

Labour La

Simon Deakin, Gillian S. Morris

The Sources of Labour Law Tamás Gyulavári, Emanuele Menegatti, 2019-12-06 Labour law has traditionally aimed to protect the employee under a hierarchy built on constitutional provisions, statutory law, collective agreements at various levels, and the employment contract, in that order. However, in employment regulation in recent years, 'flexibility' has come to dominate the world of work – a set of policies that reshuffle the relationship among the fundamental pillars of labour law and inevitably lead to degrading the protection of employees. This book, the first-ever to consider the sources of labour law from a comparative perspective, details the ways in which the traditional hierarchy of sources has been altered, presenting an international view on major cross-cutting issues followed by fifteen country reports. The authors' analysis of the changing hierarchy of labour law sources in the light of recent trends includes such elements as the following: the constitutional dimension of labour rights; the normative intervention by the State; the regulatory function of collective bargaining and agreements; the hierarchical organization of labour law sources and the 'principle of favour'; the role played by case law in both common law and civil law countries; the impact of the European Economic Governance; decentralization of collective bargaining; employment conditions as key components of global competitive strategies; statutory schemes that allow employees to sign away their rights. National reports – Australia, Brazil, China, Denmark, France, Germany, Hungary, Italy, Poland, Russia, Spain, Sweden, South Africa, the United Kingdom and the United States – describe the structure of labour law regulations in each legal system with emphasis on the current state of affairs. The authors, all distinguished labour law scholars in their countries, thus collectively provide a thorough and comprehensive commentary on labour law regulation and recent tendencies in national labour laws in various corners of the globe. With its definitive analysis of such crucial matters as the decentralization of collective bargaining and how individual employment contracts can deviate from collective agreements and statutory law, and its comparison of representative national labour law systems, this highly informative book will prove of inestimable value to all professionals concerned with employment relations, labour disputes, or labour market policy, especially in the context of multinational workforces.

The Future of Work Adalberto Perulli, Tiziano Treu, 2020-12-10 Studies in Employment and Social Policy Volume 56 Digitalization, far from being solely a technological issue, has broad implications in the social, labour, and economic spheres. It leads to dangers as well as to new chances for the workforce, and thus labour law must develop effective ways to both

protect workers and allow them to profit from new technological developments. The most thorough book of its kind, this collection of expert essays provides an abundance of well-thought-out material for understanding the consequences of digitalization for the labour market and industrial relations. Recognizing that only an international perspective can make it possible to face the challenges of the present (and the future), renowned authorities from the International Labour Organization and the International Society for Labour and Social Security Law, as well as outstanding labour law professors, examine in depth such salient issues as the following: transformation of production systems; the spread of artificial intelligence; precariousness and exploitation in the gig economy; lessons learned from COVID-19; employment status of platform workers; new cross-border issues; rights to trade union association and collective bargaining; role of the State in the new digital labour market; and blurred lines between work and private life. Thanks to the international team of contributors, the issues are dealt with from a variety of overlapping perspectives and points of view, combining aspects of labour law, commercial law, corporate governance, and international law. Highlighting the need to adapt, especially through the right to training, work, and professionalism with respect to the new technological landscape, the book draws on legislative, judicial, and theoretical initiatives suggesting ways of responding positively to the requests for protection that arise in the new forms of production. A uniquely valuable tool for study and reflection for policymakers and academics, the book is also sure to be valued by entrepreneurs, managers, consultants, corporate lawyers, judges, human rights experts, and trade unionists who are interested in the issues of labour, industrial relations, and social rights in European and international contexts.

Labour Law Hugh Collins, Keith Ewing, Aileen McColgan, 2019-10-17 Written by prominent UK labour lawyers, this textbook is comprehensive and engaging, with detailed commentary and integrated materials.

International Labour Law Jean-Michel Servais, 2017-04-24 No one will deny that labour standards comprise a necessary framework for balanced economic and social development. Yet on a global level such balanced development has not occurred, despite the existence of a rigorous body of international labour law that has been active and growing for almost one hundred years. The implementation of this law devolves upon states; yet many states have failed to honour it. If we are to take serious steps toward a remedy for this situation, there is no better place to start than a thorough, well-researched survey and analysis of existing international labour law - its sources, its content, its historical development, and an informed consideration of the barriers to its full effectiveness. This book is exactly such a resource. It provides in-depth interpretation of the crucial International Labour Organisation (ILO) instruments - Constitution, conventions, declarations, resolutions, and recommendations - as well as such other sources of law as the OECD Guidelines for Multinational Enterprises and various model and actual corporate codes of conduct. Among the substantive areas of labour law covered in this book are the following: • the relationship between international labour law and economic competition • standards on industrial relations •

