages marks a true break with the post financial crisis period as the EU is now focusing on the development and enhancement of strong sectoral collective bargaining systems in wage settings This very new European context justifies an update of the research published in 2018 to analyse the evolutions of collective bargaining in this new context The book is organised around two building blocks Part I presents some comparative perspectives both in terms of the structure of the industrial relations systems and in terms of subjects of collective bargaining whether this be a classical theme of collective

bargaining wages and working time or less traditional themes platform work young people and older people which are two categories particularly affected by the crisis Part II presents some national situations Each chapter explores how national systems have been able to respond to European injunctions and have also responded to the new challenges posed by the COVID 19 pandemic and the emergence of new themes These presentations demonstrate once again the extreme diversity of each industrial relations system Some systems such as the Austrian system appear to be unfailingly stable while the Belgian system seems to be having more difficulty adapting Others like the Portuguese or the Spanish systems appear to be resilient while in some countries Turkey Hungary Poland and Romania collective bargaining is particularly weak In these countries the question raised by the adoption of the AMW Directive is therefore to determine how sectoral bargaining can be developed in countries where there is no such level of bargaining or in countries where collective bargaining remains underdeveloped at all levels As the first edition the book takes 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 field

Rethinking Corporate Governance Roger Blanpain, William Bromwich, Olga Rymkevich, Iacopo Senatori, 2011-01-01

Now that the economic orthodoxy of light touch regulation has been widely discredited by recent events in the financial markets and shareholder oriented management has come under intense scrutiny it is time to seriously consider the merits of stakeholder oriented economies In this far reaching symposium on this aspect of comparative labour relations 35 scholars examine case studies and evolving scenarios in a wide variety of countries from leading economic powers such as the United States the United Kingdom and Germany to post socialist states such as Poland Hungary and Bulgaria to the formidable global economic presences of Brazil Russia and India With contributions from leading experts from all around the world in the fields of labour law industrial relations labour economics labour statistics human resources management organization theory and other related subjects the papers focus on the impact of the global economic crisis and its implications for the future of employment Specific contexts covered include adversarial versus strategic collective bargaining transnational collective bargaining long term employees as the most valuable corporate stakeholders workers voice and participation in the restructuring of undertakings privatization of state owned companies executive pay investment in vocational training in times of economic crisis the impact of the EU's Cross Border Merger Directive inherent dangers in the EMU one size fits all monetary policy and cases of large scale corporate fraud Of particular interest is the treatment of important developments in Singapore and Nigeria as well as lessons to be learned from pitfalls encountered in South Africa and other countries With its theoretical arguments and empirical data this volume is certainly a major contribution to the debate over whether shareholder or stakeholder approaches to management yield the best results in terms of employment outcomes As the world economic crisis continues to take its toll on employment pension funds public services and living standards the book is sure to find a wide audience among policymakers and lawyers worldwide concerned

