



**International Society for Labour and Social Security
Law
Société internationale de droit du travail et de la
sécurité sociale
Sociedad Internacional de Derecho del Trabajo y de la
Seguridad Social**

BULLETIN N° 116

June 2007

Dear colleagues

1. News from ISL&SSL

At the Executive Committee meeting in Paris, September 2006, our President Sugeno designated a Working Group of the Executive Committee to suggest possible changes to the ISLSSL By-Laws. It was made up of the Officers, the Honorary Presidents and the Vice-presidents. Professor Sewerinsky was asked to coordinate the group; however, in view of his responsibilities in the Government of Poland he asked to be relieved from this task, which was then entrusted to Professor Alvin Goldman (United States).

During the past several months the Working Group has considered a number of proposed changes. It has identified a few items on which there appears to be general agreement and a few others on which there are divided opinions. Below is a summary of the issues the Working Group has considered:

(a) Voting by proxy: One item on which there is general agreement is a clarification that rejects voting by proxy but instead requires that votes be cast solely by a designated member of the national association who is present (i.e. a titular member, an alternate member or a person who has been duly designated by the titular member).

(b) Required majority for the election of the President Elect: There is general agreement that the election of the President-Elect should require, on the first ballot, a majority of more than fifty per cent of the votes cast. In the event no candidate receives that required majority, a run-off ballot should be conducted among the nominees receiving the two highest numbers of first round votes. The person receiving the highest number of second round votes will be elected President-elect. However, in the event of a tie for the highest number the alternatives are either that the tie be broken by means of a random selection method or that the election be postponed until the following meeting of the Executive Committee.

Président/Président

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(c) Required minimum individual membership of National Members: There was agreement, too, that an association should be required to have a stated minimum number of members to qualify as a National Member of the Society but a close division of opinion was expressed as to whether that minimum should be 10, 15 or 20. On the other hand, there was general agreement that the Executive Committee should have power to accept a smaller number of members of an association in order for it to qualify as a National Member if that smaller membership is justified because of the individual situation. On the other hand, two Working Group members are of the view that the reduced number should in no event be below 10.

(d) Voting rights: Working Group members also accepted the proposition that the By-Laws be changed to the effect that individual members preserve their right to participate in the Executive Committee deliberations, with however no voting rights. It is expected that this would encourage individual members to take steps to create a national association in their respective countries.

Those Working Group members who expressed a view were split evenly on the question of whether Honorary Presidents, separate from their role as a national association delegate, should continue to have voting rights with respect to the election of officers. Similarly, there was an even split on the proposition of whether Officers, separate from their role as a national association delegate, should have voting rights on all questions or, instead, on all questions except the election of Officers. The idea here is that only the National Members should be entitled to appoint the Officers.

(e) Members in arrears of their dues: There was majority support for clarifying the By-Laws to provide that a National Member should have no voting rights if it is delinquent in dues payments but some support for the proposal that a National Member that is delinquent in dues payments should have voting rights except with respect to the election of Officers. In connection with imposing a limitation on voting participation by dues delinquent National Members, the Working Group favoured a recommendation, rather than a By-Law change, that prior to a vote, the Treasurer report to the Secretary-General the identity of the delegations that, up to the time of the meeting, have received two written notices of delinquency and are not current in paying dues up through the preceding calendar year.

(f) Executive Committee: A majority of the Working Group who expressed an opinion support the proposal that the title 'Executive Committee' be changed to 'Governing Body', but some support was expressed for the proposal that the name be changed 'Steering Committee'.

I would like to put on record my deep gratitude to Professor Goldman for the outstanding job he has done. In the coming months I will be circulating the draft amendments to all of our Executive Committee Members so that I expect we would be able to reach a decision in the Executive Committee's meeting to be held next year in Freiburg. It should, however, be recalled that after approval by the Executive Committee the revised by-laws must be ratified by the General Assembly (i.e. the General Assembly to be held in Sydney, 2009, after our XIX World Congress).

2. Forthcoming Congresses of ISL&SSL

VII American Congress; Santo Domingo, 31 st October – 2 November 2007

Website: www.congresolaboral.org.do

Professor Carlos Hernández tells me that the organization of this Congress is well underway. They expect receiving many participants, from both the Dominican Republic and abroad. The Congress benefits from very strong support from the national

authorities. Professor Rafael Albuquerque, Vice-President of the Dominican Republic chairs the Organizing Committee.

The venue of the Congress is the State Secretary of Foreign Affairs, Ave. Independencia No. 752, Estancia San Jerónimo. Santo Domingo. R. D. It is very close to the Hotel Santo Domingo (Ave. Abraham Lincoln Esq. Ave. Independencia), where the official guests of the Congress will be lodged.