collective bargaining and dispute settlement procedures • protection of trade unions • prohibitions on enforced and child labour • promotion of equal opportunity and treatment • time and rest provisions • wage determination and protection • occupational health and safety provisions • special issues on non-standard forms of employment • foreign and migrant workers • social security provisions • privacy protection The presentation demonstrates that these rules and standards offer invaluable benchmarks to governments, judiciaries, employers, and trade unions. The book's combination of detailed commentary and an overarching social policy will make it especially valuable to legislators, human resources managers, employers' organizations, trade unions, jurists, and academics concerned with the role of work in our globalized social system. This fifth edition of the book by Jean-Michel Servais analyses the potential of those standards in a globalized world, and the necessary evolution. It examines the actual implementation of those rules in the national context, comparing different experiences. It integrates the latest instruments. It examines the most recent public debates on labour regulation (dealing with health and security at work, personal data, minimum wages, social security, strikes, etc.), updates the bibliography and opens some perspectives for the future work of the global institutions.

Philosophical Foundations of Labour Law Hugh Collins, Gillian Lester, Virginia Mantouvalou, 2018-12-06 This collection of essays presents an interdisciplinary investigation by lawyers and philosophers into the philosophical ideas, concepts, and principles that provide the foundation for the field of labour law and employment law. The book addresses the doubts that have been expressed about whether a body of labour law that protects workers is needed at all, what should be regarded as the proper scope of the field in the light of developments such as the integration of work and home life by means of technology, the globalization of the economy, and the precarious kinds of work that thrive in the gig economy. Paying particular attention to political philosophy and theories of justice, the contributions focus on four themes: I. freedom, dignity, and human rights; II. distributive justice and exploitation; III. workplace democracy and self-determination; and IV. social inclusion.

Labour Law and Sustainable Development Valentina Cagnin, 2020-06-05 Labour Law and Sustainable Development is a detailed reconstruction of the regulatory framework and jurisprudential findings of sustainable development at the international, European and national level. The global crisis of the past decade has underlined the social unsustainability of the ultra-liberalistic theories through which the labour law deregulation represents the precondition for social and economic development coherent with the globalization imperatives. It is no exaggeration to assert that the existing foundations of labour law have been irreversibly compromised. It is essential to find a way out of the crisis, at the same time defining the founding values of new sustainable labour law. In linking labour law with the sustainability paradigm, this provocative book promises to widen the scope and terms of the reconciliation of interests, taking into account the multiplicity of the stakeholders interested in economic, social and environmental issues and, in particular, to practise an approach that achieves

intergenerational equity. What's in this book: In an unprecedented comparative study, including case law, of the network of principles, agreements, practices and norms concerning sustainable development and its different economic and social implications, the author examines such facets as the following: sustaining solidarity and equality of opportunity in current and emerging work situations; enhancing individual autonomy in the current world of (subordinate but independent) labour; reconciling personal needs, flexible organization of companies and reduction of external and internal costs to companies; collective action for the regulation of labour relations allowing for the exercise of individual autonomy; involving entire populations that have been so far excluded in the world scene; developing a sustainable pension system to promote intergenerational solidarity; implementing flexicurity policies positively; social clauses of international trade treaties; undoing the profound contradiction of gender and wage inequalities; and promoting corporate social responsibility. The objective of this book is to provide the reader with a reasoning basis to assess whether the choice to elect sustainable development as a new paradigm of reference for labour law is feasible, and if, in particular, this choice can be useful in order to define the founding values of a new 'sustainable' labour law. How this will help you: Using an interdisciplinary approach, the author emphasizes the need to consider the various dimensions of sustainability together, not only the original environmental but also the economic and social dimensions. This book offers a real strategic leap for both legislators and social actors, in particular leading the way to avoiding a fracture of the generational pact that has held together modern societies. Although the book presents a profound academic contribution to the analysis of labour law realities and trends, it will also be welcomed by corporate lawyers, judges, human rights experts, trade unionists, business managers, entrepreneurs and consultants interested in the issues of labour, sustainable development and social rights.

The Cambridge Handbook of U.S. Labor Law for the Twenty-First Century Richard Bales,Charlotte Garden,2019-12-05 Over the last fifty years in the United States, unions have been in deep decline, while income and wealth inequality have grown. In this timely work, editors Richard Bales and Charlotte Garden - with a roster of thirty-five leading labor scholars - analyze these trends and show how they are linked. Designed to appeal to those being introduced to the field as well as experts seeking new insights, this book demonstrates how federal labor law is failing today's workers and disempowering unions; how union jobs pay better than nonunion jobs and help to increase the wages of even nonunion workers; and how, when union jobs vanish, the wage premium also vanishes. At the same time, the book offers a range of solutions, from the radical, such as a complete overhaul of federal labor law, to the incremental, including reforms that could be undertaken by federal agencies on their own.