with the future of employment relations and their effect on both productivity and social stability This volume includes a selection of papers from the Eighth International Conference in commemoration of Marco Biagi held at the Marco Biagi Foundation in Modena Italy in March 2010 Labour Law and Climate Change Tiziano Treu,Adalberto Perulli,2023-09-14 Although the existential threat of climate change has at last been generally acknowledged its influence on the labour market and the regulation of labour relations remains ambivalent at best This supremely important volume with contributions by thirteen prominent labour law practitioners and academics shows how labour law not only can but absolutely must assume a greater role in the debate on the climate crisis and move towards a new eco friendly labour paradigm Committed to the proposition that employment must come to terms with the natural environment and open a new chapter in the relationship between human work and the Earth the authors examine critical issues and perspectives on the role of labour law in a just ecological transition focusing on such aspects as the following negative externalities associated with the value chains production model in effectiveness of corporate social responsibility and sustainability initiatives protection of human rights from violations attributable to private sector activities protection of whistleblowers need for professional training in new occupations environmental migrants reskilling and active inclusion of workers and jobseekers role of remote work and flexible working time and evaluation and reward of employees The impact of the green transition on industrial activities is already creating strong tensions among the social parties leading inevitably to massive restructuring of enterprises and relocation of thousands of workers This detailed analysis of the implications of climate change for the labour contract and the industrial relations system provides appropriate tools to understand trends and possible solutions for the future It will be welcomed by managers consultants corporate lawyers judges human rights experts trade unionists researchers and professors placed at the nexus of labour industrial relations and social rights in Europe and worldwide **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 **The Global Evolution of Industrial Relations** Bruce E. Kaufman, 2006 **Globalisation and Jurisdiction** Pieter J. Slot, Mielle K. Bulterman, E.M. Meijers Instituut, 2004-01-01 The spectacular growth of the international economy over the past decades has called for a more intensive role for the law and probably also a different kind of law In 2002 the Europa Instituut of Leiden University convened a seminar to discuss the various responses to the challenges posed by globalism in different fields of economic activity and legal practice Their presentations are presented in this book in a more formal and extensive format **Employment Relations and Public Services' 'modernisation' Under Labour** Stephen Bach, Ian Kessler, Geoff White, 2005 This e book carries contributions which address the issue of public service reform under Labour The published papers cover both a broad variety of human resource topics and range of separate public services Topics covered include the impact of performance indicators on HRM practices in the NHS the impact of Government policy on employment relations in the Fire Service the use of 360 degree appraisal systems to improve performance management in the civil service the impact of best value reviews upon HR in local government the outcomes of new partnership relationships between management *Global Governance of Labour Rights* Axel Marx, Jan Wouters, Glenn Rayp, Laura Beke, 2015-11-27 Stories and images of collapsed factories burned down sweatshops imprisoned migrant workers child workers and many other violations of internationally recognized labour rights continue to spread across the globe This highly topical book examines the different instruments which are intended to protect labour rights on a transnational scale and asks whether they make a difference With perspectives from law management sociology political science and political economy the topics discussed include the protection of international labour rights in a globalizing economy the EU's social dimension in its external trade relations Asian and US perspectives on labour rights in international trade agreements the role of trade unions in global labour governance and the transformative capacity of private labour governance regimes Academics and advanced students from different disciplines will benefit from the up to date empirical material in this study Policymakers NGOs and Unions will find the discussions of the instruments used to protect labour rights of great value to their work Global Industrial Relations Michael J. Morley, Patrick Gunnigle, David Collings, 2006-11-22 Breaking new ground and drawing on contributions from the leading academics in the field this volume in the Global HRM Series specifically focuses on industrial relations **Corporate Governance and Managerial Reform in Japan** D. Hugh Whittaker, Simon Deakin, 2009-10-29 Japanese corporate governance and managerial practice is at a critical juncture At the start of the decade pressures mounted for Japan to move to a shareholder value driven Anglo American system of corporate governance Subsequent changes however may be seen as an adjustment and renewal of the post war model of the Japanese firm In adapting to global corporate governance standards Japanese managers have also been reshaping them according to their own agenda of reform and restructuring of decision making processes The board's role is seen in terms of strategic planning rather than monitoring and external directors are viewed as advisers not as representatives of the shareholders

Managers have adopted a variety of defences against hostile takeovers including poison pills in some cases. Although shareholder influence is more extensive than it was, central aspects of the Japanese community firm remain in place. The commitment to stable or lifetime employment for a core of employees, although coming under severe pressure, is still an important point of reference for Japanese management. Corporate Governance and Managerial Reform in Japan is based on detailed and intensive field work in large Japanese companies and interviews with investors, civil servants and policy makers in the period following the adoption of significant corporate law reforms in the early 2000s up to the months just before the global financial crisis of 2008. The Japanese experience suggests that there are limits to the global convergence of company law systems and that the widespread association of Anglo American practices with the modernization of corporate governance has been misplaced. This conclusion is unlikely to be altered; it may be reinforced by reactions to the financial crisis.

Contemporary Employment Relations Steve Williams, Derek Adam-Smith, 2010. Suitable for undergraduate and postgraduate students in the areas of industrial and employment relations, personnel and human resource management. This work offers an original, accessible and critical approach to understanding employment relations.

International Labor and Employment Laws William L. Keller, Timothy J. Darby, 2003. *Law and Governance in an Enlarged European Union* George A. Bermann, Katharina Pistor, 2004-11. This book's principal aim is to critically address the institutional and substantive legal issues resulting from European enlargement, chiefly those relating to the legal foundations on which the enlarged Union is being built. The accession of new Member States creates the potential for a stronger and more powerful Europe. Realising this potential, however, will depend on the ability of the EU to develop functional and effective governance structures both at the European level and at the level of the individual Member States. While the *acquis communautaire* will ensure that formal laws in the new Member States will be aligned with those of existing members, the question remains as to how effective institutions will be in implementing changes and what effects the imposed changes will have on the legitimacy of the new legal framework. This book, containing the work of leading scholars in law and social sciences, examines the current and future legal framework for EU governance and the role that new members will or will not play in the creation of that framework, paying particular attention to the specific challenges membership in the EU poses to the acceding states of Central and Eastern Europe. It is a book which will contribute to and influence debates over constitutionalism and legal harmonisation in the EU.

The Power to Dismiss Patrick Emmenegger, 2014. Readership: Scholars and students of political science, especially those interested in comparative political economy, institutional change and comparative politics.

Labour Regulation in the 21st Century Pietro Manzella, 2012-01-17. The economic crisis has highlighted major 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.

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