

The Changing Face Of Labour Law And Industrial Relations

Labour Law in Motion Labour Law and Industrial Relations in Germany Labour Law Contract, Labour Law and the Realities of Working Life Labour Law The Idea of Labour Law Industrial Relations and Labour Laws, 7th Edition The Sources of Labour Law The Worker and the Law Labour Legislation and Public Policy Employment Law Collective Bargaining in Labour Law Regimes Employment Law in Context Labour Law, Vulnerability and the Regulation of Precarious Work Labour Law and Social Protection in a Globalized World Labour Law in Denmark European Labour Law and Social Policy Cases and Materials Volume 1 Social Dialogue Industrial Relations and Labour Law Labour Law and Industrial Relations of the European Community Labour Law and Industrial Relations Labour Law Chile Roger Blanpain Manfred Weiss Hugh Collins Eugene Schofield-Georgeson Guy Davidov Srivastava S.C. Tamás Gyulavári Kenneth William Wedderburn Baron Wedderburn of Charlton Paul Lyndon Davies David Cabrelli Ulla Liukkunen David Cabrelli Lisa Rodgers Jan Pichrt Ole Hasselbalch A.C. Neal Roger Blanpain Emilio Morgado-Valenzuela

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while legislation protecting employees exists in most advanced countries the notion of who actually is an employee has become unstable moreover the decentralization of traditional collective bargaining is clearly under way everywhere and the all important balance between workers security and employers flexibility continues to change radically either

retreating toward individual statutory rights or seeking new forms of employee representation labour law in motion reprints sixteen reports originally submitted to the seventh comparative labor law seminar tokyo seminar sponsored by the japan institute for labour policy and training in march 2004 eleven expert authors describe the situation in their respective countries with regard to issues such as the following criteria used to determine whether a person is an employee what categories of non employee exist and what measure of statutory protection is afforded to such persons variations in the concept of employee among labour law tax law and social security law regulation of terms and conditions of employment the forms and legal nature of employee representation current trends in deregulation or re regulation of labour laws mechanisms permitting deviation from legal norms and the manner and extent of labour law intervention in the labour market all eleven authors emphasize recent and ongoing changes in their countries labour laws and evaluate the factors that have contributed to such changes each author concludes that reform of traditional labour laws is indeed necessary however the book as a whole clearly demonstrates that the content of such reform differs from country to country particularly in the extent to which labour law entrusts the regulation of working conditions to the market offering as it does a clear and concise summary of the recent and current experience of labour relations in eight major industrialized countries labour law in motion is an essential resource for professionals and officials engaged in any aspect of labour law or regulation in any country

labour law and industrial relations in germany gives the reader a broad understanding of german labour law covering all important aspects the book deals with the sources of labour law individual employment relationships collective bargaining remuneration working conditions and dispute settlement

written by the uk s foremost employment lawyers this textbook is both comprehensive and engaging with detailed commentary and integrated materials

this book offers a critical and timely account of how labour law has become a means for protecting employers rather than workers the past few decades have witnessed something of a silent revolution in the traditional protective role that labour law has played in the lives of workers while this transformation has been overt in the realm of the market and at the level of the legislature the role of the judiciary in this process remains significantly understudied focussing on australia but drawing also on material from new zealand the uk and canada this book investigates how the common law has intervened to shape labour law in the image of commercial contract determining disputes and defining legal issues by ignoring the realities of working life under this new conception of labour law industrial relations between workers and employers are rarely reciprocal or relational rather they are

determined by the legal meaning and purpose of the contract of employment drafted by lawyers for the benefit of employers and their human resources departments having demonstrated how approaches to contractual formalist legal reasoning have redefined labour law this book goes on to propose an array of innovative legal and policy strategies to restore the protective role of labour law to the employment relationship scholarly but also accessible to students this book will appeal to those with interests in labour law contract law and sociolegal studies

labour law is widely considered to be in crisis by scholars of the field this crisis has an obvious external dimension labour law is attacked for impeding efficiency flexibility and development vilified for reducing employment and for favouring already well placed employees over less fortunate ones and discredited for failing to cover the most vulnerable workers and workers in the informal sector these are just some of the external challenges to labour law there is also an internal challenge as labour lawyers themselves increasingly question whether their discipline is conceptually coherent relevant to the new empirical realities of the world of work and normatively salient in the world as we now know it this book responds to such fundamental challenges by asking the most fundamental questions what is labour law for how can it be justified and what are the normative premises on which reforms should be based there has been growing interest in such questions in recent years in this volume the contributors seek to take this body of scholarship seriously and also to move it forward its aim is to provide if not answers which satisfy everyone intellectually nourishing food for thought for those interested in understanding explaining and interpreting labour laws whether they are scholars practitioners judges policy makers or workers and employers

the seventh revised and enlarged edition of the book industrial relations and labour laws has brought all the important labour legislations within the purview of this book the notable feature of this edition is inclusion of laws on social security wages and minimum standards of employment including factory contract child and migrant workers another significant feature of this edition is detailed discussion on labour law reforms and more specifically comprehensive analysis of the proposed labour code on industrial relations social security wages and occupational safety health and working conditions this edition also incorporates all the amendments in labour laws and analyses of all important judgments of the supreme court and high courts on labour laws this edition covers almost all the syllabuses of llb llm mba mpa msw company secretary and masters and diploma courses in personnel management human resource management industrial relations and labour laws thus the book is an indispensable resource for personnel managers general managers hr and law officers of public and private sectors officials of labour departments of central and state governments presiding officers of labour courts tribunals trade union