Deakin and Morris' Labour Law Zoe Adams,Catherine Barnard,Simon Deakin,Sarah Fraser Butlin,2021-07-15 Deakin and Morris' Labour Law, a work cited as authoritative in the higher appellate courts of several jurisdictions, provides a comprehensive analysis of current British labour law which explains the role of different legal and extra-legal sources in its

evolution, including collective bargaining, international labour standards, and human rights. The new edition, while following the broad pattern of previous ones, highlights important new developments in the content of the law, and in its wider social, economic and policy context. Thus the consequences of Brexit are considered along with the emerging effects of the Covid-19 crisis, the increasing digitisation of work, and the implications for policy of debates over the role of the law in constituting and regulating the labour market. The book examines in detail the law governing individual employment relations, with chapters covering the definition of the employment relationship; the sources and regulation of terms and conditions of employment; discipline and termination of employment; and equality of treatment. This is followed by an analysis of the elements of collective labour law, including the forms of collective organisation, freedom of association, employee representation, internal trade union government, and the law relating to industrial action. The seventh edition of Deakin and Morris' Labour Law is an essential text for students of law and of disciplines related to management and industrial relations, for barristers and solicitors working in the field of labour law, and for all those with a serious interest in the subject. This title is included in Bloomsbury Professional's Employment Law online service.

The Fair Labor Standards Act Ellen C. Kearns, Monica Gallagher, 1999

United States Code United States, 2008 The United States Code is the official codification of the general and permanent laws of the United States of America. The Code was first published in 1926, and a new edition of the code has been published every six years since 1934. The 2012 edition of the Code incorporates laws enacted through the One Hundred Twelfth Congress, Second Session, the last of which was signed by the President on January 15, 2013. It does not include laws of the One Hundred Thirteenth Congress, First Session, enacted between January 2, 2013, the date it convened, and January 15, 2013. By statutory authority this edition may be cited U.S.C. 2012 ed. As adopted in 1926, the Code established prima facie the general and permanent laws of the United States. The underlying statutes reprinted in the Code remained in effect and controlled over the Code in case of any discrepancy. In 1947, Congress began enacting individual titles of the Code into positive law. When a title is enacted into positive law, the underlying statutes are repealed and the title then becomes legal evidence of the law. Currently, 26 of the 51 titles in the Code have been so enacted. These are identified in the table of titles near the beginning of each volume. The Law Revision Counsel of the House of Representatives continues to prepare legislation pursuant to 2 U.S.C. 285b to enact the remainder of the Code, on a title-by-title basis, into positive law. The 2012 edition of the Code was prepared and published under the supervision of Ralph V. Seep, Law Revision Counsel. Grateful acknowledgment is made of the contributions by all who helped in this work, particularly the staffs of the Office of the Law Revision Counsel and the Government Printing Office--Preface.

International and Comparative Labour Law Arturo Bronstein, 2017-09-16 A stimulating, authoritative account of international employment law written by a leading figure who for many years has shaped global policy, striving to implement

fairer working conditions worldwide. We are expertly guided through the context and development of labour law, making this book ideal for study or research.

Australian Labour and Employment Law Marilyn Jane Pittard, Richard Naughton, 2014-12-24 Aust Labour & Employment Law

Labour Law Simon Deakin, Gillian S. Morris, 2003

Labour Law Hugh Collins, K. D. Ewing, Aileen McColgan, 2012-09-27 Written by the UK's foremost employment lawyers, this textbook is both comprehensive and engaging with detailed commentary and integrated materials.

Key Aspects of German Employment and Labour Law Jens Kirchner, Pascal R. Kremp, Michael Magotsch, 2010-06-16 This publication gives an overview of all key aspects of German labour and employment law as well as adjoining fields. Legal professionals with expert knowledge and many years of experience explain the legal basis of these aspects of German law, point out typical practical problems and suggest solutions to those problems. In addition, examples are given on how to best manage legal pitfalls to minimize risks. This book translates employment and labour law for foreign in-house counsels and human resources managers at international companies and provides a clear understanding of the complex legal regulations in Germany. All three editors of the book, Dr. Jens Kirchner, Pascal R. Kremp and Michael Magotsch, are key legal professionals working at the Frankfurt office of DLA Piper, one of the largest legal services providers in the world (www.dlapiper.com), with national and multinational clients. Their experience includes the management of cross-border restructurings, outsourcing and transfer of undertaking measures, as well as the management of national and multi-jurisdictional merger and acquisitions projects, including post-merger integration processes.