Below is the agenda and name of the reporters

Wednesday, October 31 st

| | |
|---------------------|---|
| 10:00 am – 6:00 pm: | Registration of participants |
| 2:30 pm – 5:30 pm | Informal Meeting of the Executive Committee |
| 6:00 pm | Opening Ceremony |
| 8:00 pm | Welcome Cocktail |

Thursday November 1 st Theme 1: The impact of the economic difficulties of the enterprise on the contract of employment

8:30 am – 9:15 am General Reporter: Carlos De Buen (Mexico)

9:15 am – 9:45 am North America sub regional approach. Discussant: Steven Willborn (US)

9:45 am – 10:15 am Central America sub regional approach. Discussant Bernardo van der Laat, (Costa Rica)

10:15 am – 10:45 am Coffee Break

10:45 am – 11:15 am South America sub regional approach. Discussant Víctor Ferro Delgado (Peru)

11:15 am – 11:45 am The Dominican Republic perspective: Discussant Martin Breton

11:45 am – 1:00 pm Debate on theme I

1:00 pm – 2:30 pm Lunch

Theme II: Protection against anti-union discrimination

2:30 pm – 3:15 pm General Reporter: Rolando Murgas Torrazza (Panama)

3:15 pm – 3:45 pm North America sub regional approach: Discussant Jay Youngdahl, (US)

3:45 pm – 4:15 pm Central America sub regional approach: Discussant Edgardo Cáceres (Honduras)

4:15 pm – 4:45 pm Coffee Break

4:45 pm – 5:15 pm South America sub regional approach: Discussant Humberto Villasmil (Venezuela / ILO)

5:15 pm – 5:45 pm The Dominican Republic perspective: Discussant Julian Serulle

| | |
|---------------------|---|
| 5:45 pm – 7:00 pm | Debate on theme 2. |
| 8:00 pm | Dinner or cocktail |
| Friday, November 2 | Theme III: Workers' protection in case of illness |
| 8:30 am – 9:15 am | Co- reporters: Francisco Walker Errázuriz (Chile) and Rafael Pereira (Chile) |
| 9:15 am – 9:45 am | North America sub regional approach: Discussant Ramona Paetzold (US) |
| 9:45 am – 10:15 am | Central America sub regional approach: Discussant Fernando Bolaños (Costa Rica) |
| 10:15 am – 10:45 am | Coffee Break |
| 10:45 am – 11:15 am | South America sub regional approach: Yone Frediani (Brazil) |
| 11:15 am – 11:45 am | The Dominican Republic perspective: Discussant Porfirio Hernández Quezada |
| 11:45 am – 1:00 pm | Debate on theme 3 |
| 1:00 pm – 2:30 pm | Lunch |
| 4:00 pm 6:00 | Round Table: What's new in Labour Law? Regional perspectives |
| | <u>Moderator:</u> Oscar Hernández Alvarez (Venezuela) <u>Panellists:</u> Héctor García (Argentina), Cristina Mangarelli (Uruguay), Mario Pasco Cosmópolis (Peru), Roberto Corrada (US), M.R. Herrera Carbuccia (Dominican Republic), Rafael Alburquerque, Vice-President of the Dominican Republic |
| 7:00 pm – 7:30 pm | A summary of the Congress Arturo Bronstein (Argentina), Secretary General of ISL&SSL |
| 7:30 pm – 8:30 pm | Closure of the Congress |

Registration

Registration can be made through the Congress website. Registration fees vary depending upon the date of registration. Special reduced rates apply to students and groups. Please, refer to the Congress webpage: <http://www.congresolaboral.org.do>

Travel and Accommodation

There are three daily flights from Miami with American Airlines. I presume that there are also flights from New York and other US gateways. From South and Central America there are three daily flights with COPA from Panama and one daily flight with Aeropostal from Caracas. Several European carriers such as Air France and Iberia fly also directly from Europe to Santo Domingo. For those who would wish to combine the Congress with

a sunny vacation I presume that there are many arrangements available, which include chartered flights to Santo Domingo, Puerto Plata or Punta Cana. The Congress organizer Turinter also proposes a number of tours in the country. Please, refer to its webpage: www.turinter.com

Apart from Hotel Santo Domingo you can book in several other hotels through the Congress website.

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REGISTRATION & RESERVATIONS

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IX European Regional Congress; Freiburg, Germany, 16-18 September 2008

Below is the agenda and name of the reporters

Tuesday, September 16

| | |
|---------------------|--|
| 09.00 am - 12.30 pm | Executive Committee Meeting |
| 11.00 am - 5.00 pm | Registration of participants |
| 5.30 pm | Opening ceremony |
| 07.30 pm | Reception by the mayor, City of Freiburg |

Wednesday, September 17

| | |
|---------------------|--|
| 09.30 am - 12.30 pm | Plenary session |
| | Topic 1: Implementation of the equal treatment principle in employment and occupation in the EU and EEC Member States. General reporter: Ninon Colneric, Germany |

3.00 - 6.00 pm

Round Table 1

The impact of information and communication in the field of labour law

Participants: Rolf Birk, Germany (moderator), Matthew Finkin, USA, Satoshi Nishitani, Japan and others

Thursday, September 18

09.30 am - 12.30 pm

Plenary session

Topic 2:

Status and protection of migrant workers

General reporter: Ruth Nielsen, Denmark

3.00 - 6.00 pm

Round Table 2

Employer's responsibilities in enterprises with complex structures

Participants: Carlos M. Palomeque López, Spain (moderator), Rüdiger Krause, Germany, Umberto Carabelli, Italy, Jesús Cruz Villalón, Spain, and others

8.00 pm

Congress Dinner

Friday, September 19

09.30 am - 12.30 pm

Plenary session

Topic 3:

The impact of demographic trends/developments on pension schemes in Europe

General reporter: Tomas Davulis, Lithuania

2.30 - 4.30 pm

Workshop 1:

Systems of law enforcement in labour law

Participants: Monika Schlachter, Germany, Andrzej Swiatkowski, Poland, Philippe Waquet, France

Workshop 2:

Qualification and training of lawyers and legal advisors in the field of labour law

Participants: Corinne Sachs-Durand, France, Susanne Wittkämper, Germany, Michael Sunnus, Germany, and others

5.00 - 5.30 pm

Summary of the Congress by Arturo Bronstein, Secretary General ILSLSS

More information is available on the website: <http://kongress-und-kommunikation.com/cms/website.php?id=/en/labourlaw2008/Start.htm>

XIX World Congress, Sydney, 1-4 September 2009

Website: <http://www.labourlawsydney.com/>

Below are the names of the colleagues who have accepted to be general reporters and round table moderators:

Theme 1: Regulatory frameworks and law enforcement in new forms of employment.
General Reporter: Rosemary Owens, Australia

Theme 2: Workers' representation and social dialogue at the workplace level. General Reporter: Antoine Jeammaud, France.

Theme 3: Emerging patterns of social protection in light of structural changes (ageing population, changing family structures, immigration, budgetary constraints, political and ideological realignments). General reporter: Carlos Rafael Hernández (Dominican Republic)

Round table: Work and family life. Moderator: Gillian Lester (US)

Workshop: What's new in Labour Law?

In accordance with our standard practice the general reporters will establish questionnaires and ask our national association to reply thereto. I have already contacted the reporters to ask them to prepare the questionnaires, which I intend to circulate by the end of this year.

3. News from our Members

Austria

New Executive Board of the Austrian Society for Labour and Social Security Law, March 2007-March 2013:

President:

Professor Dr Karl Spielbüchler
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Vice-presidents:

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Members of the Board:

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Dr. Walter Geppert
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Professor Dr. Konrad Grillberger
University of Salzburg
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5020 Salzburg

President of senate D. OGH Dr. Gustav Maier
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Professor Dr. Robert Rebhahn
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1010 Vienna

Professor Dr. Walter Schrammel
Institute for Labour and Social Law Hessgasse 1/3
1010 Vienna

Professor Dr. Franz Schrank
Economic Chamber of Steiermark
Körblergasse 111 – 113
8010 Graz

Past Presidents:

Professor DDr. Dr. h.c. Hans Floretta
Markus Sittikusstr. 10
5020 Salzburg

Professor Dr. Dr. h.c. Rudolf Strasser
Hebenstreitstr. 11
4020 Linz

Auditors:

Dr. Martin Gleitsmann
Chamber of Economics of Austria
Wiedner Hauptstr. 63
1045 Vienna

Professor Dr. Reinhard Resch
Johannes Kepler University of Linz
Altenbergerstr. 69
4040 Linz

Peru

The Peruvian Society for Labour and Social Security Law has elected the following board for the term 2007-2009:

Chair: Alfredo Villavicencio Ríos
Vice-Chair: Alfonso de los Heros Pérez Albela
Secretary: José Balta Varillas
Deputy Secretary: Luz Pacheco Zerga
Treasurer: Isabel Herrera Gonzales - Pratto
Deputy Treasurer: Hugo Salas Ortíz
Library and Publications: Renato Mejía Madrid
Events and technical meetings: Juan Carlos Cortés Carcelén
International Relations: Mario Pasco Cosmópolis

More information on the SPDTSS is available at its website:
<http://www.spdtss.org.pe/index.html>

Venezuela

I congratulate the Fundación Universitaria for the great success of the International Congress it organized in the Island of Margarita from April 27 to 30, 2007. The Congress was attended by some 1,000 participants. More information on this event is available from the webpage <http://www.congresolaboralmargarita2007.com/>

4. Financial Questions

Further to the election of Giuseppe Casale as the new Treasurer of ISL&SSL our bank accounts have been transferred from the Netherlands to Geneva. Below are the bank references of our new account:

SIDTSS
UBS - Succursale BIT
4, route des Morillons
1211 Genève, Suisse
Account No. 279-279358.60K
IBAN No. CH47 0027 9279 2793 5860 K
SWIFT: UBSWCHZH80A

5. ILO/Turin

The International Training Center of the ILO in Turin organizes from 3 to 14 September a training course on the Use of International Labour Standards by judges, lawyers and legal educators. The working languages of this course are English and French. A limited number of fellowships for this course are available. For more information and to apply, please contact:

Manager,
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Kind regards

Arturo Bronstein
Secretary General