officials management associations federations and among others lawyers and ngos

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

introductory textbook on the rights of the worker in the structure of labour law and administration of justice in the uk examines the historical background and current developments in the labour relations system and includes the labour contract employment security dismissal redundancy employment accident benefits minimum wage collective bargaining grievance and arbitration procedures strike and labour dispute trade union law etc selected bibliography pp 528 to 549

most traditional legal textbooks aim to give students an overview of the present state of

law in a particular area in doing so most books offer only a cursory assessment of how the law came to be the way it is and how economic political and social forces were influential during its evolution in this innovative study the authors seek to offer students a different kind of text guiding students through four and a half decades of almost continuous legislative activity the authors show how labour law evolved between the end of the second world war and the beginning of the 1990s how the law was created and how it looks today the origins of the legislation providing the current framework of labour law are examined and explained in a way that will appeal not only to lawyers but also to students of politics economics sociology and labour history

this book gives an overview of the main kinds of employment rights and labour laws found in many countries it evaluates some of the assumptions underpinning contemporary attitudes to such rights and laws in order to measure whether they are warranted it also considers economic political and social justifications for employment rights and laws

this book addresses the theme of collective bargaining in different legal systems and explores legal framework of collective bargaining as well as the role of different bargaining models in domestic labour law systems in altogether twenty one jurisdictions throughout the world recent development of collective bargaining regimes can be viewed as part of a larger development of labour law models that face increasing challenges caused by globalization and transition of work and workplaces the book places particular emphasis on identifying and examining most important development trends affecting domestic labour law regimes and collective bargaining and regulatory responses thereto the analysis offered extends to transnational dimension of collective bargaining as the chapters analyse the influence of the legal frameworks of collective bargaining in different countries they provide unique comparative insight into the topic which is central to understanding the function of labour law

a contextual rigorous treatment of employment law featuring a running case example to show exactly how the law works and including extracts from key cases and source materials

the shifting nature of employment practice towards the use of more precarious work forms has caused a crisis in classical labour law and engendered a new wave of regulation this timely book deftly uses this crisis as an opportunity to explore the notion of precariousness or vulnerability in employment relationships arguing that the idea of vulnerability has been under theorised in the labour law literature lisa rodgers illustrates how this extends to the design of regulation for precarious work the book's logical structure situates vulnerability in its developmental context before moving on to examine the goals of the regulation of

labour law for vulnerability its current status in the law and case studies of vulnerability such as temporary agency work and domestic work these threads are astutely drawn together to show the need for a shift in focus towards workers as vulnerable subjects in all their complexity in order to better inform labour law policy and practice more generally constructively critical labour law vulnerability and the regulation of precarious work will prove invaluable to students and scholars of labour and employment law at local eu and international levels with its challenge to orthodox thinking and proposals for the improvement of the regulation of labour law labour law institutions will also find this book of great interest and value

the protection of jobs and labour law standards achieved by employees in the past has been under pressure from neoliberalization forces for many years the focused perspectives evident in this original collection of essays go a long way toward clearly defining where labour law and social security law must set their sights in order to preserve fair and productive employer employee relations in the new world of work distinguished researchers study the changing realities confronting the labour market in public policy as well as in industrial relations issues and topics include the following integration of immigrants into industrial relations the social situation of migrant workers new phenomena brought by the digital age temporary agency work harmonizing family and working lives sport and labour law the role of european works councils and social and labour reforms throughout this book the contributors emphasize the changing role of the state and reform agendas although the central focus is on europe there is an abundance of comparative detail allowing for global application as a matchless up to date overview and analysis of how new and emerging forms of employment and industrial relations impact employee security this book will be warmly welcomed by practitioners academics and policymakers concerned with ensuring the persistence of fair and viable standards in labour and social security law

labour law in denmark covers revisions of the standard rules for handling industrial disputes the amended 2008 labour court act and other recent danish legislation as well as the continuing necessity of implementing european rules by statutory law as with the previous edition this book expertly discusses the legally salient facets of contracts of employment contracts for services employee categories remuneration and benefits and much more this second edition provides a clear overview of the field and at the same time offers practical guidance on which sound preliminary decisions may be based it provides advocates administrators management labor representatives and students with an overview of all aspects of danish labor law and to some extent of its social economic and political context

this is the most comprehensive collection of primary source materials in the labour law and social policy of the european community ever brought together with documents and decisions reflecting the state of play at 1st june 2002 it includes key legislative instruments in ec labour law and social policy significant associated policy documents produced by the commission and important relevant decisions of the european court of justice since the first edition of this work in 1999 the pace of social policy change and innovation at the level of the european community has increased dramatically indeed developments during the past three years are little short of remarkable with particularly important advances in relation to the promotion of information consultation and participation for workers along with growing concern for several much broader social policy issues recognition of the changes in emphasis and scale for european social policy and the presence of substantially more material to be included have caused this edition of the work to be divided into two volumes volume i covers social dialogue industrial relations and labour law while volume ii is concerned with a wide range of material touching dignity at work in the european community the arrangement of the material in two self contained volumes also reflects a division of convenience thus those whose main focus is upon the labour law aspects of european social policy may choose to utilise primarily the material contained in the first volume while those who wish to concentrate more particularly upon fundamental social rights equal opportunities anti discrimination and dignity at work might wish to take advantage of the framework presented in the second volume advocates judges policy makers scholars and students will all appreciate this essential sourcebook in ec labour law and social policy

derived from the renowned multi volume international encyclopaedia of laws this monograph on chile 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 chile and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations

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Introduction

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