Handy Reference Guide to the Fair Labor Standards Act United States. Wage and Hour and Public Contracts Divisions, 1961

Everyday Transgressions Adelle Blackett, 2019-04-15 The book's breadth and grounding in labor law make it most accessible and useful to a professional audience, but even nonspecialists and lay readers will appreciate Blackett's insights about law and domestic work and provocative issues such as social stratification and immigration.— Choice Adelle Blackett tells the story behind the International Labour Organization's (ILO) Decent Work for Domestic Workers Convention No. 189, and its accompanying Recommendation No. 201 which in 2011 created the first comprehensive international standards to extend fundamental protections and rights to the millions of domestic workers laboring in other peoples' homes throughout the world. As the principal legal architect, Blackett is able to take us behind the scenes to show us how Convention No. 189 transgresses the everyday law of the household workplace to embrace domestic workers' human rights claim to be both workers like any other, and workers like no other. In doing so, she discusses the importance of understanding historical forms of invisibility, recognizes the influence of the domestic workers themselves, and weaves in poignant experiences,

infusing the discussion of laws and standards with intimate examples and sophisticated analyses. Looking to the future, she ponders how international institutions such as the ILO will address labor market informality alongside national and regional law reform. Regardless of what comes next, *Everyday Transgressions* establishes that domestic workers' victory is a victory for the ILO and for all those who struggle for an inclusive, transnational vision of labor law, rooted in social justice.

International Labour Standards and Platform Work Mathias Wouters, 2021-11-25 Platform work – the matching of the supply of and demand for paid labour through an online platform – often depends on workers who operate in a “grey area” between the archetype of an employee and a self-employed worker. This important book explores the utility of the International Labour Organization’s existing standards in governing this phenomenon. It indicates that despite their relevance, many standards have little or no impact. The standards apply to the issue but they fail to connect with it. The author shows how three ILO conventions – the Home Work Convention, 1996 (No. 177), the Private Employment Agencies Convention, 1997 (No. 181), and the Domestic Workers Convention, 2011 (No. 189) – can be revitalised to have an impact on the platform work debate. In the course of the analysis he responds in depth to such questions as the following: What are digital labour platforms? What does decent work mean? Did the ILO centenary fundamentally change anything? What is the link between private employment services and platform work? How do crowdworkers relate to homeworkers and teleworkers? Are platform workers engaged in domestic work? What form could a future ILO standard on platform work take? Given that the ILO plans to start discussions on a potential future standard for platform work in 2022, this book will prove very useful in highlighting the issues and standards that such discussions should consider. Research has shown that the techniques and tools of the platform economy have spread far beyond gig work, resulting in widespread “gigification” and restructuring of workplace behaviours and relationships, jobs, and communities across the world. For this and other reasons, including the book’s detailed analysis of issues not addressed elsewhere, labour lawyers, in-house counsel, researchers, and policymakers will gain valuable insight into what decent work in the platform economy would require, thus greatly broadening the discussion on this difficult-to-regulate phenomenon.

Global Trade, Labour Rights and International Law Aneta Tyc, 2021-06-21 This book provides a set of proposals for how best to guarantee effective enforcement of labour rights worldwide. The linkage between labour standards and global trade has been recurrent for some 200 years. At a time when the world is struggling to find a way out of crisis and is striving for economic growth, more than ever there is a need for up-to-date research on how to protect and promote labour rights in the global economy. This book explores the history of the field and also provides an overview of emerging trends and opportunities. It discusses the most recent problems including: the effectiveness and the role of the International Labour Organization (ILO) in the second century of its existence, the World Trade Organization (WTO) and its potential relevance in the protection of labour rights, the effectiveness of the US and the EU Generalised System of Preferences, the impact of

corporate social responsibility (CSR) instruments on labour rights, and labour provisions in the international trade agreements concluded by the US and the EU. The book argues, inter alia, that trade agreements seem to be a useful tool to help pave the way out of the crisis and that the United States-Mexico-Canada Agreement (USMCA) can be perceived as a model agreement and a symbol of a shift in perspective from long global supply chains to a focus on regional ones, local production, jobs and a rise in wages. The book will be essential reading for academics and students in the fields of human rights law, international labour law, industrial relations law, international sustainable development law, international economic law and international trade law. It will also be of interest to practitioners, non-government organisations (NGOs) and policy makers.

Labour Law in the Netherlands A. T. J. M. Jacobs, 2015 This book was originally published as a monograph in the International encyclopaedia of laws/Labour law and industrial relations.

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